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SOUTHEAST ALASKA SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

VOLUME II

TELECONFERENCE
March 23, 2022
9:05 a.m.

COUNCIL MEMBERS PRESENT:

- Donald Hernandez, Chair
- Calvin Casipit
- Michael Douville
- Albert Howard
- Ian Johnson
- Harvey Kitka
- Cathy Needham
- Patricia Phillips
- Robert Schroeder
- James Slater
- John Smith
- Louie Wagner
- Frank Wright

Regional Council Coordinator, DeAnna Perry

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P R O C E E D I N G S

(Teleconference - 03/23/2022)

(On record)

CHAIRMAN HERNANDEZ: Frank, if you're there we need to run through roll call and see if we have a quorum. Frank, if you're there, could you do that please.

MR. WRIGHT: Yeah, okay.

Cathy Needham.

MS. NEEDHAM: I'm here.

MR. WRIGHT: Okay, thank you, Cathy.

John Smith.

MR. SMITH: Here.

MR. WRIGHT: Thank you, John.

Harvey Kitka.

MR. KITKA: Here.

MR. WRIGHT: Okay.

Louie Wagner.

MR. WAGNER: Here.

MR. WRIGHT: Thank you.

Patricia Phillips.

MS. PERRY: Mr. Secretary. Patty did text me this morning and she will be joining us a little bit later this morning, she has an appointment. Thank you.

MR. WRIGHT: Okay, thank you.

Mr. Hernandez, I know you're there.

Albert Howard.

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(No comments)

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MR. WRIGHT: Albert Howard.

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5

6

here.

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Albert.

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Mr. Schroeder.

12

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Bob's here.

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over to Pelican.

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(No comments)

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23

MR. WRIGHT: Michael Douville.

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25

26

here, good morning.

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MR. WRIGHT: Good morning.

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Cal Casipit.

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MR. CASIPIT: Good morning, I'm here.

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Frank.

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MR. WRIGHT: Good morning.

Ian Johnson.

MR. JOHNSON: Good morning, I'm here.

MR. WRIGHT: Good morning, Ian.

Mr. Chair, we have a quorum.

CHAIRMAN HERNANDEZ: Okay, thank you,

MR. WRIGHT: Okay.

CHAIRMAN HERNANDEZ: So this morning

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1 we're going to pick up where we left off yesterday
2 afternoon with old business after we call for any
3 public testimony, public or tribal testimony on items
4 not necessarily on the agenda, non-agenda items. I
5 know we had had some interest from Salmon Without
6 Borders to testify and I think Seak wanted to testify.
7 I don't know if either of those groups are on the line
8 this morning and are ready to go but it's also an
9 opportunity for any member of the public who has called
10 in and would like to testify or tribal organizations
11 who would like to testify.

12

13 So if I could hear some shout outs of
14 who is online and wants to testify and then we can
15 establish an order of who will testify first and go
16 from there.

17

18 (No comments)

19

20 CHAIRMAN HERNANDEZ: Maybe, DeAnna,
21 I'll turn to you, have you heard from anybody that was
22 wanting to testify this morning that maybe just hasn't
23 called in yet.

24

25 MS. PERRY: No. I did get a
26 confirmation Salmon Beyond Borders would be available
27 Wednesday morning so maybe they plan on joining us a
28 little bit later. I think I mentioned between 9:00 and
29 10:00 is when we usually get to that, it's one of the
30 first things. But, yeah, they might not have joined us
31 yet. I can reach out and see if they intend on joining
32 us soon.

33

34 CHAIRMAN HERNANDEZ: Okay. If you
35 could do that quickly. In the meantime I'll wait and
36 see if there's anybody else on the line who would like
37 to testify this morning.

38

39 REPORTER: Hi, Don, this is Tina. I
40 don't want to testify.

41

42 CHAIRMAN HERNANDEZ: Hi, Tina.

43

44 REPORTER: Hi.

45

46 (Laughter)

47

48 REPORTER: But I do want to say,
49 everybody -- I know we keep saying to check your device
50

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1 and I really hope people will stop right this second,
2 look at your device, make sure you're on mute because
3 that echo does come from phones unmuted. I mean I can
4 only say that from experience that the echo is from
5 unmuted phone lines. So if everyone can try to do that
6 before we start public testimony it would be
7 appreciated.

8

9 Thanks. Sorry, go ahead Don.

10

11 CHAIRMAN HERNANDEZ: Okay. Thanks
12 again, Tina.

13

14 MR. SMITH: Mr. Chairman, John Smith.

15

16 CHAIRMAN HERNANDEZ: Yes, I heard
17 somebody.

18

19 MR. SMITH: Yeah, it was me, John Smith.
20 I just wanted to let you know I talked to Richard
21 Petersen the other day and they said that Ray Paddock
22 and Marco were scheduled to come in on Thursday so
23 that's tomorrow. So just to let you know that I see
24 his name on the schedule. But also just to let you --
25 I hear the echo almost every time everybody talks so I
26 think it's just coming from your system but that's just
27 a point of view.

28

29 Happy Day.

30

31 CHAIRMAN HERNANDEZ: Yeah, thank you,
32 John. Yes, I do hear the echo in the background, I
33 hope it's not coming from my phone, I'm obviously not
34 muted I'm talking but, I don't know.

35

36 REPORTER: Okay, this is Tina. So, no,
37 it's not coming from your line, Don. It comes from
38 many lines being unmuted. I'm not saying it's the
39 Council necessarily, I mean there's many, many people
40 on this call. So I don't want to imply that it's
41 Council members only. There's lots of Staff and
42 various people, but there are unmuted lines. I mean I
43 have checked with the Operator, she said there's lots
44 of unmuted lines. So when I make that comment, I'm
45 really making it to everybody that's attending this,
46 you know, conference, not just the Council members. So
47 please know that, thanks.

48

49 MS. PERRY: And this is DeAnna, and I

50

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1 just wanted to remind folks, I did find out a lot of
2 Staff use headphones and apparently when you take your
3 microphone and you flip it off so it's kind of in the
4 same direction with your headphones, straight up your
5 head, that automatically puts you on mute, that may or
6 may not show with the operator whether you're muted but
7 if you are with us and on a headset just remember to go
8 ahead and flip that up to make sure that you mute
9 yourself. I guess if continue with this, Tina, maybe
10 we will have to have the Operator just mute all lines
11 and then we'll have to remind folks to star, six to
12 open up the line because we're not going to be able to
13 continue like this.

14
15 CHAIRMAN HERNANDEZ: Okay. I don't
16 know if that problem is going to get resolved right
17 away. DeAnna, have you heard back from Salmon Beyond
18 Borders.

19
20 MS. PERRY: Not yet, Mr. Chair. Would
21 you like to take maybe a five minute break and we can
22 go ahead and take care of the phone lines on our end
23 and then come back on. Everybody will be muted. Then,
24 Don, you will have to star, six to unmute yourself and
25 start the meeting back.

26
27 CHAIRMAN HERNANDEZ: Okay, yeah, go
28 ahead and get that message out and we'll take a five
29 minute break and we'll come back at 9:15.

30
31 REPORTER: Okay, this is Tina. So,
32 Don, I'm just going to say -- I don't know if this is
33 going to apply at this meeting, we have had to do that
34 at other RAC meetings and I have been told that
35 sometimes you have to star, six twice to get your phone
36 unmuted when we go to an all mute line. I'm just
37 putting that out there ahead of time in case when you
38 do star, six, if you don't come back. I will let you
39 know as soon as I hear you.

40
41 MS. PERRY: Thank you, Tina.

42
43 CHAIRMAN HERNANDEZ: Sorry, I said okay
44 -- I had my phone muted but, okay, I'll remember that,
45 thanks Tina.

46
47 REPORTER: Yep, okay, we'll try that.

48
49 (Off record)

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1 (On record)

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3 CHAIRMAN HERNANDEZ: Can you hear me
4 now?

5

6 REPORTER: Yes.

7

8 MS. PERRY: Loud and clear, no echo.

9

10 CHAIRMAN HERNANDEZ: Hopefully all the
11 Council members are back with us and like I say,
12 everyone is muted so if you want to say something you
13 need to hit star, six. And, DeAnna, back to public
14 testimony. Do we have anybody on deck.

15

16 MS. PERRY: Mr. Chair, I haven't heard
17 back from Salmon Beyond Borders and I haven't heard
18 from anyone else who would like to testify this
19 morning. I do know that we have Seak for tomorrow as
20 well as was mentioned during agency reports Central
21 Council, Tlingit and Haida, they'll give an agency
22 report. I think that was mentioned earlier. But,
23 yeah, I guess we could call once again, Mr. Chair, if
24 there's anyone online who would like to give public
25 testimony on non-agenda items at this time just press
26 star, six to open your line and call for the Chair.

27

28 MS. NEEDHAM: Mr. Chair, this is Cathy.

29

30 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

31

32 MS. NEEDHAM: Thank you, Mr. Chair. I
33 did receive a text from Joel Jackson. I don't know
34 that he's on the line yet and I can respond to him but
35 I think he might have wanted to come back in and say a
36 few words.

37

38 CHAIRMAN HERNANDEZ: Okay. If you
39 could do that that would be good. We can wait for a
40 few minutes but I want to get going and proceed with
41 the other items on the agenda.

42

43 MS. NEEDHAM: Mr. Chair, this is Cathy.

44

45 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

46

47 MS. NEEDHAM: Mr. Jackson did respond
48 and I think he's going to try tomorrow morning.

49

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0173

1 Thank you.

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CHAIRMAN HERNANDEZ: Okay, thank you.
4 Well, let's move ahead on the agenda then. Next item
5 up was report from the Indigenous Management Working
6 Group and I do want to check and see on some logistics
7 here. We put together sort of a preliminary position
8 statement and, DeAnna, I don't know if that's something
9 that has been circulated to the Council. I don't know
10 if it's going to be put up on the Teams, or how do we
11 go about that, logistically.

12

13

MS. PERRY: Mr. Chair, I believe Mr.
14 Schroeder had distributed that to the working group and
15 the working group was maybe going to fine-tune that and
16 bring a statement back to the Council for all to vote
17 on. So I guess I would reach out to Bob and see if
18 that's ready to go or if we need to set up another
19 break out group for them to fine-tune that. So, yeah,
20 I would check in with Bob. We talked before the
21 meeting and I think that was the plan so I'll just ask
22 Bob if we need to do that at this time.

23

24

CHAIRMAN HERNANDEZ: Okay, and while
25 we're waiting for Bob, I do want to know like how will
26 that be distributed to the rest of the Council when
27 it's ready to go.

28

29

MS. PERRY: Well, what Bob had before,
30 his original email was a lot of notes and not really
31 anything in proper form so we were distributing -- or
32 he was distributing that to the work group, that, again
33 -- I think -- when we look at distributing information
34 there is this requirement to have all documents that
35 are distributed to the Council members have to be made
36 public and, with that, there's an accessibility
37 requirement, it's known as .508 compliance. So this is
38 something that has come up in the last couple of years
39 and the agency is really starting to enforce that. So
40 the days of us just blasting out a bunch of emails are
41 coming to an end because anything that gets distributed
42 to the entire Council has to be made public. And it's
43 my understanding, and Bob can correct me if I'm wrong,
44 but his document was really just for some working
45 purposes and it wasn't meant to go out to everyone. So
46 Bob.....

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MR. SCHROEDER: Okay.

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1 MS. PERRY:I know you.....

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3 MR. SCHROEDER: Am I on here now?

4

5 MS. PERRY: Yeah, we can hear you now,
6 thanks.

7

8 MR. SCHROEDER: Okay, thanks. I had to
9 train myself on star, six. Yeah, what we had is just
10 kind of like working notes and those were sent around
11 to the people who were interested in the co-management
12 concept and what we were up to. And about 10 minutes
13 ago I sent these draft notes to the remaining Council
14 members as well. These aren't really public documents,
15 they're things that are in process.

16

17 If I could suggest, Don, do we have
18 time to spend -- can we spend a fair amount of time on
19 that this morning?

20

21 CHAIRMAN HERNANDEZ: I don't quite
22 follow you.

23

24 MR. SCHROEDER: Well, what I'd.....

25

26 CHAIRMAN HERNANDEZ: Do you mean the
27 working group needs to break out?

28

29 MR. SCHROEDER: No, I'd like some -- I
30 think it would be good to have Council discussion just
31 to see if we're going in the right direction. And
32 perhaps you could initiate because it was your idea to
33 have a working group that would look at co-management
34 and perhaps you could just go over the number of
35 meetings that have been, that we've attended and who
36 have participated. I think your memory on that is
37 probably better than mine.

38

39 CHAIRMAN HERNANDEZ: Right. But I
40 guess my question is, I mean we have kind of this
41 working document that we've been working on and at some
42 point we want to get feedback from the entire Council,
43 how do we do that if we can't distribute that to the
44 Council; I'm confused here.

45

46 MR. SCHROEDER: Well, what I think,
47 and, you know, we're kind of -- this is kind of feeling
48 our way of remote meetings but on other things that
49 have been pretty complicated we haven't attempted to do
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1 final drafts online or during our meeting, what we've
2 -- say when we were dealing with Roadless, which had
3 very detailed and involved comments, what we did there
4 was we discussed in the Council key points and had the
5 Council say, yes, we -- we believe that this represents
6 the Council's view and then we had a drafting committee
7 to make things more presentable following the intention
8 of the Council. Since there are a lot of things going
9 on with co-management I'd suggest that that would be a
10 good way of going and if we spend a little time on that
11 this morning we could see if we have a need for a break
12 out group during this meeting. We've already had a
13 number of people who have weighed in. Patty, who's
14 provided some comments, Ian has provided some
15 additional things that should go in the draft and I
16 think Albert probably has some ideas as well.

17

18 So if that's acceptable to you, then
19 what we'd do is kind of run through this morning, why
20 -- what -- what's been happening with the co-management
21 group and I'll possibly talk about the key points that
22 we may want to put in a document that comes out of the
23 Regional Council.

24

25 So is that a reasonable how to proceed
26 Mr. Chairman.

27

28 CHAIRMAN HERNANDEZ: Well, it's
29 reasonable if you want to rely -- I mean my point of
30 view is, you know, we have this working document, you
31 know, the working group put together a number of ideas,
32 as you say, we want to include what would be a final
33 document that would be approved by the Council, yet, we
34 can't really distribute that to the Council, I guess
35 we're just supposed to give them a synopsis verbally of
36 what we've been doing and then write it up and, I don't
37 know, when does it come back to the whole Council to
38 see.....

39

40 MS. PERRY: Mr. Chair, this is DeAnna.

41

42 CHAIRMAN HERNANDEZ:I don't know
43 -- DeAnna. It sounds a little unworkable.

44

45 MS. PERRY: Mr. Chair, can you hear me?

46

47 CHAIRMAN HERNANDEZ: Yeah, go ahead,
48 DeAnna, I hear you.

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1 MS. PERRY: Okay.

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CHAIRMAN HERNANDEZ: Go ahead.

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MS. PERRY: If I could make a
6 suggestion. Bob had mentioned talking a little bit
7 about the history, how about I just give a brief
8 overview of that. The document -- I don't have the
9 latest document and I don't have any of these comments
10 that Bob's talking about, I'm not in that email trail,
11 I guess, so I guess it would be possible that the
12 original document that Bob had sent to the work group,
13 it looks like it has 15 points. So I think an orderly
14 way to go about this, if you don't want to do a break
15 out group, would be to take each one of these points --
16 one of us can read what this is and then get the
17 Council's feedback on that. It's my understanding that
18 the working group wants to put together a letter
19 possibly to the Federal Subsistence Board and the
20 Forest Service concerning indigenous management of
21 Southeast Alaska fish, wildlife, plants and other
22 natural resources.

23

24

CHAIRMAN HERNANDEZ: Right.

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MS. PERRY: So do you want me to start
off that way.

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MS. PERRY: So, Bob, it sounds like you
did send this -- it sounds like Bob sent out the latest
to the Council, I don't have that, so if Bob has
already sent it out to the Council then it sounds like
the Council has it. The Council.....

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1 MR. SCHROEDER: Yeah, that -- that's --
2 that's correct. Let's see am I on right now or not, I
3 don't know what's happening.

4
5 REPORTER: You have been unmuted.

6
7 MS. PERRY: Yes, we.....

8
9 MR. SCHROEDER: So then I want to.....

10
11 REPORTER: You've been unmuted the
12 whole time, Bob.

13
14 MR. SCHROEDER: Okay, great. Then.....

15
16 CHAIRMAN HERNANDEZ: Okay, then.....

17
18 MR. SCHROEDER: Okay. Then DeAnna's
19 suggestion is pretty good and -- and if we had a --
20 really the state we're in -- or where the group is, is
21 we have like a bunch of -- we have notes, and as DeAnna
22 pointed out, they're organized into 15 points and
23 they're just -- they're just working notes so we don't
24 have a document that is -- is ready for prime time in
25 any way and so I think DeAnna's suggestion, Don, would
26 be pretty good to just let the -- we have a fair number
27 of new Council members on and they need the background
28 of why we're even talking about this and what the
29 history of this is. And then I think we could be
30 pretty efficient in going through if we -- if the 15
31 points that -- or 15 items that are included in the
32 notes, along with useful additions from Ian, Patty and
33 the other people who are a part of this group. So maybe
34 we could just -- at the will of the Chair we could just
35 do this and then see how -- how much we can accomplish
36 efficiently.

37
38 CHAIRMAN HERNANDEZ: Okay. Well, we'll
39 proceed.....

40
41 MR. SCHROEDER: So, DeAnna, can.....

42
43 CHAIRMAN HERNANDEZ:like that.

44
45 MR. SCHROEDER:you go over kind
46 of the -- the history of when we started having a co-
47 management group and why the -- the Council decided to
48 do that.

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1 MS. PERRY: Yeah, I have a quick
2 history. This indigenous management, or co-management
3 work group was formed in our winter 2021 meeting. It
4 was created so the Council could stay in touch with
5 what's happening with groups and tribes as they make
6 efforts to pursue indigenous management of resources.

7
8 We have actually had five meetings so
9 far. We started in April of 2021 and our last meeting
10 was just this past February, February 23rd. This is
11 comprised of Council Members Don Hernandez, Albert
12 Howard, Bob Schroeder, Ian Johnson and I think Harvey
13 as well has maybe attended a meeting. And we've also
14 invited folks from different tribal organizations. So
15 I know Ray Paddock and Marco Banda has been with us,
16 Wanda Culp, Rebekah Sawyers from WECAN, Osprey Lake,
17 also from WECAN. So there's been several different
18 folks who have joined these Council members in talking
19 about the issues and some of the efforts that they
20 would like to make.

21
22 (Teleconference interference -
23 participants not muted)

24
25 MS. PERRY: There's been a lot of -- so
26 I think Central Council has helped out WECAN with a few
27 things -- so, yeah, and I think what we had hoped is
28 that we would come with a report out to the Council but
29 it looks like that's still in the works so hopefully we
30 can fine-tune a letter to the Board, but, yeah, that's
31 basically the background. Is that what you were
32 thinking of Bob?

33
34 MR. SCHROEDER: Yeah, that -- that's
35 really good and (coughing), excuse me -- yeah, I think
36 that's a really good introduction. And that could lead
37 to the first point that is circulated around is that
38 this discussing in whatever we would write up, why
39 we're doing this endeavor and why we're engaged in
40 this.

41
42 And in thinking about it is very much
43 the way DeAnna put forth, that over the last couple of
44 years, before our winter meeting, we heard about quite
45 a bit of interest in co-management and indigenous
46 management activities in Southeast Alaska and noted
47 that groups came before us, both tribes, the Guardians
48 Program, and WECAN and perhaps other groups really
49 saying that this -- this was something they were
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1 interested in and were pursuing independent of what the
2 Council may wish to do or support.

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Now, quite clearly WECAN and the Guardians have looked to us both to provide us information on their activities and to see if we support what they're up to.

I see this -- when I thought about it is the really part of what our ANILCA Regional Advisory Council obligations are. One thing that the Council does is it hears from people in all the communities and we have basically almost an open mic time for people to come and tell us what they're concerned about and part of our obligation is to listen carefully to -- so that we know what's going on in our region and to forward things on to the Federal government through Forest Service and through OSM.

So that's a bit of the reason for why we even addressed this. And if Ian -- Ian's on there, I'd like him to weigh in because he -- he's thought about this quite a bit and sent a few notes on to -- on to the group. Ian, are you with us right now.

MR. JOHNSON: I am, yep. Yeah, so it's -- yeah, definitely the engagement from the groups that -- the discussions we've had have been good, you know, I know working through Hoonah Indian Association -- just taking off my RAC member hat really quick and putting that hat on, I guess, you know, we definitely have worked towards co-management topics and -- and so I think -- then sorry I'll put my RAC hat back on -- but, you know, certainly we talk a lot about, you know, obviously through ANILCA we're like charged with ensuring subsistence and increasing opportunity and I think we can more actively do that through promoting this co-management structure. I think what Bob is saying in regards to it being heard from community members is a -- community and tribal members is a common theme that can help bridge a lot of the gaps that exist. And so I know some of the feedback that I've recently given back to Bob is just that I think the opportunity for co-management increases eyes on the ground, it empowers people to take more charge of their local surroundings and regulatory environment. It increases the -- or maybe increases the efficiency of the cycle of management decisionmaking within the community and so I think, you know, we talk a lot about

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1 that management cycle in the proposal cycle here within
2 the RAC and meeting. I think in some ways including
3 the middle man, you know, being the community, and I
4 don't say middle man in like any kind of connotation
5 that's negative, this is just the opportunity to
6 increase our scope of community members and get them
7 engaged in the process. It hits on a lot of the topics
8 that have been talked about, you know, the WECAN
9 presentation yesterday was a -- you know, Wanda and her
10 group have been really heavily involved in the co-
11 management discussions and the food first concept that
12 she's introducing is -- is definitely rooted in this
13 co-management concept structure, I think. I think she
14 would agree with me if I threw that -- that this is a
15 facet and part of that.

16

17 And then there's just broadly a lot of
18 movement towards that. And the Indigenous Guardians
19 Network, which we are going to get a broader update on
20 that, I think from Ray and Marco tomorrow, but part of
21 that agreement with the Forest Service is to look into
22 this and bring movement and -- and policy towards that
23 discussion.

24

25 So, sorry, Bob, I think I might be
26 rambling a little bit but it.....

27

28 MR. SCHROEDER: No.

29

30 MR. JOHNSON:I might turn it over
31 to you to help get -- help coalesce this a little bit
32 again.

33

34 MR. SCHROEDER: Thanks for that Ian,
35 and, you know, we also -- other reasons for why we
36 addressed this are -- one reason would be that we have
37 had a very positive relationship with tribes, in
38 particular and supporting cooperative fisheries,
39 harvest and escapement data gathering and other
40 activities in the region. So we have this -- this
41 ongoing experience where tribes and communities have
42 stepped up and really worked well with the Federal
43 Program.

44

45 And -- and I'm kind of going a little
46 bit out of order in our points here, but we also noted
47 that, you know, we're now incredibly at the 32 year
48 mark of Federal management of fish and wildlife
49 resources in Southeast Alaska and in Alaska and -- and
50

0181

1 when the Program got going no one believed that it
2 would be around for very long. The idea was that
3 unitary management would be reestablished by the State
4 either changing its Constitution to allow to comply
5 with ANILCA, or there would be changes to ANILCA, that
6 hasn't happened, so we're at the 32 year mark. And I
7 believe, and I think the group believes that this may
8 be a time to examine the management structures that
9 have been implemented into recommended changes to
10 Federal management of subsistence in all realms.

11

12 And we're noting that we are working
13 quite well with the 20 recognized tribes in our area.

14

15 We mention that we have a long track
16 record over this time period of supporting fisheries
17 monitoring projects in, at least, Hoonah, Kake,
18 Hydaburg and Sitka and supported subsistence harvest
19 surveys in most of the region's communities. SERAC
20 worked with tribes and communities on a multi-year deer
21 planning effort on Prince of Wales. And basically we
22 found these cooperative monitoring and subsistence use
23 projects to be very successful ones. They've been cost
24 effective and have resulted in tribal capacity
25 building. So I think we have a good deal of experience
26 now saying, looking at what's gone on in the past
27 to say that, yes, this is completely feasible, it works
28 quite well and it serves the people of our region.

29

30 Another point -- a second point that we
31 would include -- so I'm now moving off the why
32 question, the second point has to do with our authority
33 to even talk about these things under ANILCA. And
34 we've excerpted what our authority is from the statute.
35 Perhaps I could get Patty, since she's back as our
36 ANILCA expert, to just to say what she would see the --
37 how strong our authority is to our recommended
38 implementation of -- of co-management and indigenous
39 management structures. I don't know if Patty is on
40 there, if not we'll get her another time.

41

42 (No comments)

43

44 MR. SCHROEDER: Patty, are you here.

45

46 (No comments)

47

48 MS. NEEDHAM: She may need to star,

49 six.

50

0182

1 MR. SCHROEDER: Are you here.

2

3 CHAIRMAN HERNANDEZ: Bob, I believe
4 Patty had another appointment this morning she had to
5 make.

6

7 MS. PHILLIPS: Am I here?

8

9 CHAIRMAN HERNANDEZ: Wait a minute,
10 there she is.

11

12 MS. PHILLIPS: Yeah, sorry I didn't
13 know I had to -- thank you Cathy for suggesting I press
14 star, six, besides my mute button. So I just got this
15 stuff sent to me, you know, last (indiscernible -
16 breaks up) and what I did was, you know, read was sent
17 to me and basically edited the document (indiscernible
18 - breaks up) and needs, and just inserted areas, where
19 we could, you know, beef up the document with Title
20 VIII language and tried to stay focused on, you know,
21 we're trying to engage and address tribal co-management
22 in subsistence resources and provide opportunity for
23 Alaskan Natives in the region to contribute in a
24 meaningful way for the protection of subsistence
25 resources. So there is, you know, we do have -- what
26 do you call that -- authority through ANILCA and
27 through the RAC process to, you know, to share what
28 we've learned through this RAC process where people
29 testify and we hear what they're saying and it's always
30 good that -- from what we hear what they're saying that
31 we actually take steps in the directions to help
32 promulgate, you know, some of their desires of moving
33 towards compacting -- or towards co-management.

34

35 So I guess that's all I'll add for now.

36

37 Thank you.

38

39 MR. SCHROEDER: So this could be a --
40 just stopping at this point to see if there are -- if
41 we have input from either other team members, I know
42 Albert has been on most of the calls, or other Council
43 members who -- on this idea of moving toward co-
44 management or indigenous management structure. So
45 perhaps we could spend a few minutes and see what other
46 Council members are thinking at this point.

47

48 MR. HOWARD: Mr. Chairman, this is
49 Albert.

50

0183

1 (No comments)

2

3 MR. HOWARD: Hello.

4

5 CHAIRMAN HERNANDEZ: Yeah, go ahead,
6 Albert.

7

8 MR. HOWARD: Thank you, Mr. Chairman.
9 There's a couple of examples we've had that we can
10 refer back to as far as co-management goes. And I've
11 mentioned this in the past, I think there is
12 opportunity to work with the State on managing systems
13 if they do it right. And I've had a meeting with
14 Member Johnson and Member Casipit and Frank Wright and,
15 yeah, it was an opportunity I thought if we included
16 Member Needham in that process, the funds that we've
17 received from the Forest Service for Kupreanof deer for
18 -- if you do that -- if you look at it right and had to
19 manage that system and present it to the system, that
20 would open the door for co-management opportunities, I
21 believe, and it could be done with proper data, you
22 know, in the same manner that Hetta's been done where
23 the State recognizes that, yes, they do have data
24 supporting that decision what's happening to the salmon
25 at Hetta. But I think it's an opportunity to take a
26 look at what Ian Johnson may be working on as far as
27 the Kupreanof deer.....

28

29 (Teleconference interference -
30 participants not muted)

31

32 MR. HOWARD:go. I haven't heard
33 anything since the first meeting.

34

35 So, thank you, Mr. Chair.

36

37 CHAIRMAN HERNANDEZ: Thank you, Albert.
38 Any other Council members like to comment at this point
39 on what Bob's been presenting.

40

41 MR. JOHNSON: Mr. Chair, this is Ian.

42

43 CHAIRMAN HERNANDEZ: Go ahead, Ian.

44

45 MR. JOHNSON: Am I live.

46

47 CHAIRMAN HERNANDEZ: Yeah, I hear you.

48

49 MR. JOHNSON: Okay. I do want to

50

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1 include a couple more thoughts and I can respond to
2 Albert's stuff and give a little more context. We are
3 doing a lot of, I guess, co-management -- things that
4 lead into co-management things in the Hoonah area here.
5 Mr. Stewart, in his opening remarks, talked about the
6 Hoonah Native Forest partnership, that's a seven year
7 multi-agency, ANCSA, NGO, tribal partnership that has,
8 you know, done a lot. And part of what we've done is
9 just train local people to get them involved in land
10 management, monitoring and just projects, like in a
11 nutshell, without going any further, that's what it's
12 done. And coming out of the meeting last autumn, which
13 was heavily focused on the deer in Chichagof and west
14 Admiralty, it was evident that there was money -- there
15 was a need for understanding better, more thoroughly
16 the deer populations and engaging stakeholder groups
17 and so I did submit on behalf of the tribe some money
18 -- requested money through that process to do some of
19 that. And so that work plan is still in formation,
20 however, later this week after this meeting is done
21 I'll be meeting with the Forest Service to determine
22 how we're going to go about that but basically I think
23 it'll have three components.

24

25 The components would be working with
26 the State to conduct a full suite of household surveys
27 again. Working with the State -- and I've already been
28 in contact with several members, biologists, area
29 biologists and others to talk about.....

30

31 (Teleconference interference -
32 participants not muted)

33

34 MR. JOHNSON:the population
35 monitoring, both long-term and short-term, and so
36 genetic mark/recapture essentially using local folks to
37 do that and then a long-term camera study is likely.
38 And then the last portion is to get the -- some of
39 these stakeholder groups together. And what Mr. Howard
40 was hoping was maybe that we focus on the north
41 Chichagof portion but then to learn lessons from that
42 for the west Admiralty area. So I guess that's what
43 I'm hoping to provide for all communities, is a
44 framework and model that may help towards this co-
45 management idea of deer and local folks getting
46 involved in that.

47

48 So I'll stop there but that's -- yeah,
49 thank you.

50

0185

1 CHAIRMAN HERNANDEZ: Okay, thank you,
2 Ian. Anybody else on the Council have anything to add
3 on what we've been discussing so far.

4
5 MR. CASIPIT: Mr. Chair, this is Cal.

6
7 CHAIRMAN HERNANDEZ: Go ahead, Cal.

8
9 MR. CASIPIT: I just wanted to take
10 this opportunity to thank the subcommittee on what
11 they've provided so far. Just the notes.....

12
13 (Teleconference interference -
14 participants not muted)

15
16 MR. CASIPIT:from Bob that he
17 sent out this morning, I took a look at them and went
18 through them, I probably would have some more detailed
19 comments on this, but I would more -- more time to look
20 at it. But specific to the document and Point 11,
21 there's probably some things, and what I'd like to do
22 is ask things that can actually be done, and I know
23 some of these things in the past -- we've heard from
24 Federal attorneys that we can't do, like for instance
25 the -- the law enforcement stuff.....

26
27 (Teleconference interference -
28 participants not muted)

29
30 MR. CASIPIT:apparently that's a
31 no go as far as delegating that authority to a co-
32 management or something like that. I remember back in
33 the days when we were talking about that, that
34 delegating that law enforcement authority is probably
35 not going to happen.

36
37 Same with the analyze regulatory
38 proposals. Maybe we can rewrite that to talking about
39 how to engage the public in that, but, you know, I --
40 there's just some editing that could be done to this
41 that would improve it.

42
43 (Teleconference interference -
44 participants not muted)

45
46 MR. CASIPIT: Like I said, I'd rather
47 us ask for things that can be done than ask for things
48 that, by law, are just not going to happen.

49
50

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1 (Teleconference interference -
2 participants not muted)

3

4 MR. CASIPIT: Anyways, that's my
5 initial thoughts on this. I'd like to have some more
6 time to focus in more detail and think about it in
7 deeper terms but, you know, just on the brief through
8 first read, you know, that's my thought, that's a great
9 start.

10

11 REPORTER: Wait a second Cal. Cal.

12

13 MR. CASIPIT: Yes.

14

15 REPORTER: Yeah, this is Tina. So I'm
16 not getting on the recording what you're saying, it's
17 very difficult. Whoever is shuffling their papers and
18 all the people that may have spoken since we came back
19 on, you need to remute yourself after you're done
20 speaking. I know that it's an open conversation but we
21 really do need to star, six in between when you are
22 speaking because Cal's coming in very choppy, and from
23 Ian. So if everybody could please mute, star, six
24 unless you are the speaker. So right now only Cal
25 should be unmuted. I really appreciate that and I
26 think everybody else would so they can hear.

27

28 Thank you.

29

30 Go ahead, Cal.

31

32 MR. CASIPIT: Well, I'm sorry, Tina,
33 but I'll just summarize it again and hopefully you will
34 hear me.

35

36 I just wanted to compliment on putting
37 this together. Unfortunately since it came this
38 morning I haven't had a chance to go through it in much
39 detail. I would like some more time to review this and
40 develop some more in-depth comments and think about
41 these a little deeper because this really needs to have
42 some thought put into it.

43

44 And then I had a specific thing about
45 Point 11, where there's some things we're requesting,
46 basically contracted out, and I think law enforcement
47 is one of those things that we've heard in the past is
48 probably a no go. And I just want to be sure that what
49 we're asking for is doable and is allowable by law.

50

0187

1 That's it.

2

3 REPORTER: Thanks, Cal.

4

5 MR. SCHROEDER: Mr. Chair, if I'm --
6 can I get back on here.

7

8 REPORTER: You've always been on here

9 Bob.

10

11 CHAIRMAN HERNANDEZ: Sure, go ahead,

12 Bob.

13

14 MR. SCHROEDER: Thanks much for the
15 comments, Cal. And, you know, if we had a live meeting
16 we'd all have an evening session and be able to hash
17 things out a little more efficiently but I think we'll
18 be able to get there.

19

20 Another part of the notes that are in
21 there which is a little bit on the why but it also has
22 something to do with the how, specifically we're
23 talking about co-management and indigenous management.
24 Those are the things that have been put forth by the
25 groups that have come before and we'll be hearing more
26 about that when Ray Paddock is on tomorrow representing
27 the Guardians. But there is background in here talking
28 -- gosh, I'm getting some background here too -- is
29 this coming through okay Tina.

30

31 (No comments)

32

33 MR. SCHROEDER: Tina, is this
34 acceptable?

35

36 REPORTER: Are you talking to me?

37

38 MR. SCHROEDER: Yes. Are you getting a
39 reasonable feed.

40

41 REPORTER: I could hear you. So the
42 problem, Bob, is there's an echo, that means that
43 people are not muted.

44

45 MR. SCHROEDER: Okay.

46

47 REPORTER: But I could hear you. When
48 Cal was talking it was cutting out and so that's why I
49 broke in. Really, it's only the speaker that should be
50

0188

1 unmuted.

2

3 MR. SCHROEDER: Okay. Well, let's
4 again -- let's do our good for the order and mute your
5 phone if you're not talking.

6

7 But some other parts of the -- this is
8 kind of the why and how. Another part of the why is
9 that the Regional Advisory Council, the suggested
10 wording is recognizes that lands and waters of
11 Southeast Alaska were at once Aan'ni or Native lands,
12 and that this change of Tlingit territory, Haida and
13 Tsimshian territory may be something that needs to be
14 addressed. Also in a note is that there's a great deal
15 of specificity concerning the traditional law for
16 knowing which clan and which kwaan has authority over
17 particular pieces of land, as, I think, perhaps Wanda
18 mentioned in her presentation yesterday, clans and
19 kwaans know their territories quite well. These are
20 things that still exist. So these are very wise
21 concepts. And, of course, these boundaries, clan and
22 kwaan boundaries were verified post-war by Goldschmitt
23 and Haas report and then in recent years most tribes
24 have reviewed their traditional land ownership and
25 created new maps that delineate clan and kwaan
26 territory. So what this says is that we're not talking
27 about something very vague about indigenous management
28 or co-management, but our likely direction would be to
29 include the traditionally owned portions of Southeast
30 Alaska and the management of those areas.

31

32 So that's another point in there, in
33 both the how and the why.

34

35 Cal spoke of -- and I'm sorry I
36 couldn't circulate this draft earlier. He spoke to 11
37 which were things pointed at subsistence management and
38 Forest Service, and that point deals with co-management
39 agreements concerning with subsistence research and
40 planning as well as active subsistence management.
41 It'll be great working with Cal to get wording on that
42 better.

43

44 Point 12 falls on Forest Service and
45 Park Service, which are the land management agencies in
46 our region to enter into cooperative co-management
47 agreements with our region's tribes on all matters
48 concerning land management of traditional lands. This
49 could include authority to preserve, prepare, review
50

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1 materials for Federal plans or land use actions, to
2 perform data gathering on Forest resources, to assess
3 and implement restoration activities and to enable
4 tribes to become effective guardians of public land
5 resources. And there's an immediate suggestion that
6 both agencies should recruit qualified tribal residents
7 into their internship programs and to grow a new
8 generation of natural resource managers.

9

10 So there are basically two thrusts to
11 our ask. Our ask would include a very close to
12 subsistence research planning and subsistence
13 management. Those are things that are very close to
14 what the Regional Advisory Council looks after.

15

16 The Regional Advisory Council's also
17 been very involved in land management and commenting on
18 land management plans and we're saying quite a bit of
19 that activity could go to indigenous communities
20 through cooperative management agreements.

21

22 (Teleconference interference -
23 participants not muted)

24

25 MR. SCHROEDER: And one other thing
26 that -- the suggestion -- and -- and I know we're kind
27 of bouncing around here, which is, in addition to the
28 echo, is particularly frustrating -- we -- the
29 suggestion is that we would be writing to Forest
30 Service and to OSM concerning these matters and that we
31 would also circulate a copy of our policy to other
32 Regional Advisory Councils who may also be interested
33 in co-management activities.

34

35 So, Mr. Chair, what further direction
36 should we take here at this point.

37

38 (Teleconference interference -
39 participants not muted)

40

41 CHAIRMAN HERNANDEZ: Well, I think it's
42 a good time to maybe see if there's any other comments
43 from Council members about what you've just relayed to
44 us on these last points. Maybe take a pause here and
45 see if anybody wants to weigh in here with their
46 thoughts.

47

48 (Pause)

49

50

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1 CHAIRMAN HERNANDEZ: Okay, somebody may
2 want to chime.....

3
4 MS. PHILLIPS: This is Patty Phillips.

5
6 CHAIRMAN HERNANDEZ: Go ahead, Patty.

7
8 MS. PHILLIPS: Thank you, Mr. Chairman.
9 (Indiscernible - breaking up) respond about how certain
10 things are not possible and it could be changes to
11 regulations could be in order. For example, the
12 halibut -- subsistence halibut and (indiscernible -
13 breaking up) rural citizens of Alaska, that had to go
14 through a regulatory process for it to go into
15 place.....

16
17 (Teleconference interference -
18 participants not muted)

19
20 MS. PHILLIPS:and I know that's
21 not a RAC process, but it's an example of how
22 regulatory changes can be made, and it is a very slow
23 process but if there's recommendations to go in that
24 direction then we can support those.

25
26 So that's my comment, thank you.

27
28 CHAIRMAN HERNANDEZ: Okay, thank you,
29 Patty. The echo was a little strong in the background
30 for you. But you were referencing process outside of
31 our Regional Advisory Council process, could you say
32 again what that was.

33
34 (Teleconference interference -
35 participants not muted)

36
37 MS. PHILLIPS: The subsistence halibut
38 rural residents and tribal members were able to get a,
39 you know, a subsistence halibut card to allow for
40 subsistence harvest of halibut. And I'm just using
41 that as an example in another Federal area that we
42 could use as an example. And if we need to -- if we're
43 trying to make recommendations on changes that will
44 more support the -- what the tribal citizens are asking
45 and it would fulfill a concern we often have. We don't
46 want heavy handed law enforcement but we also want to
47 protect our resources.

48
49 Thank you.

50

0191

1 CHAIRMAN HERNANDEZ: Okay. I heard --
2 I heard you fine that time, Patty, thank you.

3
4 (Teleconference interference -
5 participants not muted)

6
7 MR. HOWARD: Mr. Chairman, this is
8 Albert.

9
10 CHAIRMAN HERNANDEZ: Council mem -- go
11 ahead.

12
13 MR. HOWARD: This is Albert. It sounds
14 like somebody's working in their garage or doing dishes
15 or something so.

16
17 (Teleconference interference -
18 participants not muted)

19
20 CHAIRMAN HERNANDEZ: Yeah, when the
21 line is silent I hear more and more of that background
22 noise and you're right, Albert, it sounds like
23 somebody's working somewhere.

24
25 REPORTER: So we can alleviate that if
26 everybody would hit star, six, so that's star, and then
27 the six, the asterisk button and the six, or your mute
28 button. Please.

29
30 CHAIRMAN HERNANDEZ: Yeah.

31
32 REPORTER: I am sorry to keep
33 interrupting but maybe someone will hear me eventually
34 and mute their phone.

35
36 MR. HOWARD: Mr. Chairman, we could
37 make that statement over and over again but until the
38 person goes by their phone they're never going to know
39 it's them.

40
41 CHAIRMAN HERNANDEZ: I know.

42
43 REPORTER: Yes, true.

44
45 MR. SCHROEDER: Mr. Chair -- Mr. Chair,
46 maybe I have a suggestion at this point.

47
48 REPORTER: To mute your phone?

49
50

0192

1 (Laughter)

2

3

CHAIRMAN HERNANDEZ: Yeah.

4

5

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MR. SCHROEDER: Or actually I have two suggestions. One is I think it wouldn't be too hard to prepare some key points, shorter than the four pages that -- that was circulated that could have Council approval tomorrow and then we could do the wordsmithing as a committee of volunteers after that time. That would give us a reasonable record in these trying circumstances. So that's suggestion one.

Suggestion 2 is, I believe it's the Council's intention to really support the co-management efforts that are already in place. We haven't heard from the Guardians Program yet but we may have a separate communication that is very specific, if we wish to support very specific things that are going on with Guardians or with WECAN or with one of the other co-management projects that are around.

So those would be two actions that we would do tomorrow.

And I guess while I still have the phone here, I know you and I had discussed a number of situations where really having indigenous management might work much better than our current system. I know we talked a little bit about the Unuk River, on which the Federal Subsistence Board and our Council have spent a great deal of energy and that would be sort of a prime fishery -- it would be prime for indigenous management and we, now, fortunately have Louie Wagner on board who is our now Council expert on that fishery. There are also -- we've been -- we spend a huge amount of time on Prince of Wales wolves, and that's definitely an area -- topic area where tribal involvement in meeting with wolf trappers and presenting the program and gathering information would be particularly productive.

(Teleconference interference - participants not muted)

MR. SCHROEDER: But back to the two -- reiterating the two suggestions would be that the working group comes before the Council tomorrow with a very slimmed down, not even a draft, but listing of

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1 points that we wish to cover, and that that would go to
2 a drafting committee after our meeting and, 2, that we
3 are mindful of specific support for the existing co-
4 management activities.

5

6 Thanks much. That's what I got for
7 right now. And I'm going on mute.

8

9 CHAIRMAN HERNANDEZ: Okay, good.

10

11 (Laughter)

12

13 CHAIRMAN HERNANDEZ: Well, yeah, thank
14 you Bob. I think that is how we are going to have to
15 proceed for sure. Two separate letters might be
16 warranted. There are some specific programs we may
17 want to support, I agree with that. I know that the
18 only way that we're really going to accomplish putting
19 together any kind of a letter going to agencies is for,
20 you know, a working group to finalize that. I just
21 want to make sure that, you know, what we've done this
22 morning and kind of laying out to the whole Council,
23 you know, our ideas thus far, and what we have
24 tentatively put into wording, you know, is acceptable
25 to the rest of the Council, that they know what the
26 work group has done and are willing to approve based on
27 what they've heard this morning, approve the work group
28 putting together a final draft. I mean preferably I
29 would have liked to be able to have something, I think
30 as you said, maybe a little bit more fleshed out to be
31 able to bring back to the Council before we adjourn and
32 this -- this whole idea of not being able to distribute
33 stuff without being .508 compliant, I know that's
34 really hamstringing us. I don't know if we have to do
35 all this orally, or I mean it just doesn't even make
36 sense to me that we can't even do our job but, yeah, we
37 can make it work, I think, based on what you outlined
38 there.

39

40 So I guess I do -- I would like to hear
41 before we wrap up this item, I guess I would like to
42 hear if there's any other comments from Council members
43 on what we're proposing here.

44

45 MR. HOWARD: Mr. Chairman, this is
46 Albert.

47

48 CHAIRMAN HERNANDEZ: Go ahead, Albert.

49

50

1 MR. HOWARD: Thank you, Mr. Chairman.
2 I am still wrapping my head around this all, and how
3 this could work and, in my mind, I'm thinking we can
4 work with local tribes and ACs, and I think the
5 Guardian Program is a whole new concept to Southeast
6 Alaska and they're not -- they don't have their feet on
7 the ground yet. And I think, just my thought process
8 is maybe have local ACs or tribes, whenever there isn't
9 a RAC member representing their community, that they
10 can write a written report that can be presented during
11 the Council reports as their concerns with what's
12 happening to the resources within their area. As an
13 example, Kake and Tenakee don't have representation on
14 this Council but we can invite them and their ACs or
15 their tribe, their local IRAs to send us a report on
16 what their concerns are and how they feel we can
17 address them.

18
19 I think we're throwing too broad of a
20 net by adding groups like Guardian and so on and so
21 forth. I think we would still stay within our
22 guidelines if we work with local tribes or ACs.

23
24 I -- when the west Admiralty proposal
25 was put in, some of the non-Native were pretty upset
26 with me and actually came to the house, who had never
27 come to my house before, so I explained to them that
28 they are Federally-qualified subsistence users because
29 they live in Angoon. So there's -- and I think in that
30 conversation I found out that Angoon, in fact, did have
31 an AC in the past and that they have written proposals
32 and everything and so on and so forth and so I think
33 just my idea of how this should look is maybe have the
34 tribes and their local ACs send us their report if they
35 don't have a RAC member on the RAC and what they would
36 like to see happen in their area concerning their
37 resources.

38
39 Thank you, Mr. Chair.

40
41 CHAIRMAN HERNANDEZ: Okay, thank you,
42 Albert. Yeah, we may be -- as we found out from Mr.
43 Jackson yesterday, we may not always have enough
44 outreach to the affected areas that, you know, we're
45 talking about. We really probably need to do a better
46 job at that so that's something that we could work on.
47 And I am looking forward to hearing -- you know we
48 heard a lot at the working group from the Guardians
49 Program and we're going to probably hear more from Mr.
50

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1 Paddock tomorrow and I think that'll be pretty
2 informative to both us and the Council, probably in a
3 lot more detail of what we were able to hear on our
4 working group. So that might help to flesh out some of
5 the ideas that we've been talking about this morning.
6 So that will be helpful.

7

8 So I think by the end of this meeting
9 we will have a better idea of what we will want to put
10 into our written statement so, yeah, we're going to
11 keep all those in mind, Albert. So thank you for that.

12

13 Is there any other Council members that
14 want to add anything at this point.

15

16 MR. WAGNER: Mr. Chair.

17

18 CHAIRMAN HERNANDEZ: Yes, go ahead.

19

20 MR. WAGNER: Mr. Chair, it's Louie.

21

22 CHAIRMAN HERNANDEZ: Go ahead, Louie.

23

24 MR. WAGNER: I was going through some of
25 my old paperwork and I have from the RAC meeting there,
26 October 16, 2001 and they worked on discussions on
27 customary trade in Southeast Alaska Subsistence
28 Regional with Bill Thomas, Dolly Garza and Floyd
29 Kookesh, Mr. Probasco and when Mr. Littlefield -- I
30 don't know if some of that might help with this work
31 group. This went on to the Federal Subsistence Board
32 at their meeting so I just thought I'd put that in
33 there. And, yeah, it'll be nice to hear more on this,
34 it sounds like they're doing a really good job there.

35

36 Thank you, Mr. Chair.

37

38 CHAIRMAN HERNANDEZ: Yeah, thank you,
39 Louie. That's good historical perspective. You know
40 some of the issues we're talking about now could have
41 been things we discussed previously. It's good to keep
42 in mind, keep track of that information and draw on
43 that later so very good.

44

45 Any other Council members.

46

47 MS. PERRY: Mr. Chair, I believe John
48 Smith was trying to speak but I haven't heard him. So
49 John you might have to press star, six to open up your

50

0196

1 line. I saw that he had texted on the videoconference
2 that he was trying to speak.

3

4 CHAIRMAN HERNANDEZ: Oh.

5

6 MR. SMITH: Oh, okay, gotcha.

7 Chairman.

8

9 CHAIRMAN HERNANDEZ: I hear you fine,
10 John, go ahead.

11

12 MR. SMITH: Yeah, I was just -- I like
13 what Albert was saying about getting documents from
14 different -- different -- the corporations or the
15 tribes of each location, but also having them come and
16 do an introduction with us because I -- you know, of
17 course, myself, I live in Juneau but I'm from Klukwan
18 and Sitka and Hoonah and Angoon and travel there to see
19 family and harvest food so understanding, too, that
20 even Huna Totem in Hoonah, that they have a watch -- a
21 land watchman that's hired to manage their property and
22 making sure that only tribal member or family members
23 that might be married into the Huna Totem family so --
24 and I'm not sure if Angoon or others roll that way but
25 having each community share their process so that we
26 get a very good understanding.

27

28 And if you can share -- Mr. Jackson, I
29 know many of the Jackson family but I couldn't realize
30 what his first name was, if you can share that because
31 I really, really wanted to connect with him because I
32 understand his issues and I'm really glad we opposed
33 the process until we hear more. I'm the new guy so I
34 don't know all the ins and outs but I'm really taking
35 lots of notes and getting more information here while
36 we're speaking.

37

38 And I really like the idea, I heard
39 communicating, because a lot of our villages like
40 Tenakee and Ketchikan and Haines, are landless, so
41 they're voiceless too. I see on the list that many of
42 the villages don't have a spokesman on there so that
43 doesn't mean us, as Council members, can't get a
44 message to their community to voice their words and I'm
45 not sure if that's possible. I'd like to personally
46 talk to Mr. Jackson and actually hear more of his
47 issue, about his issues, not just him but his
48 community, but also dividing up and understanding more
49 of the -- that Unit 3 -- you see Unit 2 down there and
50

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1 how we can break up and understand more of, okay,
2 there's -- what was there, 500 people applied for a
3 spot to harvest, only 56 people, but where did those 56
4 people apply from. Did some of those people come from
5 -- that live in Unit 2 came over to Unit 3, you know, a
6 lot that information and breaking down to -- okay, two
7 people in Kake got this, five people in Petersburg got
8 theirs, and they harvested here. Seeing that data
9 would really help myself understand more of the issue
10 of what's really going on and if people are traveling
11 to different locations and that kind of thing.

12

13 Anyhow, happy day. Happy day.

14

15 If there's money to travel to actually
16 talk and communicate with people or we just use the
17 phone is just as good, I guess.

18

19 CHAIRMAN HERNANDEZ: Yeah, thank you,
20 John. It's kind of hard for -- it's especially hard
21 for new Council members meeting over the phone like
22 this, you know, we don't have a chance to all get
23 together and, you know, just talk about all these other
24 little topics that are going around and around our
25 communities and get to know one another and all these
26 things.

27

28 But just to answer your one question,
29 that's Joel Jackson and he's the President of the
30 Organized Village of Kake, the local tribe, and so
31 we've heard from him a number of times in recent years.
32 So we may be hearing from him again this morning.

33

34 So is there any other Council members
35 with comments.

36

37 (No comments)

38

39 CHAIRMAN HERNANDEZ: Okay. Then
40 we'll.....

41

42 MR. WRIGHT: Mr. Chairman.

43

44 CHAIRMAN HERNANDEZ: Go ahead, I hear
45 Frank.

46

47 MR. WRIGHT: Thank you, Mr. Chairman.
48 When we're talking -- talking tribal, are we talking
49 nothing about the corporation or anything like that,
50

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1 the properties, or is it just in general areas of -- of
2 the hunt for the local -- like in Hoonah, we got all
3 the way up the bay and all the way -- all over -- all
4 over the place, like, you know, all the way up to South
5 Pass and part of down toward Augusta, you know, and I
6 hate to think that we're sticking with the governmental
7 designations like what the corporations do, you know,
8 Huna Totem Corporation or lands for hunting and stuff
9 and I would -- I would think that if we're going to be
10 doing -- doing a hunt or anything like that, we not be
11 restricted to areas that are designated by Federal
12 governments or any kind of -- you know, this is the
13 only way, I think that we should be -- how do you say
14 -- concentrating on what our traditional and cultural
15 ways of hunting, not being designated by anybody, but
16 by the people of the community.

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN HERNANDEZ: Yeah, thank you,
21 Frank. So that whole subject of, you know, talking
22 about corporation lands being part of traditional
23 territories and management on those lands and how does
24 that incorporate into indigenous management. I know in
25 our work group meetings we had some call ins from
26 Sealaska representatives. I don't recall them ever
27 really adding much to the conversation, I believe they
28 were just kind of listening in. And I know Wanda Culp,
29 in her presentation, she talked more about the
30 interactions between private land holdings, corporate
31 ownership and indigenous management. She seems to have
32 some ideas there. But for our -- you know for our
33 Council's participation that's -- that's not in our
34 jurisdiction. There may be, you know, other groups who
35 may be working with State and the tribes -- or excuse
36 me, State and corporations and tribes, I guess, to work
37 on those issues but, you know, those conversations
38 would happen outside of our Council participation. So,
39 you know, there may be things in the works there that
40 we don't really know about it is -- it is part of the
41 whole picture, that's true. And, you know, at some
42 point there may be some cooperative agreements, I think
43 that was alluded to. You know, we do have this
44 memorandum of understanding with the State on our --
45 you know we have kind of a joint management agreement
46 with the State already so it could come to the points
47 where, you know, all of this could come together but I
48 guess that's just really not part of our discussion
49 right now. So things will go on, I guess.

50

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1 MR. SCHROEDER: Mr. Chair, can I make
2 some closing remarks.

3
4 CHAIRMAN HERNANDEZ: Go ahead, Bob.

5
6 MR. SCHROEDER: Yeah, it -- I think
7 this discussion is pretty good and it's obviously --
8 there are all kinds of complexities with respect to
9 Native corporation lands, individual tribes versus
10 Central Council, et cetera, et cetera. In the hopes of
11 getting something out of the Council and out of our
12 meeting this time, I'd like a couple of volunteers from
13 the co-management group or elsewhere to help out coming
14 up with key points which could be presented tomorrow
15 after the Guardian Program presents. And then that
16 might be suitable for Council action. So this is a
17 request for volunteers, I guess.

18
19 UNIDENTIFIED VOICE: You're not
20 volunteering.

21
22 (Teleconference interference -
23 participants not muted)

24
25 CHAIRMAN HERNANDEZ: Right, thank you,
26 Bob, we do need to establish that here before we wrap
27 this up. So we have an existing working group. I think
28 it would probably be appropriate if you just, during
29 our break here or something, or lunchtime, get in
30 contact with the -- the working group members and maybe
31 we can establish a group that can finalize something to
32 bring back to the Council before the end of the
33 meeting. How does that sound?

34
35 MR. SCHROEDER: That sounds -- sounds
36 really good and, you know, we want something that also
37 is rather well tempered so having numerous eyes helps
38 out on that kind of drafting. So perhaps -- well,
39 let's see who's up for it. Ian, Patty, Cal, Albert
40 would be likely candidates, we probably just need three
41 people to -- including myself to come up with something
42 that would work with the Council.

43
44 CHAIRMAN HERNANDEZ: Yeah, I think we
45 can do that amongst ourselves, so, yep having an
46 established work group so we'll just decide who's best
47 suited to.....

48
49 MR. WAGNER: Mr. Chair, Louie.

50

0200

1 CHAIRMAN HERNANDEZ: Excuse me,
2 somebody.

3
4 MR. WAGNER: Yeah, Mr. Chair, Louie.

5
6 CHAIRMAN HERNANDEZ: Is that Louie.

7
8 MR. WAGNER: Louie.

9
10 CHAIRMAN HERNANDEZ: Yeah, go ahead,
11 Louie.

12
13 MR. WAGNER: Can you hear me now, Mr.
14 Chair.

15
16 CHAIRMAN HERNANDEZ: I can hear you. I
17 hear you.

18
19 MR. WAGNER: Okay. Following that
20 October 16, 2001 meeting, I think it was like December
21 4th, the following meeting with the Federal Subsistence
22 Board they also covered -- now I forget -- co-
23 management, they passed that at that meeting. I think
24 it would be nice to research that. I would really like
25 to have those minutes following that meeting.

26
27 CHAIRMAN HERNANDEZ: Okay. Yeah, if
28 there's a.....

29
30 MR. WAGNER: Is that possible?

31
32 CHAIRMAN HERNANDEZ: If there's some
33 precedent out there that should all be accessible. IT
34 goes back a ways but it should be available.

35
36 MR. WAGNER: Yeah, I would like to
37 receive that and I don't know if I'd have to ask DeAnna
38 for that or you.

39
40 CHAIRMAN HERNANDEZ: DeAnna would have
41 to be the one who would have to research that.

42
43 MR. WAGNER: Oh, okay. All right,
44 thanks.

45
46 MS. PERRY: I'm sorry, what meeting was
47 that in question.

48
49 MR. WAGNER: The meeting -- the Federal
50

0201

1 Subsistence Board in Anchorage following the October
2 16th, 2001 meeting.

3

4 MS. PERRY: 2001?

5

6 MR. WAGNER: Yeah, it followed that
7 October meeting of 2001 with Bill Thomas attending
8 there and I think Mr. Littlefield.

9

10 MS. PERRY: Okay. I think all of that
11 should be on our website but I might have to dig. I'm
12 not sure if we've got things going back that far. I've
13 made a note of it Louie, I'll try to follow up on that.

14

15 MR. WAGNER: Okay, I appreciate that
16 DeAnna, thank you very much.

17

18 CHAIRMAN HERNANDEZ: Okay. Anybody
19 else on the Council, any final comments on this.

20

21 (No comments)

22

23 CHAIRMAN HERNANDEZ: Okay, I think we
24 know where we're going to proceed from here so that
25 sounds good.

26

27 MR. HOWARD: Mr. Chairman, this is
28 Albert.

29

30 CHAIRMAN HERNANDEZ: Go ahead, Albert.

31

32 (No comments)

33

34 CHAIRMAN HERNANDEZ: Go ahead, Albert.

35

36 MR. HOWARD: Thank you, Mr. Chairman.
37 I have an obligation to meet with BIA at 1:00 o'clock
38 today. So I just want to get that on record and I'll
39 come back when that's over. It's kind of a busy day
40 for me being the chief consultant to the next young
41 leaders here so thank you.

42

43 CHAIRMAN HERNANDEZ: Okay, thanks for
44 letting us know Albert. As far as the agenda goes we
45 only have one more item of old business. I think I
46 might like to get through this and then maybe we'll
47 take a short break before we come back for new business
48 and the one additional item -- or excuse me, there's
49 actually two items. One is an update on the deer

50

1 summit. I gave a little brief update during my Chair's
2 report but maybe just to reiterate that.

3
4 We have been -- going back to a little
5 history here. This deer summit was actually first
6 proposed and the Nature Conservancy had an idea to put
7 this together and they contacted the tribe, Fish and
8 Game, Forest Service, they came to the Council to see
9 if we would support such an effort and as I said it was
10 just an effort to bring a lot of different interests on
11 Prince of Wales Island, Unit 2, together and have an i-
12 person meeting, is the concept, for everybody to get
13 together and to have some presentations on what's going
14 on with the -- you know, what people know about deer
15 populations, latest research projects, there's a lot
16 going on in research. Talk about habitat, road
17 management. All these issues would be presented to the
18 group and there would be lots of opportunity for break
19 out groups and discussions on all these various topics
20 relating to the success of deer hunters on Prince of
21 Wales Island. And we put together a steering committee
22 to facilitate putting this -- and I've been
23 participating, representing the Council -- the Council
24 kind of approved our participation and we wrote a
25 letter of support, you know, asking the Forest Service
26 if they had any funding available to help support this
27 so that's been our involvement. We've held a number of
28 different steering committee meetings trying to put all
29 this together. We had originally hoped to have the
30 personal -- or in-person summit happen this spring, but
31 that was postponed, there was still too much
32 uncertainty about the Covid protocols, agencies, of
33 course, have a lot harder time complying with, you
34 know, getting together in in-person meetings so that
35 was kind of a stumbling block. So right now,
36 presently, we are hoping to have this summit in the
37 fall. We haven't picked a time yet, but hopefully
38 before the hunting season gets into full swing and
39 after summer seasonal activities kind of start slowing
40 down.

41
42 But in the meantime, in preparation for
43 this, the steering committee put together a needs
44 assessment survey that's being distributed to a lot of
45 different venues, communities, tribes and throughout
46 Prince of Wales Island. It's a strictly voluntary
47 survey that people can fill out. It doesn't have a
48 real, you know, scientific research based format, it's
49 just a questionnaire asking people -- you know,
50

0203

1 basically about their activities revolving around deer
2 hunt. It offers them opportunities to give their
3 opinions on what they think some of the situations are
4 and the purpose of that assessment -- needs assessment
5 is just to have something else as a discussion topic
6 when everybody gets together. See what the results of
7 that survey assessment are and see if there is any kind
8 of a consensus within various users on the island and
9 go from there.

10

11 So, yeah, it's a nice cooperative
12 arrangement between a lot of different entities. It
13 could be a good working model perhaps for, you know,
14 other areas moving forward in the future so.

15

16 So does anybody on the Council have any
17 questions about this deer summit.

18

19 (No comments)

20

21 CHAIRMAN HERNANDEZ: Okay. I guess
22 that would conclude that topic. DeAnna, the last item
23 of old business, which was I think added to the agenda
24 yesterday was an overview of the Council charter
25 changes and it looks like you were going to do that.

26

27 MS. PERRY: Yes.

28

29 CHAIRMAN HERNANDEZ: Can we cover that
30 here this morning.

31

32 MS. PERRY: Yes, Mr. Chair, this will
33 be really quick. The Program just wanted us
34 Coordinators to pass along those charter changes to our
35 Councils. So for the record my name is DeAnna Perry,
36 Council Coordinator for the Southeast Regional
37 Subsistence Advisory Council. Your Council's 2021
38 charter can be found under Tab No. 15 in your Council
39 meeting materials and it's also posted on the Federal
40 Subsistence website.

41

42 All 10 Subsistence Regional Advisory
43 Councils were chartered under the Federal Advisory
44 Committee Act. The Council charters are renewed every
45 two years. Last year the Councils reviewed the
46 charters and proposed some changes. The Federal
47 Subsistence Board supported most of the Councils'
48 proposed changes and forwarded its recommendations to
49 the Secretaries of the Interior and Agriculture for
50

0204

1 review and approval. Nine Councils requested to add a
2 carryover terms clause to all Council charters to avoid
3 temporary vacancies on the Councils that occur between
4 the expiration of the current member terms and then the
5 annual set of Secretarial appointments. As most of you
6 know the last several years we've had our appointments
7 come to us late so there has been this gap in between
8 the expiration of appointments which is usually
9 December 2nd, and then like this year I think it was
10 February before we got new appointments. The
11 Secretaries did support that change request so the
12 clause on carryover terms was added to your charter.
13 You'll see it under Section 12: Membership and
14 Designation. The added language reads:

15
16 If appointments for a given year have
17 not yet been announced, a member may continue to serve
18 on the Council following the expiration of his or her
19 term until such appointments have been made, unless
20 reappointed the member's service ends on the date of
21 announcement, even if that member's specific seat
22 remains unfilled.

23
24 So that's the update on Council charter
25 changes, Mr. Chair, thank you.

26
27 CHAIRMAN HERNANDEZ: Okay, DeAnna. Any
28 questions from the Council on those.

29
30 (No comments)

31
32 CHAIRMAN HERNANDEZ: It sounds like
33 pretty positive changes to me so glad to hear that.

34
35 Anybody else on the Council.

36
37 MR. WRIGHT: Mr. Chairman.

38
39 CHAIRMAN HERNANDEZ: Go ahead, Frank.

40
41 MR. WRIGHT: On that section there,
42 does that mean, when we're sitting in our Chair and
43 there is -- and we're deliberating -- that's all the
44 question I have (indiscernible - breaking up) is our
45 sitting on the Council and then there's a change and
46 then our Chair, or our seat (indiscernible - breaking
47 up) is it an appointment even when we're sitting there.

48
49 CHAIRMAN HERNANDEZ: Can you answer
50

0205

1 that, DeAnna, clarification.

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MS. PERRY: I'm not sure that I caught all of Frank's question. Frank, are you asking if, for instance, you're at a meeting and we get new appointments.

MR. WRIGHT: Yes, I am.

MS. PERRY: Okay. If that were the case, I would assume you would probably finish out the meeting. I don't see an instance where that would ever happen, especially once we start traveling, there's no way to get new members in our system and be able to get them to a meeting that quick. So, if, for instance, in our case, I received appointments yesterday, you guys were already traveling, I guess you would probably sit in the audience and not serve as a Council member but that's never happened before. So yeah if -- if, for instance, we all traveled to Craig for a meeting and on the second day I got new appointments, there would be no way to get the new members there, they could probably participate by phone but, yeah, I don't think we've ever thought of that because the chances of that happening would probably be really slim.

MR. WRIGHT: Yeah, I was just wondering because the Federal government is kind of sticky, you know. Oh, Mr. Chair, I'm sorry. I would -- you know if it does happen and then, you know, being the Federal government being sticky like that and the new member is there and on the phone, I just -- that's just something I'm thinking about. Thank you, Mr. Chair. Thank you, DeAnna.

MS. PERRY: Through the Chair.

CHAIRMAN HERNANDEZ: Thank you, Frank.

MS. PERRY: Member Wright. Again, realistically we wouldn't be able to physically get a new person to the meeting that quick. If you were already at the meeting, again taking, for instance, we're all at Craig, it's the second day of the meeting and I get new appointments, the people sitting on the Council who are in Craig could sit in the audience and not participate as a Council member because we have received appointments and then we would return you, you know, as quickly as we could, which probably would mean

0206

1 you would still be there for the entire meeting, and
2 then the new members, we would arrange for them to
3 participate as voting Council members by phone.

4
5 So according to our charter, you would
6 not serve, if your term was expiring and you were doing
7 that continuing to serve, once the appointment is made
8 you would not be able to be a voting Council member
9 sitting on the Council but if you're already physically
10 at our meeting you are obviously more than welcome to
11 sit in the audience and still participate, you just
12 wouldn't be participating as a voting Council member.

13
14 Does that make sense. Did I cover what
15 you were asking, Frank.

16
17 MR. WRIGHT: Yeah, I guess. I was just
18 -- just a thought that came into my head, that I was
19 just wondering about that. I don't know if I'm a member
20 and I'm sitting in the audience and there's no reason
21 for me to be there so okay thank you. Goodbye.

22
23 MS. PERRY: Uh-huh. You bet. We could
24 return you back to your home station as quickly as we
25 could, if that would be your preference, but hopefully
26 we don't have to wait until the end of March when we're
27 having these meetings to get appointments but it's
28 happened before where we've gotten appointments one
29 week before a meeting.

30
31 CHAIRMAN HERNANDEZ: Right. Anybody
32 else on the Council have a question on charter changes.

33
34 (No comments)

35
36 CHAIRMAN HERNANDEZ: Okay. That
37 concludes our old business on the agenda. We'll take a
38 little recess until 11:00 and then we'll come back with
39 new business so recess until 11:00.

40
41 (Off record)

42
43 (On record)

44
45 CHAIRMAN HERNANDEZ: Well, hello,
46 everyone, this is Chairman Hernandez again. I'd like
47 to bring the meeting back into session. Hopefully
48 everybody's returned from the break. Frank, if you're
49 online maybe you could run through the roll call and
50

0207

1 make sure we have a quorum.

2

3 (No comments)

4

5 CHAIRMAN HERNANDEZ: Just checking to
6 see if anybody is hearing me.

7

8 MS. PERRY: I can hear you fine, Don,
9 you're coming through good.

10

11 MR. WAGNER: I can hear you.

12

13 CHAIRMAN HERNANDEZ: Very good. I
14 guess we're looking for Frank to see if he could do a
15 brief roll call and make sure we have a quorum.

16

17 (No comments)

18

19 CHAIRMAN HERNANDEZ: DeAnna, could you
20 maybe do that for us?

21

22 MS. PERRY: Sure, Mr. Chair. So if
23 Council members could star, six to unmute their lines
24 just for a moment so that we could go ahead and take
25 roll call and once you let me know that you're on,
26 please go ahead and hit your star, six again so that we
27 don't have any echos or background noise.

28

29 Cal Casipit.

30

31 MR. CASIPIT: Here.

32

33 MS. PERRY: Thank you.

34

35 Mike Douville.

36

37 (No comments)

38

39 MS. PERRY: Jim Slater.

40

41 (No comments)

42

43 MS. PERRY: Bob Schroeder.

44

45 MR. SCHROEDER: Here, DeAnna.

46

47 MS. PERRY: Thank you.

48

49 Albert Howard.

50

0208

1

MR. HOWARD: Here.

2

3

MS. PERRY: Thanks, Albert.

4

5

Patty Phillips.

6

7

MS. PHILLIPS: Here.

8

9

MS. PERRY: Thanks, Patty.

10

11

Louie Wagner.

12

13

MR. WAGNER: Here.

14

15

MS. PERRY: Thank you.

16

17

Harvey Kitka.

18

19

(No comments)

20

21

MS. PERRY: John Smith.

22

23

MR. SMITH: Here.

24

25

MS. PERRY: Thanks, John. I see you on

26

Teams also.

27

28

Cathy Needham.

29

30

MS. NEEDHAM: I'm here.

31

32

MS. PERRY: Thanks, Cathy.

33

34

Ian Johnson, are you still with us.

35

36

MR. JOHNSON: I'm here.

37

38

MS. PERRY: Thank you.

39

40

And, Frank Wright, have you joined.

41

42

(No comments)

43

44

MS. PERRY: Okay. Going back, Mike

45

Douville, have you joined us.

46

47

(No comments)

48

49

MS. PERRY: Okay. Mr. Chair, it looks

50

0209

1 like you have eight of your 13 members online at the
2 moment, you do have a quorum.

3

4 CHAIRMAN HERNANDEZ: Okay, thank you,
5 DeAnna. Continuing on with new business, we'll
6 hopefully take these in the order that they're on the
7 agenda. Do we have Justin Koller available to give us
8 an information update on the Fisheries Resource
9 Monitoring Program.

10

11 (No comments)

12

13 CHAIRMAN HERNANDEZ: Do you know if
14 he's there, DeAnna, have you heard from him.

15

16 MS. PERRY: Yes, I believe that's
17 Justin Koller with OSM. Justin, are you with us?

18

19 MR. KOLLER: What about now, Mr.
20 Chairman, can you hear me?

21

22 CHAIRMAN HERNANDEZ: Yeah, fine,
23 Justin. Fisheries Resource Monitoring Program update
24 for us.

25

26 MR. KOLLER: Yes, sir. Good morning,
27 Mr. Chairman Hernandez, and members of the Council.
28 For the record, my name is Justin Koller. I'm a
29 Fisheries Biologist with the Office of Subsistence
30 Management. I would like to provide a brief update on
31 the Fisheries Resource Monitoring Program. This will
32 be a brief update and is not an action item and there
33 are no associated materials for this discussion in your
34 meeting books.

35

36 The Office of Subsistence Management
37 implements the Fisheries Resource Monitoring Program
38 which research and monitoring projects that provide
39 information to Federal subsistence managers. These
40 projects are selected on a two year cycle. The cycle
41 starts when we meet with the Councils to determine the
42 research needs of the area. We call these the priority
43 information needs, or PINS, and compiling the priority
44 information needs is this Council's opportunity to
45 direct the research in the Southeast region.
46 Investigators then develop proposals based on this list
47 of priority information needs. Those proposals are
48 then reviewed by OSM Staff, the Technical Review
49 Committee and this Council, and all the input generated
50

0210

1 from this proposal review process is presented to the
2 Federal Subsistence Board. The Board then makes a
3 recommendation on which projects to fund. The Office
4 of Subsistence Management and the Tongass National
5 Forest then fund as many projects as possible based on
6 the available budget.

7

8

9

10 At their February meeting the Federal
11 Subsistence Board made recommendations about which
12 projects to fund in 2022. There are a total of seven
13 projects that will be funded in the Southeast region
14 beginning this year. There are four sockeye salmon
15 monitoring projects located at Hetta Lake, Neva Lake,
16 Sitkoh Lake and Klag Lake. There is a eulachon
17 population dynamics population monitoring project in
18 northern Southeast. There's a project updating
19 community household subsistence harvest surveys and
20 documenting subsistence patterns in Icy Straits. And
21 there is a project estimating in-season harvest of the
22 Klawock River subsistence salmon fishery.

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With the 2022 cycle coming to an end,
it's time for the Councils to begin developing priority
information needs for the 2024 Fisheries Resource
Monitoring Program cycle. We are asking for Council
members to identify knowledge gaps and information
needed for the management of subsistence fisheries in
the Southeast region. Compiling the priority
information needs will be an action item at your fall
meeting.

This concludes my presentation
regarding the Fisheries Resource Monitoring Program.

Thank you.

CHAIRMAN HERNANDEZ: Thank you, Justin.
Anybody on the Council have questions for Justin
Koller.

(No comments)

CHAIRMAN HERNANDEZ: Okay, not hearing
any questions, Justin.....

MR. JOHNSON: Mr. Chair, this is Ian.

CHAIRMAN HERNANDEZ: Go ahead, Ian.

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1 MR. JOHNSON: Yeah, thank you for the
2 information. Even though there wasn't a presented, or
3 like a physical portion of the presentation, are there
4 -- is there a good area to direct to just learn more
5 about it and especially how to share that out to our
6 communities.

7
8 MR. KOLLER: Yes. There will be a call
9 for proposals -- there was a call for proposals for --
10 excuse me -- there will be a call for proposals for the
11 FRMP proposal and that'll go out in a news release and
12 that'll provide more information about the program.
13 There's also, on the DOI subsistence website, there's a
14 section on the FRMP program and if somebody could help
15 me out and put that in the chat to find information on
16 the program.

17
18 MR. JOHNSON: Great, thank you.

19
20 CHAIRMAN HERNANDEZ: Okay. Anybody else
21 on the Council with a question.

22
23 MR. HOWARD: Mr. Chairman, this is
24 Albert.

25
26 CHAIRMAN HERNANDEZ: Go ahead, Albert.

27
28 MR. HOWARD: Thank you, Mr. Chairman.
29 I've spoke to this in the past and I'd like to see it
30 -- being a part of the fish monitoring program, I've
31 talked about water quality and I think all of that,
32 water temperature reading, should be a part of that
33 program so we can do the process of elimination so when
34 someone comes in with the State and says, well, the
35 water in that system was low that summer so that's why
36 the salmon didn't return or we didn't get the returns
37 that we thought we would this year, based on that
38 year's water flow, we can say, yeah, you're correct, or
39 no, you're not correct because according to our data it
40 shows there was plenty of water. So I think we need to
41 do more than just count fish. So hopefully we can
42 start doing this different and come up with better data
43 on why the fish are either coming back in large numbers
44 or not coming back at all.

45
46 So, thank you, Mr. Chair.

47
48 CHAIRMAN HERNANDEZ: Thank you, Albert.
49 Justin, are projects like Albert's talking about, are
50

0212

1 those things that would be possible under this
2 monitoring program?

3

4 MR. KOLLER: Yes, Mr. Chair. Mr.
5 Howard. Those are absolutely possible and that's --
6 like I said, this would be the opportunity for this
7 Council to recommend that those types of data
8 collection activities be included in the priority
9 information needs for the projects that you're
10 interested in. I know that this Council, in the last
11 cycle, recommended that discharge be added to all
12 sockeye monitoring projects, so I believe those were
13 added this cycle.

14

15 CHAIRMAN HERNANDEZ: Okay, good. Any
16 other questions from Council.

17

18 MR. SMITH: Mr. Chair.

19

20 CHAIRMAN HERNANDEZ: Go ahead, was that
21 John.

22

23 MR. SMITH: Yeah, I really like that
24 idea. Even the carbon testing is -- there's a lot of
25 different things you could be testing in the water
26 these days with the technology and I think carbon is
27 really important with that being one of our issues to
28 the water.

29

30 Thank you.

31

32 CHAIRMAN HERNANDEZ: Okay, thank you,
33 John. Anybody else have a question for Justin.

34

35 MR. CASIPIT: Mr. Chair, this is Cal.

36

37 CHAIRMAN HERNANDEZ: Go ahead, Cal.

38

39 MR. CASIPIT: Just a quick question for
40 Justin. In all those projects, I know probably the
41 weir projects have money directly going to tribes for
42 the work that's being done but can you maybe share how
43 much -- percentage-wise, how much of the money is going
44 towards tribal partners and others that are -- other
45 local entities that are working these projects?

46

47 MR. KOLLER: Mr. Chair. Mr. Casipit.
48 I don't have that information in front of me right now.
49 I know, for instance, Hetta Lake and Klag Lake are both

50

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1 independently done by local tribes so in that case the
2 majority of funding is going directly to the tribes.
3 Neva Lake and Sitkoh Lake, for instance, are
4 cooperative research projects by the Forest Service,
5 Juneau Ranger District and the Angoon Community
6 Association. So I'm not sure what the breakdown is
7 there of how much goes to the tribe.

8

9 CHAIRMAN HERNANDEZ: Okay. Any other
10 questions from the Council.

11

12 MR. HOWARD: Mr. Chairman, this is
13 Albert.

14

15 CHAIRMAN HERNANDEZ: Go ahead, Albert.

16

17 MR. HOWARD: Thank you, Mr. Chairman.
18 I'm not sure if you have access to any DNA samples to
19 the British Columbia king salmon, if it's possible or
20 if you have the opportunity to get that, I would like
21 to see that and it can be sent to my email. I'm
22 working with the tribe here to try and get a sampling
23 project set up where we're sampling all the king salmon
24 that are caught within the area to see if, in fact, any
25 of it is British Columbia king salmon. Also is there
26 DNA sampling on all the salmon systems within Southeast
27 to see if, in fact, that certain systems are being
28 intercepted before they get to the salmon stream. I
29 mean it's good to do the process of elimination and
30 figure out exactly what is happening to our resource.
31 There's two bays here that used to have so much dog
32 salmon in them that each of the -- you could just about
33 walk across the river and step on them, now you hardly
34 see a jump in the bay. So I'm just trying to find
35 solutions to current problems.

36

37 Thank you, Mr. Chair.

38

39 MR. KOLLER: Yeah, Mr. Chair and Mr.
40 Howard. There is a DNA sampling program that is
41 conducted by the State and I don't have any of that
42 information currently but if there are systems that you
43 are interested in in your local area, that could be
44 added to the priority information needs, to do some
45 sort of DNA sampling on -- on those stocks and compare
46 them to the DNA baseline in other systems throughout
47 Southeast and British Columbia. And we'd be able to do
48 a literature search and possibly get some information
49 on DNA sampling for you.

50

0214

1 Thank you.

2

3 CHAIRMAN HERNANDEZ: Okay. Anybody
4 else on the Council with a question.

5

6 MR. SMITH: Mr. Chairman.

7

8 MS. NEEDHAM: Mr. Chair, this is Cathy.

9

10 MR. SMITH: Mr. Chairman.

11

12 CHAIRMAN HERNANDEZ: Go ahead, is that
13 Louie. Did I hear.....

14

15 MR. SMITH: This is John.

16

17 CHAIRMAN HERNANDEZ: John. Okay, John,
18 go ahead.

19

20 MR. SMITH: Yeah, I don't know if I'm
21 out of order but if it's a monitoring program, maybe
22 understanding the monitoring going on in Deshu' in
23 Haines and they -- in the river there where they have
24 the blocking so that they can count the fish. I find
25 it discouraging and I don't know if that's off subject,
26 but understanding why they do that and understanding
27 that would be good, anyway.

28

29 I don't know if I'm out of order or not
30 or off the subject.

31

32 But anyway, happy day.

33

34 CHAIRMAN HERNANDEZ: Okay. I'm not
35 familiar with that. Justin, something you're familiar
36 with.

37

38 MR. KOLLER: Mr. Chair. Mr. Wagner
39 [sic]. I am not familiar with -- with that particular
40 issue and that may be a question for the State.

41

42 CHAIRMAN HERNANDEZ: It could be a
43 State project, right. Okay. Anybody else on the
44 Council have a question.

45

46 (No comments)

47

48 CHAIRMAN HERNANDEZ: Okay. Thank you,
49 Justin.

50

0215

1 MR. KOLLER: Mr. Chair, this is Justin.

2

3 CHAIRMAN HERNANDEZ: Go ahead, Justin.

4

5 MR. KOLLER: Yeah, Mr. Chair. Mr.
6 Casipit's question -- to his question, Pippa Kenner dug
7 up some information and put it in the chat here and it
8 looks like for Southeast, 200 -- roughly 211,000 went
9 to Federal organizations, State organizations, 22,000
10 and tribal/rural organizations 575,000\$.

11

12 Thank you.

13

14 CHAIRMAN HERNANDEZ: Okay, thank you.

15 That was quick work.

16

17 MR. CASIPIT: Mr. Chair, this is Cal.

18

19 CHAIRMAN HERNANDEZ: Go ahead, Cal.

20

21 MR. CASIPIT: I want to thank Staff for
22 getting me that -- those numbers really quick and that
23 is -- I'm really pleased at those numbers. I'm really
24 pleased to see tribal governments really moving in and
25 doing the fisheries monitoring that's needed in their
26 communities. That's great, thank you.

27

28 CHAIRMAN HERNANDEZ: Okay, thank you,

29 Cal. Any other questions or comments.

30

31 (No comments)

32

33 CHAIRMAN HERNANDEZ: Okay, thanks again
34 Justin. Council members keep in mind that this topic
35 will be coming up in the fall and they'll be looking
36 for suggestions from the Council on where to do the
37 next round of monitoring projects so we'll hear more
38 about that, I'm sure, at our fall meeting.

39

40 So, Federal fisheries closure reviews.
41 Justin, your name is on here, or possibly Rob Cross or
42 Jake Musslewhite, are you going to do that?

43

44 MR. KOLLER: yes, Mr. Chair. This is
45 Justin. Good morning members of the Council. This is
46 Justin Koller again.

47

48 CHAIRMAN HERNANDEZ: Go ahead, Justin.

49

50

1 MR. KOLLER: Fisheries Biologist with
2 the Office of Subsistence Management. Concurrent with
3 the Federal fish and shellfish call for proposals, OSM
4 Staff will conduct reviews of closures to Federal
5 subsistence fisheries similar to what the wildlife
6 cycle has done this last round with Federal wildlife
7 closures. This is not an action item and there are no
8 associated materials in your books.

9
10 Title VIII of ANILCA establishes a
11 priority for the taking of fish and wildlife on Federal
12 public lands and waters for non-wasteful subsistence
13 uses over the taking of fish and wildlife on such lands
14 for other purposes. Under certain circumstances
15 specified in Title VIII, the Board is authorized to
16 restrict, close and reopen Federal public lands and
17 waters to the taking of fish and wildlife. Like other
18 Board established rules closures are subject to change
19 during the regulatory cycle. It is the Board's policy
20 that Federal public lands and waters should be reopened
21 as soon as practicable once the conditions that
22 originally justified the closure have changed to such
23 an extent that the closure is no longer necessary. To
24 help ensure that closures do not remain in place longer
25 than necessary, the Board has directed OSM to review
26 existing closures on a regular basis.

27
28 OSM will review half of all closures
29 during each applicable regulatory cycle. Closure
30 reviews will include analysis of all relevant
31 considerations and OSM will recommend an action on each
32 closure for the Council's consideration. The types of
33 actions that the Council can recommend are, to retain,
34 which means the closure remains in the regulations
35 unchanged. The second option is to modify, which means
36 to recommend a change directly related to the actual
37 closure, such as adjusting the dates that the closure's
38 effective, or perhaps assigning an expiration date or
39 broadening a closure to both subsistence and non-
40 subsistence users. A third option is to rescind, which
41 means to remove the closure from the regulations. And
42 the last option is to defer, which means the closure
43 remains in place until that time the Board takes up the
44 closure again.

45
46 There are currently 20 fisheries
47 closures under review statewide. Of the 20 closure
48 reviews, two will be considered for the Southeast
49 region during the fall Council meeting. OSM will be
50

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1 reviewing closures at Taku River for salmon and the
2 Neva Lake system for sockeye salmon.

3
4 Again, the Council will consider these
5 closure reviews at the fall meeting along with
6 fisheries proposals.

7
8 And this concludes my update on the
9 fisheries closure review process and status of the
10 upcoming closure reviews to be considered for the fall
11 2022 meeting.

12
13 Thank you.

14
15 CHAIRMAN HERNANDEZ: Okay, thank you,
16 Justin. Are there any questions from the Council on
17 the closure reviews.

18
19 MS. PERRY: Mr. Chair, this is DeAnna.

20
21 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

22
23 MS. PERRY: Yeah, I think some of the
24 Council members are trying to speak but there might be
25 some issue with the star, six so I know Harvey has
26 joined us, I believe Cathy also wanted to make a
27 comment so I just wanted to take a brief pause to see
28 if either of those would be able to be heard. Again, I
29 think everybody who's coming on to the call is already
30 in mute so if you press your star, six, or your mute
31 button hopefully that will open up your line.

32
33 So, Harvey, if you're there.

34
35 Thank you, Mr. Chair.

36
37 CHAIRMAN HERNANDEZ: Okay, thanks,
38 DeAnna. I've also noticed that all the background
39 noises and echos have gone away so that's good.

40
41 MR. WAGNER: Mr. Chair, Louie.

42
43 CHAIRMAN HERNANDEZ: Louie, go ahead.

44
45 MR. WAGNER: I have a question for
46 Metlakatla here. We do not -- you know, we're not with
47 ANILCA, we're the only reservation in all of Alaska,
48 and if you don't mind I could read a little bit of
49 this.

50

0218

1 The United States Treaty Federal
2 Statutes and Executive Orders reserved to Indian Tribes
3 the right to fish for subsistence and commercial
4 purposes, both on and off the reservation lands and I
5 was wondering if I could be told how those closures
6 affect what was given to Metlakatla as a reservation.

7
8 MR. KOLLER: Mr. Chair. Mr. Wagner.
9 This is Justin Koller again.

10
11 CHAIRMAN HERNANDEZ: Go ahead, Justin.

12
13 MR. KOLLER: That is an excellent
14 question for our -- that's an excellent question for
15 our policy coordinator at OSM if she is online or
16 possibly Pippa could help me out with how that fits in.

17
18 (No comments)

19
20 MR. KOLLER: I believe Robbin LaVine is
21 online right now and she may be able to help if
22 possibly Mr. Wagner would restate his question please.

23
24 Thank you.

25
26 UNIDENTIFIED VOICE: Restate the
27 question.

28
29 CHAIRMAN HERNANDEZ: Would you like to
30 restate your question again, Louie, I think we might
31 have somebody on the line now that can answer that.

32
33 MR. WAGNER: Yes. I was wondering with
34 the Federal fisheries closures, how Metlakatla fits in
35 with this -- these closures because we are not part of
36 ANILCA, we're the only reservation in Alaska and I have
37 the Federal tax code here and under the Act of 1988, so
38 I would like to know how we fit in with that, if
39 possible.

40
41 MR. KOLLER: Mr. Chair. Mr. Wagner.
42 This is Justin.

43
44 CHAIRMAN HERNANDEZ: Go ahead, Justin.

45
46 MR. KOLLER: So Metlakatla is included
47 in C&Ts on Federal public lands and waters so they are
48 indeed included in this. And also, Robbin, our Policy
49 Coordinator -- our Policy Coordinator, Robbin LaVine,
50

0219

1 is currently trying to unmute her phone and chime in on
2 this one so just please standby for a second.

3

4 (Laughter)

5

6 MS. LAVINE: Thank you, Mr. Chair, this
7 is Robbin, can you hear me.

8

9 CHAIRMAN HERNANDEZ: Yes.

10

11 (Pause)

12

13 REPORTER: Yes, go ahead, Robbin.

14

15 MS. LAVINE: Hello, Mr. Chair, and
16 members of the Council. This is Robbin LaVine. I'm
17 the Subsistence Policy Coordinator for OSM. The --
18 Metlakatla, as Justin did inform you, is included in
19 the C&Ts on Federal public lands. You are rural
20 residents of Alaska. And to be Federally-qualified you
21 need to be rural residents of Alaska with a customary
22 and traditional use of a species and for that you are
23 qualified.

24

25 Thank you, Mr. Chair.

26

27 CHAIRMAN HERNANDEZ: Okay. Did that
28 answer your question adequately Louie?

29

30 MR. WAGNER: No, not really, I was just
31 -- that -- what the report was right off, it was
32 following ANILCA.

33

34 UNIDENTIFIED VOICE: ANILCA.

35

36 MS. PETRIVELLI: Mr. Chair.

37

38 UNIDENTIFIED VOICE: ANILCA.

39

40 MR. WAGNER: ANILCA.

41

42 MS. PETRIVELLI: Mr. Chair, this is Pat
43 Petrivelli.

44

45 CHAIRMAN HERNANDEZ: Go ahead, Pat, if
46 you've got a further answer here, go ahead.

47

48 MS. PETRIVELLI: Yeah, Metlakatla is
49 one of the few places that is true Indian Country in
50

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1 Alaska because it is a reservation and they can make
2 their own hunting and fishing regulations so the
3 fisheries closures that we're talking about are those
4 in place by the Federal Subsistence Board and whatever
5 is on your reservation land you control those through
6 your regulations. Does that answer your question?

7

8 UNIDENTIFIED VOICE: No, ma'am.

9

10 MR. WAGNER: No, not really. I'm aware
11 of that, yes -- yes, we have our own fish and wildlife
12 here and our own forestry management and the Act seems
13 to cover the whole thing a lot different and been
14 having a difficult time trying to find out just how far
15 this goes.

16

17 MS. PETRIVELLI: I'm not certain
18 how.....

19

20 CHAIRMAN HERNANDEZ: Well, if it helps,
21 Louie.....

22

23 MS. PETRIVELLI: Oh. I was just going
24 to say I'm not sure.....

25

26 CHAIRMAN HERNANDEZ: Yeah, Louie -- for
27 all other Federal lands on the Tongass Forest people in
28 Metlakatla have the same rights as every other rural
29 residents, so, yeah, any closure policies, anything on
30 the Tongass, yeah, people from Metlakatla have the same
31 -- the same right to review those on the Council and
32 have your input, so, yeah.

33

34 MR. WAGNER: All right, thank you, Mr.
35 Chair.

36

37 CHAIRMAN HERNANDEZ: Any other
38 questions from Council on Federal fisheries closure
39 reviews.

40

41 MS. PHILLIPS: Mr. Chairman.

42

43 MR. JOHNSON: Mr. Chair, this is Ian.

44

45 CHAIRMAN HERNANDEZ: Go ahead, Ian.

46

47 MR. JOHNSON: I think -- I have a
48 pretty generic question. I just want to make sure I'm
49 prepared for the fall 2022 meeting and as a relatively
50

0221

1 new -- well, not new, but not seasoned Council member,
2 can the presenter just give me an overview of the
3 expectations for that meeting and I know there's some
4 Hoonah water considerations on there and I just want to
5 make sure I'm prepared. So like when we review the
6 closures in 2022 what's the expected feedback from the
7 Council.

8

9 MR. KOLLER: Mr. Chair. Mr. Johnson.
10 So we will analyze these closures and present that
11 information to this Council at the fall meeting and the
12 Council will have a couple different options there.
13 One is to retain the closure based on all the
14 information and public testimony so it remains in
15 regulation unchanged. The second option would be to
16 modify the closure, which basically means to recommend
17 a change directly related to the actual closure. The
18 third option is to rescind the closure and remove it
19 from regulation. And the last option is to defer the
20 closure, which basically it means it will remain in
21 place until the Board takes it up again.

22

23 Thank you, Mr. Chair.

24

25 CHAIRMAN HERNANDEZ: Any follow up,
26 Ian.

27

28 MR. JOHNSON: No, that's appreciated.
29 I don't want to deliberate on it too much, I just want
30 to make sure I'm prepared. Thank you.

31

32 CHAIRMAN HERNANDEZ: Yeah, maybe just a
33 little further, you know, the Staff will prepare a
34 complete analysis, you know, with all the historical
35 information and present situation, you know, and
36 present that to us so we'll have that to look at and
37 review.

38

39 MR. HOWARD: Mr. Chairman, this is
40 Albert.

41

42 CHAIRMAN HERNANDEZ: Go ahead, Albert.

43

44 MR. HOWARD: Thank you, Mr. Chairman.
45 I thought this would be an opportunity to add more
46 proposals for closures but it doesn't appear that way.

47

48 CHAIRMAN HERNANDEZ: Albert, that's
49 what we're going to do at this meeting. This is the
50

0222

1 chance to put in proposals for, you know, any fish
2 proposals. So if there's a closure that you're
3 contemplating, a new closure, this meeting would be the
4 time to put that forward as a proposal. So that's what
5 we're going to be doing here.

6
7 MR. HOWARD: Okay. I have a couple.
8 So whenever the opportunity is there you can let me
9 know. Thank you, Mr. Chair.

10
11 CHAIRMAN HERNANDEZ: That is coming up
12 in new business. I got a feeling we're going to be
13 doing that this afternoon. Okay, so anything on the
14 closure reviews, any other questions.

15
16 MS. PHILLIPS: Mr. Chair, can you hear
17 me.

18
19 CHAIRMAN HERNANDEZ: I hear you Patty,
20 coming in good this time.

21
22 MS. PHILLIPS: Thanks, Mr. Chair.
23 (Indiscernible - breaking up) meeting.

24
25 CHAIRMAN HERNANDEZ: Yeah, I'm sorry,
26 Patty, you were a little broken up, you came in good at
27 first and then you broke up.

28
29 MS. PHILLIPS: Will the closure review
30 paperwork will go out before the next meeting.

31
32 MS. PERRY: Mr. Chair, this is DeAnna.

33
34 CHAIRMAN HERNANDEZ: I think you said
35 -- yeah, go ahead.

36
37 MS. PERRY: I think Patty was asking
38 about closure paperwork being shared with the Council.
39 So at this meeting Staff was just going to advise us
40 what's coming up. Those closures will be during our
41 regulatory meeting, along with our fishery proposals.
42 So it'll be in the same format. Again, it'll be a
43 slightly different question at the end but we'll have a
44 full analysis. It'll be in the meeting book. All the
45 Council members will get that just like the analysis
46 done with the proposals.

47
48 Patty, did that answer your question?

49
50

0223

1 MS. PHILLIPS: Good enough, thank you.

2

3 CHAIRMAN HERNANDEZ: Okay, thank you,
4 DeAnna. Any other questions.

5

6 (No comments)

7

8 CHAIRMAN HERNANDEZ: Okay, I think
9 maybe we can move on.....

10

11 MR. KITKA: Mr. Chair.

12

13 CHAIRMAN HERNANDEZ: Wait a minute, who
14 was that?

15

16 MR. KITKA: This is Harvey Kitka.

17

18 CHAIRMAN HERNANDEZ: Oh, Harvey, you're
19 back, hi, you got a question.

20

21 MR. KITKA: I've been trying for an
22 hour to try to talk to you.

23

24 CHAIRMAN HERNANDEZ: Okay.

25

26 MR. KITKA: Ever since we went to
27 silent mode it kind of messed my phone up.

28

29 CHAIRMAN HERNANDEZ: Well, you might
30 have missed -- they had to mute everybody's phone so it
31 required kind of a -- you had to do something to get
32 back in but we hear you now Harvey so what do you have
33 for us.

34

35 MR. KITKA: Yeah, I had something, a
36 little bit about the Guardians, I believe it was.
37 Maybe a suggestion to the working group that's working
38 on it, if they could make it a little easier for these
39 groups to get grants to get the people to different
40 meetings. Realizing we don't get people to our
41 meetings because of time-wise and things, everybody has
42 to work and things, but sometimes there's travel but if
43 they can get groups to work -- to where they can get
44 grants and stuff. I saw this happen at the Board of
45 Fish meeting where Herring Protectors were able to get
46 a grant and get a lot of people there to talk from a
47 lot of different communities and that was a big help.
48 So some things that might help along the way. I just
49 wanted to say that.

50

0224

1 Thank you.

2

3

4 CHAIRMAN HERNANDEZ: Thanks Harvey.
5 Sorry you got closed out earlier there. We will be
6 going back to discussions about the Guardians Program
7 probably tomorrow so keep those thoughts for discussion
8 tomorrow. Thanks for that.

8

9 Can we wrap up the fisheries closure
10 review discussion.

11

12 (No comments)

13

14

15 CHAIRMAN HERNANDEZ: Okay, let's move
16 on to more fisheries. We have a fisheries report topic
17 and it's -- I believe that's going to be given by
18 Forest Service Staff, Jake Musslewhite. Are you there
19 Jake.

19

20 MR. MUSSLEWHITE: Yes, Mr. Chairman, I
21 here. Can you hear me okay, did I star, six it all
22 right.

23

24

25 CHAIRMAN HERNANDEZ: Yeah, you're
26 coming in loud and clear, go ahead, Jake.

26

27

28 MR. MUSSLEWHITE: Nice. Okay. Yeah,
29 we do have like a powerpoint presentation I was hoping
30 that, DeAnna, if you could put that up possibly.

30

31

32

33

34 MS. PERRY: I believe Laurent may have
35 that, if not, I can pull that up and for Council
36 members it's behind Tab No. 6 in your meeting book.

36

37

38 MR. MUSSLEWHITE: Yes. Anyway, while
39 we're getting that all set. Basically this just going
40 to be kind of a quick tour throughout Southeast
41 fisheries, mostly focusing on salmon, especially
42 sockeye and leaning heavily on information from our
43 FRMP projects and other sources and stuff. So this is
44 all kind of things that have happened since our last
45 fisheries cycle and hopefully it's information that
46 might provide valuable when we're kind of crafting
47 fisheries proposals here in the very, very near future.

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I'm just going to pause a minute here
while we try to get that presentation up.

0225

1 (Pause)

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MR. MUSSLEWHITE: Perfect. Okay. And maybe I'll just ask whoever's driving the boat there, maybe I'll kind of just ask for the next slide as we go through. So you can actually go ahead and get the next slide, that'd be great.

Okay.

I'm going to start off with, just because 'tis the season with eluachon monitoring, which is actually occurring right now. Like I say, I believe our Ketchikan Staff is probably freezing and sitting on a bucket somewhere next to the creek watching for those. They're kind of not good communications out so I'm kind of out of the loop so I haven't heard anything from this year but this slide kind of shows a brief summary of what we saw in 2021. You know, dates that they finally started seeing some stuff and, you know, that they're there. And, of course, last year we did have, you know, a limited fishery on the Unuk and we have that occurring again this year so I'm kind of hopeful to see what comes of that.

Next slide would be great.

Okay.

So I'm going to try to work north to south here and start in Yakutat. So this slide -- this graph shows kind of the story we're able to assemble there with sockeye harvesting effort in the Yakutat area. I don't know if -- I just lost my presentation there, I don't know if you're seeing the same thing but.

(Pause)

MR. MUSSLEWHITE: Perfect, okay. So the -- the story that that graph tells there is kind of showing the fairly recent decline we're seeing here in the past like seven years of sockeye harvest and effort in the Yakutat area. And you can see that, you know, it's sort of stacked by the various areas. So the orange bar there, the Situk, is really the big player there and that's where, by far, the majority of the sockeye harvest comes from. And that is -- we've seen an effort of long time being pretty steady, we're

0226

1 seeing a real decline there, both harvest and effort.
2 And I think a lot of that is being driven by the fact
3 that we've had early season chinook closures there,
4 which kind of overlaps with the sockeye season so that
5 kind of shuts folks down during a pretty good chunk
6 and, you know, maybe it's just not quite as worth it to
7 go out there in the later season. So, yeah, that's
8 kind of the story there.

9

10 Next slide.

11

12 Yeah, okay, so this is -- it's still
13 staying with the Situk here. On the left here, you
14 know, we see the harvest and effort. With the harvest
15 in that thick black line and the number of permits
16 being fished in the grey. So you can see the harvest,
17 you know, starting around 2016-ish, 2015, '16-ish,
18 right around we started a lot of those chinook
19 closures, harvest and effort both really dropped off
20 and it had been really pretty stable for quite a long
21 time. And then if you look at the slide on the right
22 that's showing the escapement of both chinook and
23 sockeye through the Situk weir. There's a really good
24 stock assessment program there so we have a pretty good
25 idea of what's going on. And you can see that the
26 escapements lately, you know, fish passing through the
27 weir has been, you know, reasonably steady and fairly
28 healthy so the decline in harvest there is not because
29 there's no fish to harvest it's that people aren't
30 getting out and going fishing quite as much so.

31

32 So next slide would be great. Perfect.

33

34 And then moving up into the Haines
35 Upper Lynn Canal area. The two big players there for
36 the sockeye especially are the Chilkat and Chilkoot
37 Rivers. So the Chilkat on the left, we're seeing a
38 pretty steep decline in harvest there over the past 10-
39 ish years and a lot of that seems to be kind of driven
40 by abundance, especially the past couple of years have
41 been, you know, kind of weak on the Chilkat side of
42 things. And then looking at the right, it's kind of
43 the opposite story on the Chilkoot where maybe you see
44 a long-term trend towards increasing harvest and some
45 pretty healthy escapements there in recent too.

46

47 And next slide would be great.

48

49 Okay, now moving over to Hoonah where

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0227

1 we do have the one active ongoing FRMP project at Neva
2 Lake. Things got pretty grim at Neva there for a
3 little while and were down to like I think 1,800 fish,
4 you know, down from had been as high as nine, 10,000
5 and that's been getting a fair bit better. We're
6 seeing four to 5,000 fish here over the past few years
7 so that's good. The down side is, is that in reaction
8 to those declining escapements the harvest limits were
9 seriously declined -- you know, lower, down to 10 fish
10 per household and, you know, there was the closure we
11 were just discussing so the past couple of years
12 reported subsistence harvest, at least, at Neva has
13 been almost completely eliminated. We don't see any
14 reported harvest, at least, and it seems to me, just
15 talking to folks around Excursion Inlet, there's sort
16 of a community understanding to stay off those fish and
17 not harvest them as well as I think just the 10 fish
18 limit makes it not worth folks' while especially if
19 they go there and there's not many fish around in the
20 first place. So, that, to me, is an issue with
21 preserving subsistence use with that system. And then
22 the alternative if you don't want to fish Neva is
23 Haktaheen, of course, this slide, I think is sort of
24 outdated, it says relatively stable but it's really not
25 the case.

26

27 I'll show you on the next slide,
28 please.

29

30 So, yeah, looking at Neva on the left,
31 as you can see we took a big dip in the escapement
32 there with the low point in 2015 and the harvest kind
33 of followed with it and then things have been doing
34 better since then, it's climbed back up. But we --
35 we've seen that the harvest the past few years has
36 essentially gone to zero. And then looking at the
37 right we also see that the harvest at Haktaheen has
38 declined as well and I have no -- just looking at the
39 number of fish permit it seems like people are getting
40 fewer fish per permit there as well so they're probably
41 having to scrape a little harder just to get those so a
42 little -- so just a little concerned about that one.

43

44 So next slide would be great.

45

46 Moving on to Angoon area. We also have
47 an active FRMP project at Sitkoh Lake. We did have a
48 low point there for a few years. We were cruising
49 along, you know, at about, you know, 8 to 12,000 fish

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0228

1 and then we had a couple of dry summers in a year and
2 that actually made some pretty serious migration
3 problems. I'll kind of talk about those a little bit
4 more. And then we've also discontinued a couple
5 projects in the past few years one at Kook Lake and
6 another at Kanalku. And one interesting thing that
7 I've been kind of keeping an eye here these past few
8 years is a lot of effort seems to be shifting over to
9 Hanus Bay, sort of Lake Eva sockeye and so I think
10 that's an interesting thing that I'm kind of personally
11 trying to monitor.

12

13 Great slide would be great.

14

15 And then charts and graphs for the
16 Angoon thing. As you can see looking at Sitkoh on the
17 left there you see that really low point there around
18 20-what, 2018, 2019 were both very dry summers. There
19 is a beaver dam on the system right below the lake
20 outlet that was a near complete barrier to sockeye and
21 turned into sort of a bear feeding station. In 2019 we
22 went out and just absolutely nuked that beaver dam and
23 I believe we got -- once we uncorked that beaver dam we
24 got roughly half the run pass through the weir in like
25 the next 24 hours, maybe, maybe even 12 hours, so it was
26 definitely a -- you know a major issue there. And so
27 now these past couple summers we've had closer to
28 normal, if not above normal precipitation, we've seen
29 the escapements return back to something closer to
30 normal and so it wasn't the fish weren't there, it's
31 just they couldn't make it all the way to the lake.
32 Subsistence harvest there has been fairly low from the
33 past few years though. And then on the right we have
34 Kanalku which is an important -- obviously an important
35 system to Angoon. That monitoring program ended in
36 2017 so I wish we had a better finger on the pulse
37 there, all we kind of have to go by is the reported
38 harvest which has been declining over the past few
39 years. So I don't know if that reflects abundance or
40 effort or not but I would really like to see some way
41 that we could better monitor what's going on in that
42 system. And in the lower right we have Kook Lake,
43 Basket Bay which is a, sort of very important
44 alternative source for sockeye, I guess, in the Angoon
45 area and we've seen harvest there kind of dip these
46 past few years. And that might just be a switching
47 effort to other places and not reflect abundance at all
48 so, yeah.

49

50

0229

1 And next slide.

2

3

4 Moving on to Sitka. We have an active
5 FRMP project at Klag Bay. I'm not super familiar with
6 that project or that system but I do know that it's
7 really flow driven and so fish sort of school up in the
8 saltwater waiting for their opportunity to enter
9 freshwater there and are pretty susceptible to harvest
10 so, again, discharge and things may be a big driver in
11 that. Redoubt Lake, of course, has been doing really
12 well over the past couple years and is a very
13 accessible and popular spot for local residents to
14 harvest sockeye and they seem to be doing pretty well
15 at it. And then there's a few other places around
16 there, it seems like Sitka folks have some -- have some
17 choices to make when it comes to obtaining sockeye.

17

18 Next slide.

19

20 And, again, just to -- just to show you
21 the charts and graphs there for the Sitka area system.
22 As you can see the harvested and escapement at Redoubt
23 has been pretty strong over these past few years and so
24 that.....

25

26 (Teleconference interference -
27 participants not muted)

28

29 MR. MUSSLEWHITE:that seems to be
30 doing really well. Meanwhile at Klag, we've been
31 seeing that, both harvest and effort -- or both harvest
32 and escapement declining kind of over the long-term but
33 it looks like there was a little bit of a bright spot
34 this past year with improved escapement. So I hope
35 that trend continues.

36

37 Next slide.

38

39 Moving on to the Kake area. We had
40 monitoring projects at Falls Lake and Gut Bay. Those
41 just actually wrapped up their last year of monitoring
42 this past year. We did have some strong returns at
43 Falls Lake, which have been not so strong in recent
44 years and we did see, kind of the same thing we'd seen
45 in other systems in 2019 with low water making it tough
46 for fish to make it into the system. I personally have
47 the opinion that Falls Lake is really driven by rearing
48 capacity. So we had -- you know, it actually does
49 better at lower escapement and I'll kind of show you

50

0230

1 that on the graph here in a little bit. Then of course
2 other systems used by Kake residents is Kutlaku and
3 Alecks Creek.

4
5 Yeah, next slide, also got some
6 information on this.

7
8 Yeah, so looking at Falls Lake there,
9 as you can see we had kind of a big -- pretty strong
10 escapement in, you know, 2015, '16, '17 which has
11 dropped off and so I actually personally think that
12 that tended to over escape the lake which is pretty
13 small and fairly, you know, sterile, you know, the
14 nutrients. So we actually tend to get really good
15 returns off of the, you know, like having 1,500/2000
16 fish in that system, you know, which you can see, you
17 know, we had 2011 through 2013, we had those sort of
18 escapements which resulted in a strong concern. So
19 that actually might be an optimum escapement level for
20 that lake. And then looking at Gut Bay, the harvest at
21 Gut Bay is really variable, it might just have to do
22 with how people are doing at other spots. And then --
23 but it's been on a fairly long-term decline. We don't
24 really know, you know, if that's driven by abundance or
25 not. We did operate a project there over the past
26 couple of years which I think proved to be pretty
27 challenging, just the logistic-wise, we found some
28 pretty variable escapements there over just a couple
29 years.

30
31 Next slide.

32
33 Moving on to Petersburg and Wrangell.
34 The big player there, of course, is the Stikine and --
35 which is kind of mixed news there. The subsistence
36 chinook fishery there has been closed. Sockeye returns
37 seem to be low here these past few years and I haven't
38 really run that river but it sounds like the past
39 couple years it's been pretty tough with high water.
40 And then, of course, we have Kah Sheets and Mill Creek
41 and Thoms Creek as alternative sources for folks in
42 that area.

43
44 And then next slide please.

45
46 And then just showing you the harvest
47 and escapement there for the Stikine. So the Fed -- so
48 the current Federal subsistence fishery started, I
49 think, in 2004 there, quickly it got really popular and
50

0231

1 took off and some pretty sizeable harvests but then
2 just as escapements in these last years have been
3 pretty weak harvest has declin -- declined as well.

4

5 And next slide.

6

7 And then just a couple of the smaller
8 systems around the Petersburg, Wrangell, show you the
9 harvest trends there have been, like a lot of these
10 smaller systems, pretty variable, you know, over the
11 years.

12

13 And then next slide.

14

15 Okay, working our way farther south
16 down to Prince of Wales. There's been two active FRMP
17 projects there, one at Hetta and one at Eek, as well as
18 the Klawock River weir which provides information for
19 -- for that system. And then there was a few prior
20 projects there at Karta and Hatchery Creek. And kind
21 of island-wide it seems like sockeye harvest are down
22 in recent years except for Salmon Bay. So this is a
23 big island, it's going to take a few slides to get
24 through it but -- so next one.

25

26 Looking at escapement and harvest on
27 Hatchery Creek, on the left, which I'm not super
28 familiar with these systems since I am way up here in
29 Juneau but, you know, look -- just -- I know that it
30 was pretty important for a long time and then, you
31 know, returns really declined and then I think people
32 just sort of crossed it off their list there for
33 awhile. So even though we had, you know, maybe some
34 escapement coming back there people were not going
35 there to harvest fish or weren't successful in doing
36 so. And then on the right, Salmon Bay up on the north
37 end, which seems to be doing pretty well if -- just
38 looking at the harvest numbers there so that's -- you
39 know we -- we have had projects there in the -- in the
40 past but no real recent information but just based on
41 the harvest it must be doing at least reasonably well.

42

43 And then next slide.

44

45 Then on the west side, of course, the
46 Klawock River system is the big player there and so
47 harvest have been kind of steady and then -- I didn't
48 really hear a lot about what happened this year but it
49 looks like harvest was way down. I don't have an

50

0232

1 escapement figure for that though. So I wish I had
2 better information about just the very recent past.
3 And then the other, you know, system -- or kind of
4 looked at is Sarkar, which, I know a lot of folks are
5 scratched their heads trying to figure out how to put
6 together a monitoring project for that but it's such a
7 complex system there that it would be really difficult.
8 But for whatever reason the harvest there have really
9 declined.

10

11 Then next slide.

12

13 On the east side, Karta where we did
14 have a project there for a few years, you know, same
15 thing with pretty variable harvest and, again, at Kegan
16 Creek and Thorne River.

17

18 And then, yeah, next slide when you're
19 ready.

20

21 On the south end, of course there's
22 been a monitoring program at Hetta for quite awhile and
23 that one is nice because they have harvest surveys. So
24 you see the yellow line there is the harvest estimate
25 based on the surveys compared to the black line which
26 is the -- which is reported on permits. So whenever I
27 look at reported harvest I always take it with a little
28 bit of grain of salt, and that is a really good
29 illustration of, you know, of what's going on there,
30 the difference between reported and harvest and that --
31 what you get when you really sort of track those fish
32 down. And then on the right, of course, is Eek, where
33 we've had a monitoring project there for, you know, a
34 few years and harvest there for whatever has declined.
35 I think that was another one of those systems that it's
36 sort of an alternative to others and so maybe folks
37 aren't feeling the need to go there, it's a fairly
38 small system.

39

40 So, yeah, and then next slide.

41

42 And just some fairly recent management
43 actions, I guess, over the past couple of years. On
44 the Situk River, where we get all of our information
45 from the Fish and Game weir there, there's been chinook
46 closures after -- the past couple years from the
47 subsistence there. They -- they did sort of reopen
48 sort of later in the season, mid-July or something like
49 that, and then on the -- the Stikine, those fisheries I
50

0233

1 -- are -- or, you know, the chinook fishery at least is
2 basically closed preemptively based on the pre-season
3 forecast which has been happening over the past few
4 years. And there was also a closure for the sockeye
5 fishery in 2019. And then, of course, way down in
6 District 1, we have had -- that eulachon fishery has
7 been closed for a long time but we had a limited
8 opening on the Unuk last year and again this year with
9 the remainder of the district closed.

10

11 And then next slide.

12

13 And then, yeah, so this was -- this
14 slide was in here -- I left it just kind of a quick
15 rundown of all the various places that we had, you
16 know, kind of sockeye monitoring projects. So those
17 that are in the green kind of got the go ahead for
18 funding for this next cycle so we expect those to
19 continue but Falls and Eeks there in red, those -- do
20 not -- were not recommended for funding, not included
21 in the funding, so they won't be going at least in the
22 near future.

23

24 And then, yeah, next slide.

25

26 Yeah, I guess if there's sort of a
27 take home message, when I looked at all of these, it's
28 really clear to me that sockeye subsistence users
29 really depend on like a portfolio of places to -- to go
30 to and we see that, and especially when they're looking
31 at, you know, several small systems. So we see that
32 harvest and effort can be really dynamic and with
33 people going, you know, one spot to another for places
34 that are sometimes a little bit opaque, it could be
35 just as simple as the ability to get your boat there,
36 or, you know, weather trends during, you know, was it
37 really stormy during the first couple weeks of July or
38 something like that. So -- yeah, so as we're
39 monitoring these I always try to keep that -- and try
40 to ferret out the -- sort of the underlying story
41 that's going on with subsistence use of all these
42 resources.

43

44 And that concludes my presentation but
45 I was listening to the discussion that I wanted to
46 maybe touch base on a couple of things that Albert, and
47 I think others were mentioning. The first would be the
48 discharge and, yeah, Albert, I totally agree with the
49 importance of that and as Justin was saying that we did
50

0234

1 work that into all of our upcoming FRMP projects. And
2 the ones I operated I tried to lay the groundwork for.
3 We'd been monitoring water level and stuff but I
4 started doing direct discharge measurements. It
5 actually takes a few years or quite a few spot
6 measurements to establish the stage rate and curves and
7 everything like that so we're -- we are definitely on
8 that. And I think an excellent example of that is the
9 thing that we saw at Sitkoh Lake where escapement for
10 several years was almost completely driven by a couple
11 of dry summers so it -- it most definitely. I see that
12 at Neva as well. In fact just this morning was working
13 on a graph and looking at how the pulses of sockeye
14 come in as we get the rain and, you know, pulses of
15 high water. So definitely a huge player in that and
16 something that we need to keep an eye on as with
17 climate change, you know, framework -- the framework.

18
19 Oh, and I think the other thing that
20 Albert was talking about is BC chinook being caught in
21 the Angoon area. I don't really know the background.
22 Perhaps, Albert, we can have a conversation about that.
23 But I would -- just based on what I know about chinook
24 in general, I can assure you that, yes, a probably
25 large proportion of the chinook being caught in the
26 Angoon area are of BC origin and that's been well, well
27 established. That really would not require DNA testing
28 or anything like that. It's well established by years
29 and years of coda wire tag data. I've actually tried
30 to look at this in Angoon but there isn't much coda
31 wire data for Angoon proper because there's no port
32 sampling there but in general I think the rule of thumb
33 is that probably 75 to 80 of the chinook taken in all
34 the fisheries of Southeast Alaska are of BC and
35 Washington, especially Columbia River, Columbia Snake
36 River type origin. So I could probably get you more
37 solid numbers but I'm going to guess an 80/20 split of
38 outside Alaska, Alaska origin is probably a pretty good
39 thing that you could bet on. So -- so yes all those --
40 anything you catch out in front of Angoon is most
41 likely from -- not from Alaska, especially during these
42 winter fisheries. And I can, you know, try to get more
43 information, specific information on that.

44
45 And if anybody has any questions I'd be
46 happy to try to answer them.

47
48 MR. HOWARD: Mr. Chairman, this is
49 Albert.

50

0235

1 CHAIRMAN HERNANDEZ: Yeah, hang on
2 Albert -- we've gone a little bit past noon here and I
3 did tell some folks that we could take their testimony
4 at 1:00 o'clock, and this presentation I'm sure is
5 going to generate a lot of questions but it also kind
6 of leads us into our, you know, call for Federal fish
7 and -- fish wildlife -- fish, shellfish proposals.
8 And, you know, this report that Jake just gave kind of
9 -- kind of informs us a lot of what we want to do with
10 those fish proposals. So I think I'm going to recess
11 now, so 1:00 o'clock. When we come back we'll have
12 some public testimony because I promised that this
13 morning to folks who weren't available this morning.
14 And then we'll get into.....

15
16 MR. HOWARD: Mr. Chairman, I'm --Mr.
17 Chairman, I'm kind of caught in a Catch-22 today. I've
18 got an obligation to meet with the BIA and it's
19 concerning tribal members in Angoon.

20
21 CHAIRMAN HERNANDEZ: Okay.

22
23 MR. HOWARD: And I also have questions
24 about -- about the presentation and so I'm not sure
25 quite how to handle the predicament I'm in.

26
27 CHAIRMAN HERNANDEZ: Yeah, okay, sorry,
28 that's right you mentioned that Albert. Well, if it's
29 okay with the rest of the Council members why don't we
30 let Albert ask some questions now and if then if the
31 rest of the Council members can kind of hold off until
32 this afternoon that would -- that would really help us
33 out. So, Albert, go ahead.

34
35 MR. HOWARD: I appreciate that, Mr.
36 Chairman. There's two things that -- the DNA sampling
37 of chinook salmon, I want the tribe to do it themselves
38 so fishermen in the area can take samples for me and I
39 can send it off to a lab and say -- and show the
40 fishermen here, in fact, we either are catching salmon
41 or we're not and I want to have it on record that we
42 either are, and, yes, we agree with the closures or no
43 we're not and we don't agree with the closures.
44 Because it seems like when we close it for everywhere
45 else, Angoon is the only one that can't catch king
46 salmon, everyone else out in Lisianski and Sitka has
47 their own fishery and we get left out and we need it
48 more than anyone.

49
50

0236

1 The second thing is I remember when Ed
2 Gambell, Sr., when the Forest Service was going to
3 shoot the falls at Kanalku he said, not only are you
4 allowing the -- the sockeye easier access to the lake
5 but you're also allowing easier access for the predator
6 fish like the trout. So I think in the future I'd like
7 to see that on how much trout get by and that could be
8 part of the process of this could be the reason why
9 numbers are going to be so low coming up because this
10 -- this amount of trout made it past the weir.

11
12 CHAIRMAN HERNANDEZ: Okay. You have a
13 response there, Jake.

14
15 MR. MUSSLEWHITE: Yeah, Mr. Chair, I
16 didn't hear a question there. I'm not -- as far as the
17 role, I guess, of like Dolly varden and other kind of
18 predators on Kanalku fish boy, I -- I don't have any
19 data on that, I don't know if there's any way we could
20 evaluate that at all, yeah.

21
22 CHAIRMAN HERNANDEZ: Yeah, okay.

23
24 MR. HOWARD: Mr. Chairman. The Dolly
25 varden idea could just be something we could add going
26 forward. Thank you, Mr. Chairman.

27
28 CHAIRMAN HERNANDEZ: Yeah, it might be
29 able to be worked into a project somewhere. They might
30 want to start monitoring that other places as well.
31 So, Albert, yeah, you have a commitment this afternoon,
32 hopefully you'll be back, you know, we're going to be
33 discussing new proposals to put forward. So whether
34 you're here or not this afternoon when we get into
35 that, I'll make sure that you have an opportunity to --
36 to, you know, get in that discussion at some point
37 maybe if it's even a little out of order. So -- but
38 that is what we're going to do this afternoon. We will
39 look at all this information that Jake has provided,
40 the Council can ask questions and if there's Council
41 members that have ideas for proposals to put forward we
42 will move right into that. We'll kind of work it all
43 together.

44
45 So I think we can.....

46
47 MR. HOWARD: Thank you, Mr. Chairman.

48
49 CHAIRMAN HERNANDEZ: Yeah. Yeah, good

50

0237

1 luck with your meeting this afternoon, Albert.

2

3 MR. HOWARD: Thank you.

4

5 CHAIRMAN HERNANDEZ: And for the rest
6 of the Council, I think we can kind of delay our
7 getting back into session this afternoon until 1:15.
8 We'll take an hour long break and reconvene at 1:15.
9 DeAnna, if you have access to the Salmon Beyond Borders
10 people, tell them that we'll hear from them at 1:15 if
11 they're ready.

12

13 (No comments)

14

15 CHAIRMAN HERNANDEZ: Okay, recess until
16 1:15.

17

18 (Off record)

19

20 (On record)

21

22 CHAIRMAN HERNANDEZ: We can reconvene
23 our meeting and if our Secretary, Frank Wright is with
24 us, then do a roll call and we'll make sure we've got a
25 quorum.

26

27 MR. WRIGHT: Okay.

28

29 Ian Johnson.

30

31 MR. JOHNSON: I am here.

32

33 MR. WRIGHT: Thank you, Ian.

34

35 Calvin Casipit.

36

37 MR. CASIPIT: Here.

38

39 MR. WRIGHT: Thank you.

40

41 Michael Douville.

42

43 (No comments)

44

45 MR. WRIGHT: Michael Douville.

46

47 (No comments)

48

49 MR. WRIGHT: James Slater, he's

50

0238

1 probably -- might still be flying.

2

3 (No comments)

4

5 MR. WRIGHT: Bob Schroeder, I heard

6 you.

7

8 Albert Howard.

9

10 MR. SCHROEDER: Here.

11

12 MR. WRIGHT: Thank you.

13

14 Mr. Hernandez, I heard you.

15

16 Patricia Phillips.

17

18 MS. PHILLIPS: Here.

19

20 MR. WRIGHT: Thank you, Patricia.

21

22 Louie Wagner.

23

24 MR. WAGNER: Here.

25

26 MR. WRIGHT: Thank you.

27

28 MR. WRIGHT: Harvey Kitka.

29

30 MR. KITKA: Here.

31

32 MR. WRIGHT: Thank you.

33

34 John Smith.

35

36 MR. SMITH: Here.

37

38 MR. WRIGHT: Thank you.

39

40 Cathy Needham.

41

42 MR. DOUVILLE: I am here, Frank, Mike

43 Douville.

44

45 MR. WRIGHT: Okay, thanks, Mike.

46

47 Cathy.

48

49 MR. WRIGHT: We've got a quorum, Mr.

50

0239

1 Chair.

2

3 CHAIRMAN HERNANDEZ: Okay, thank you,
4 Frank. So we're going to spend some time this
5 afternoon talking about fish proposals. We're also
6 going to, hopefully, have Jake Musslewhite available to
7 answer questions on the fisheries report that he gave
8 us before lunch. It's going to help inform a lot of
9 what we may be talking about on our proposal process,
10 so that's coming up. But I did offer up an opportunity
11 for public testimony on non-agenda items this afternoon
12 after lunch. And we may have Salmon Beyond Borders
13 available to talk to us, but I don't know if they're
14 there.

15

16 MS. NEEDHAM: Mr. Chair, this is Cathy.

17

18 CHAIRMAN HERNANDEZ: Oh, hi, Cathy.

19

20 MS. NEEDHAM: I think I figured my
21 phone issue out so I just wanted to let you know I was
22 here.

23

24 CHAIRMAN HERNANDEZ: Good, okay. Yeah,
25 I don't know if there's anybody from Salmon Beyond
26 Borders who is unfamiliar with our phone system but in
27 order to get into the system -- everybody is muted, I
28 think you have to press star, six to have access. So
29 if there's anybody trying to call in.

30

31 MS. WEITZ: There you go, that was the
32 key I needed, Chairman, thank you. This is Jill Weitz
33 with Salmon Beyond Borders.

34

35 CHAIRMAN HERNANDEZ: Okay. And what
36 was your name again.

37

38 MS. WEITZ: My name is Jill, J-I-L-L,
39 Weitz, W-E-I-T-Z.

40

41 CHAIRMAN HERNANDEZ: Okay, Jill Weitz,
42 yeah, thank you. Glad I could clarify the phone issue
43 for you. So, yeah, you have a presentation for us this
44 afternoon.

45

46 MS. WEITZ: Yeah, I -- I so appreciate
47 the opportunity to speak before all of you. I'm simply
48 doing some follow up. I believe you heard from
49 colleagues both with Salmon Beyond Borders and the
50

0240

1 Southeast Alaska Indigenous Transboundary Commission
2 earlier this past fall. But I wanted to just kind of
3 provide an update as it relates to the Alaska BC
4 Transboundary mining issue and the work that Salmon
5 Beyond Borders is doing -- has been doing throughout
6 the region, in coordination with the Southeast Alaska
7 Indigenous Transboundary Commission and I was not in
8 attendance for the presentation that Brie and Fred gave
9 this fall so I hope that I won't be monotonous.

10

11 But we are -- our organization and many
12 throughout the region have been focusing on working to
13 kind of establish some -- some standing, if you will,
14 as it relates to the management of the shared rivers,
15 the Taku, the Stikine, and the Unuk watersheds that
16 originate in British Columbia and produce historically
17 80 percent of Southeast Alaska's king salmon. Each of
18 these systems have been now listed -- their chinook
19 runs have been listed as stocks of concern. The Taku
20 and Stikine being listed in October of 2021 and the
21 Unuk being listed in 2017. But we've been working on
22 this issue for years, even prior to that -- starting
23 actually when we had some historic runs. But long and
24 short, we've been organizing throughout the communities
25 in Southeast Alaska to raise awareness for the notion
26 that British Columbia is pursuing what they deem as the
27 Golden Triangle, this area that is in Northwest British
28 Columbia and we have seen rampant developments and
29 investments in this region in my ten years with Salmon
30 Beyond Borders working on this issue since 2013 and
31 it's not slowing down. And these projects, of course,
32 some of which are already operating and producing mines
33 are near and within the spawning and rearing grounds of
34 the salmon we all depend upon in this region.

35

36 We have worked collaboratively
37 throughout the region to, as I said, raise awareness
38 locally but we have also been working to -- working
39 along side with our Alaska Delegation and have had
40 incredible support from our members of Congress,
41 including the late Congressman Young as it relates to
42 garnering resources for USGS to be doing water quality
43 monitoring and to be building working relationships to
44 do said monitoring with some of the tribes in Southeast
45 Alaska but really working to elevate this issue as far
46 and high as we can at the Federal level seeing as it is
47 an international issue inherent with the political
48 border.

49

50

1 We've had great conversations with
2 Department of Interior folks over the years and
3 maintain that with current leadership at Interior as
4 well as folks like Ms. Raina Thiele working with DOI,
5 the awareness for these Alaska issues and the issues
6 related to food security and community access to these
7 resources, I think is gaining even more traction, which
8 is exciting. And the regional effort that hopefully
9 and I believe Brie and Fred spoke with you all about is
10 the notion that we've been working to garner updated
11 resolutions from municipalities and tribes in Southeast
12 and many of you on this Council actually have been
13 integral in the -- in the successful of -- of not only
14 updating communities and tribes but -- but garnering
15 these resolutions that are specifically requesting two
16 things, one of which is a -- the support for the
17 Southeast Alaska Indigenous Transboundary Commission's
18 request for a pause so they present 15 of the 19
19 Federally-recognized tribes in Southeast and sent a
20 letter to Premier Horgan in British Columbia requesting
21 a pause on the permitting of new mines and expansion of
22 existing mines until a consultation process is in
23 place. So these resolutions support that request so
24 that tribes, as they are recognized as sovereign
25 nations in the U.S., that at the Federal -- at the
26 Federal level must be recognized as well. So working
27 as much as we can to support that request. And the
28 second ask in these resolutions was that a ban on
29 tailings dams like that -- for some of you who might be
30 familiar with the tailings dam that failed at the Mt.
31 Polley Mine in the headwaters of the Fraser River
32 watershed. Those types of tailings dams are already
33 built and are proposed to be built and are already
34 permitted in the headwater of these systems and so we
35 are calling for a different means of tailings storage
36 so as to protect human, health and the environment
37 should some of these projects move forward. And
38 effectively there have been resolutions passed in every
39 community, every municipality south of Juneau, Juneau's
40 still on the table to -- to pass this resolution so
41 there have been nine municipalities thus far that have
42 passed, as well as six tribes that have passed
43 resolutions supporting these two requests, as well as
44 individual resolutions from groups like United
45 Fishermen of Alaska.

46
47 And so I -- I think that -- I'm happy
48 to provide you all, Council members, with additional
49 background information, some maps, et cetera, so as to
50

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1 better understand, not only the current efforts
2 underway by groups in the region but also kind of where
3 we're looking to forge ahead and I think that, of
4 course, with your, you know, support and consideration
5 of a resolution coming from the Regional Subsistence
6 Advisory Council, I think that would be, you know, an
7 incredible way to bolster and support the communities
8 of Southeast that are focused so much on sustaining
9 these rivers that provide our communities with these
10 incredible resources we are so fortunate to have.

11

12 With that, I'm happy to stay on and
13 answer questions but I think happy to -- to just send
14 along some information to you, DeAnna, to share with
15 Council members, if that is of interest and so I'll
16 stop with that.

17

18 CHAIRMAN HERNANDEZ: Thank you, Jill.
19 Maybe I'll offer opportunity for Council members to ask
20 any questions first if you're willing to take some.

21

22 (Teleconference interference -
23 participants not muted)

24

25 CHAIRMAN HERNANDEZ: Is somebody on the
26 Council asking a question, I hear somebody.

27

28 (No comments)

29

30 CHAIRMAN HERNANDEZ: Perhaps not. So I
31 guess I have a question.

32

33 MS. WEITZ: Sure.

34

35 CHAIRMAN HERNANDEZ: You asked if the
36 Council maybe put forward a resolution and there's
37 already resolutions out there, do you have a resolution
38 to send to the Council that maybe we could put
39 something together that would kind of mirror what other
40 folks are asking?

41

42 MS. WEITZ: Absolutely. I would be
43 more than happy to share with the Council the draft
44 resolution that Salmon Beyond Borders and Southeast
45 Alaska Indigenous Transboundary Commission put out for
46 communities and tribes to consider. And so I'll send
47 that document as well as copies of the resolutions that
48 have been passed thus far, those that we have access to
49 at this point. Happy to do that.

50

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1 CHAIRMAN HERNANDEZ: Okay. That may --
2 that may be of interest to the Council.

3
4 MS. PERRY: Mr. Chair.

5
6 CHAIRMAN HERNANDEZ: Yeah, go ahead.

7
8 MS. PERRY: This is DeAnna. I just
9 wanted to let the Council know that after Tab 10 in
10 your meeting book, attached to our annual report is a
11 copy of that resolution that was brought up at the fall
12 meeting, if they wanted to look that over. I don't
13 have the additional resolutions that Jill just
14 mentioned but I did want to point that one out in case
15 folks wanted to look at that, we do have that one.

16
17 Thank you.

18
19 CHAIRMAN HERNANDEZ: Thanks, DeAnna,
20 that's probably what I was looking for, yeah, very
21 good. Any other questions from Council.

22
23 (No comments)

24
25 CHAIRMAN HERNANDEZ: So, Jill, other
26 than, you know, maybe a resolution coming from the
27 Council, is there any other action that you might
28 recommend that would be helpful if we wanted to express
29 our concerns about this?

30
31 MS. WEITZ: I -- absolutely there is
32 always great opportunities, Chairman. As I mentioned,
33 we are still working with the Juneau assembly as they
34 kind of ebb, a bit, if you will, from their focus on a
35 lot of our Covid mitigations here in Juneau but I think
36 for those Council members who reside in Juneau and/or
37 would be interested in writing to the assembly
38 specifically requesting that they, too, would follow as
39 the municipalities throughout Southeast have done to
40 take up a resolution and consider a resolution, I think
41 that would be incredibly helpful.

42
43 And then I think, you know, this is so
44 interesting for me, like talking at a phone and not
45 seeing all of you on a screen or being able to share
46 information but I think, you know, that if there are
47 every opportunities to better understand how some of
48 the Council's work and the other regional efforts
49 throughout Southeast could either, you know, folks are
50

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1 interested in learning more about transboundary and the
2 -- the various efforts and collaborations between the
3 Fed and tribe and local municipalities, I think it
4 would be great, you know, to just know that we are here
5 as a resource and to be able to make connections for
6 folks and share information as we can. And I think
7 that potentially I -- I don't know the exact structures
8 and interface with the Department, per se, but we have
9 been working with our -- you know, Senator Murkowski is
10 vice Chair of the Senate Committee on Indian Affairs
11 and have been working to hopefully garner support for
12 that committee to host a -- either a roundtable
13 discussion which focuses on indigenous sovereignty and
14 access to resources and food security as it relates to
15 these shared watersheds, and so I think support for
16 that but also DOI, as a member of the White House
17 Committee on Indian Affairs, they have a specific
18 subcommittee related to international indigenous
19 affairs and that's something we've been working with
20 Ms. Thiele to try to advance so as to create as many
21 opportunities as we can for especially the tribes of
22 Southeast Alaska to -- to have their concerns heard and
23 elevated and advanced. And, you know, I just think
24 it's always important to recall that this particular
25 issue has just been one that has united so many sectors
26 of Southeast Alaska that aren't typically united, you
27 know, between gear groups and sportfish, and tribes and
28 communities and business owners and tour operators,
29 it's been really unique in that realm and to be a part
30 of that and so I think if any of you, as Council
31 members, identify opportunities for engagement then,
32 you know, a better understanding of the issue, please,
33 just, my ask is, yeah, that you reach out and -- and
34 know that we are -- that we are here to help serve.

35
36 CHAIRMAN HERNANDEZ: Yeah, that's a
37 good observation. Our Council members are involved in
38 a lot of various, yeah, agencies and groups, yeah,
39 across the spectrum. So yeah they can certainly bring
40 that message to spread it around. So very good. Any
41 other questions from Council members. Comments.

42
43 (No comments)

44
45 CHAIRMAN HERNANDEZ: Okay.

46
47 MS. WEITZ: Thank you all so much for
48 your time.

49
50

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1 CHAIRMAN HERNANDEZ: Yeah, well, thank
2 you for bringing that to our attention again, and, yep,
3 we might take that up before the end of the meeting and
4 discuss a resolution. So thank you for bringing that
5 to our attention and passing along your information,
6 very helpful. Thank you, very much.

7
8 MS. WEITZ: Thank -- thank you, take
9 care.

10
11 MS. PERRY: Mr. Chair, this is DeAnna,
12 I have a question for Jill.

13
14 CHAIRMAN HERNANDEZ: Yeah, go ahead,
15 DeAnna.

16
17 MS. PERRY: Jill, are you still there.

18
19 (No comments)

20
21 MS. PERRY: Oh, she might have already
22 disconnected. I was just trying to find out if that
23 resolution had been signed. Attached to our annual
24 report was a copy of it, it had not been signed at the
25 time we drafted the annual report and if it was signed
26 I'd like to attach a signed copy. So I will try to
27 reach out to her or maybe the folks at Central Council
28 who might be able to answer that for me.

29
30 Thank you.

31
32 CHAIRMAN HERNANDEZ: Okay. Bring back
33 that answer to us when you get it DeAnna. Okay, moving
34 on with the agenda. We are to the point where we call
35 for Federal fish and shellfish proposals. And Justin
36 Koller, maybe you can present that although we might
37 have some questions on the fisheries report, Jake, are
38 you still there.

39
40 MR. MUSSLEWHITE: Yes, Mr. Chairman,
41 I'm here. Thanks.

42
43 CHAIRMAN HERNANDEZ: So Justin why
44 don't you just get us started by telling us what's
45 required here with the call for proposals and then
46 we'll get into a question session here.

47
48 MR. KOLLER: Okay, Mr. Chair, that
49 sounds good. Good afternoon, Mr. Chair. Members of
50

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1 the Council. For the record my name is Justin Koller.
2 I'm a Fisheries Biologist with the Office of
3 Subsistence Management. I'll just give you a brief
4 update on our call for Federal fish and shellfish
5 proposals. This is an action item and there is a one
6 pager that contains pertinent information, and I
7 believe it is about Tab 7 in your meeting materials.

8
9 The Federal Subsistence Board is
10 accepting proposals this spring to change the Federal
11 regulations for the subsistence take of fish and
12 shellfish on Federal public waters for the 2022 through
13 2025 regulatory cycle. The Board will consider
14 proposals to change Federal fish and shellfish seasons,
15 harvest limits, methods and means and customary and
16 traditional use determinations. The current window of
17 opportunity to submit proposals opened on March 17th
18 and closes May 16th. As a Council, you may vote on
19 fisheries proposals to submit to the Council
20 Coordinator who will submit them on behalf of the
21 Council. Proposals from the general public are
22 submitted to the regulations website at
23 www.regulations.gov. Again, there is more information
24 on how to submit proposals in the news release in your
25 meeting materials at Tab 7, I believe.

26
27 The proposals will be analyzed and
28 presented to this Council during the fall meeting.
29 Proposal analysis and Council recommendations will be
30 presented to the Federal Subsistence Board for their
31 actions at the January 2023 fisheries regulatory
32 meeting.

33
34 That concludes my presentation and
35 happy to take any questions related to the fisheries
36 regulatory cycle process or discuss proposals you would
37 like to put forward. Thank you.

38
39 CHAIRMAN HERNANDEZ: Okay, thank you,
40 Justin. Any Council members with questions about what
41 our role is in this and how we're going to proceed.

42
43 MR. CASIPIT: Mr. Chair.

44
45 MS. NEEDHAM: Mr. Chair, this is Cathy.

46
47 CHAIRMAN HERNANDEZ: Cathy, go ahead.

48
49 MS. NEEDHAM: Thank you, Mr. Chair.

50

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1 You know we had a presentation by Jake Musslewhite and
2 I had some questions for him on the fisheries report
3 that didn't necessarily relate into the call for
4 Federal fish proposals. Some of the questions that I
5 had for him actually probably are a little more
6 pertinent to the FRMP program, the funding that comes
7 out of FRMP and so I don't know if we were going to
8 have an opportunity to have any discussion about that
9 kind of stuff before we submitting proposals. Because
10 I don't think my questions to him are going to be able
11 to be turned into a proposal for regulations.

12

13 CHAIRMAN HERNANDEZ: Yeah, okay, I
14 understand that Cathy, no, we'll open up a forum here
15 for Jake to answer any questions that we might have on
16 his presentation this morning. So, yeah, I kind of
17 wanted to make sure everybody was clear on the proposal
18 process here that the Council is going to be taking up
19 next as well.

20

21 (Pause)

22

23 CHAIRMAN HERNANDEZ: Okay.

24

25 MS. NEEDHAM: Mr. Chair.

26

27 CHAIRMAN HERNANDEZ: Go ahead.

28

29 MS. NEEDHAM: So did you want me to ask
30 my questions of him now or do you.....

31

32 CHAIRMAN HERNANDEZ: Yeah, I'm not
33 hearing any other questions on process so go ahead
34 let's get into any other questions from our morning
35 session here, the fisheries report.

36

37 MS. NEEDHAM: All right, thank you, Mr.
38 Chair. So I have some questions about, you know, Jake
39 talked about the slide that was up there for South
40 Prince of Wales Island that showed the data and it was
41 the only system that's being monitored under the
42 Fisheries Resource Monitoring Program that I could tell
43 that actually has a comparison of local harvest survey
44 data versus harvest reported on permits. And I do know
45 that the Klawock system is going to attempt to do this
46 as well. But I'm wondering if there are any other
47 systems that have a little bit of, not just one year
48 data, but a little bit of extra data that actually does
49 that kind of comparison. And then if he could answer
50

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1 that then I have some follow up to that.

2

3

4 MR. MUSSLEWHITE: Yeah, through the
5 Chair. Again, for the record this is Jake Musslewhite,
6 Fishery Biologist for the Forest Service. We -- there
7 actually was harvest monitoring done at Falls Lake and
8 Gut Bay as well. I think actually if Justin Koller's
9 still on, he ran that project and probably has a better
10 handle on what any differences between the reported
11 harvest and then the, you know, estimated harvest based
12 on surveys and observations and such are. But in
13 general, you know, we do see that same pattern that was
14 sort of shown on that slide at Hetta there where the --
15 you know, the -- the harvest that is observed by folks
16 hanging out there for the whole season watching what's
17 really happening on the ground is quite a bit different
18 than reported harvest, quite a bit higher. My personal
19 rule of thumb is I always tend to take the reported
20 harvest and double it and it's probably closer to
21 what's really going on.

21

22

Thank you.

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MS. NEEDHAM: Okay. And then I also
know that information about harvest sometimes comes
from household harvest surveys for sockeye, so what I'm
trying to get at -- I mean I personally think the local
harvest survey data, if you can get it, on the fishing
grounds or in follow up surveys, is probably the most
accurate method, but I also understand that like at
Hetta it's a pretty unique system and that it's mostly
closed, they know who their fishermen are at any given
time and they know when the boats leave and they are
able to follow up with members in the community on
that. So kind of my overall broader question is,
should we be thinking about funding, or finding funding
mechanisms that collect data that is more useful to us
than some of that harvest that is being reported just
back on permits since we all know that the harvest
permit data is not as accurate. And I say that because
I think we can try to find a way to collect data in a
confidential way that doesn't, you know, bring
enforcement issues to pass, but -- and maybe get rid of
this whole harvest reporting on permits if it's not
going to be as useful data and try to push towards
getting more accurate data. Because I think in some
cases the data is being used to determine need for
communities and where they're taking that from, I'm not
sure that we're doing our best job there. So that was

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1 a couple questions all rolled into a whole bunch of my
2 thoughts on the matter but the household harvest
3 survey, is that comparable back to it, and then is
4 there something that we should be trying to make sure
5 is more funded in terms of data back to management
6 agencies.

7

8 Thank you.

9

10 MR. MUSSLEWHITE: Yeah, through the
11 Chair. Yeah, those household harvest surveys are
12 great. I don't have a whole lot of experience with
13 them because my projects don't really limit themselves
14 well to those sort of harvest surveys and, you know,
15 on-site surveys are great too. The advantage, of
16 course, the household harvest surveys is you can follow
17 the fish sort of through the economy as it were and see
18 what, you know, how they get distributed to further
19 households and everything like that. I think that the
20 current permit system has a huge disconnect between how
21 things have traditionally been done and actually still
22 are being done, where you have a limited number of
23 people with the means and equipment that are harvesting
24 fish for multiple households, where the permits
25 themselves are tied to one person -- household, with
26 some possibility for proxy fishing and that kind of
27 thing but, you know, there's a big mismatch there
28 between how fishing and then distribution is really
29 done and the permitting system. So, yes, there's that.

30

31 However, doing those sorts of surveys
32 and monitoring is expensive and laborious, or else we'd
33 be doing a lot more of it and so if you have some great
34 idea about how to do it better I am definitely all
35 ears. So I hope that answered your questions.

36

37 MS. NEEDHAM: Yeah, I mean I think it's
38 a discussion that I'm glad that we can have. And I was
39 glad to see, you know, that particular slide in this
40 presentation because it really -- I wanted to make sure
41 that this Council was aware and that we understand what
42 the differences in the data collection methods are
43 especially when it comes time for us to recommend what
44 we think are priority information needs and how to do
45 it. I wish I had the magic answer. I think every
46 system is different, depending on if it's a closed --
47 like if you know who your harvesters are at any given
48 time, of if it's a more open system. Like I mentioned
49 we're going to try these surveys that we did in Hetta,
50

0250

1 there was a funded proposal for -- to try to do that --
2 an attempt to do that back in Klawock, which is not a
3 closed system but multiple communities that harvest out
4 of that system but it's also kind of a finite
5 harvesting time so we're hoping to be able to on-site
6 (Indiscernible) that and see how that works.

7

8 But I don't have any bright ideas on
9 how to necessarily do it better.

10

11 I'm glad to hear that the household
12 harvest survey information is also -- a little more
13 accurate and better reflected into what's really going
14 on when it comes to subsistence harvest take.

15

16 I also wanted to ask one other question
17 that didn't have anything else to do with that
18 particular subject but more on -- I don't know if it's
19 a question. Eek and -- the Eek project is actually an
20 Eek and Kasook project and you mentioned that it won't
21 be recommended for funding. But I wanted Council
22 members to know that it is -- it's on a separate
23 funding cycle with FRMP than like Neva, Sitkoh, Klag,
24 Falls and Hetta are so it is a project that is still
25 ongoing for two years and it does look at escapement
26 for both Eek and Kasook. But with that being said the
27 community of Hydaburg didn't really harvest sockeye out
28 of either of those systems this past year, they
29 utilized a completely separate system so their harvest
30 data permits that comes back won't show pretty much any
31 harvest by the community because -- I don't know that
32 that actually -- I shouldn't say that, I don't know
33 what they're reporting -- but we're not seeing -- you
34 know, we don't see any harvest data for some of those
35 other systems that they have and they have 16 small
36 systems around their community that are known sockeye
37 runs, whether they're small or whether they're large
38 and they do move around a lot more especially in times
39 of low abundance at Hetta, and I'm wondering if that's
40 representative in other communities as well besides
41 just Hydaburg.

42

43 MR. MUSSLEWHITE: Yeah, through the
44 Chair. I think that's an excellent observation. We do
45 see that in a whole bunch of communities. Of course
46 I'm up here on the north end so I don't -- I'm not as
47 familiar with all the Prince of Wales systems but to
48 use an area I'm more familiar with, for instance, folks
49 in Angoon have always had Kanalku as perhaps the
50

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1 leading source because of its accessibility but -- and,
2 you know, you can get to it in your old beater 16 foot
3 Lund sort of deal, but then across Chatham is like
4 Basket Bay, Kook Lake, you know, Hanus Bay, Lake Eva,
5 Sitkoh Lake, that sort of thing. So it seems like each
6 community definitely maintains this portfolio of
7 sources and, you know, honestly the biologists -- it's
8 difficult to untangle how those choices are made as to
9 where folks go. We don't have the resources to monitor
10 all those places, we can't keep folks on the beach
11 waiting for somebody to show up that may never show up,
12 you know, so they can count their fish, and so I'm
13 always trying to talk to folks when I can and try to
14 figure out what is driving those choices, you know,
15 from season to season and throughout the season and
16 it's often just things like, you know, a stretch of
17 weather or just, you know, just random things about
18 who's boat happened to be running at the time in a
19 small enough community, so -- so that becomes a very
20 difficult thing to, you know, keep your finger on the
21 pulse and it changes year to year. So that's just one
22 of the challenges we face, I think, in trying to
23 monitor these things.

24
25 So to take that Angoon example a little
26 bit further, you know, I've definitely toyed with the
27 idea of trying to establish some sort of central place
28 in Angoon where people can bring us their catch so we
29 can take scale samples from multiple systems or, you
30 know, we can see where they're coming from and then --
31 where the fish are coming from and where the people
32 went to catch them and then also to whom are they being
33 distributed to, if we can figure some of that out.

34
35 So, yeah, I hope that -- I maybe lost
36 your question in there but, you know, those are
37 definitely some of my thoughts on that matter.

38
39 MS. NEEDHAM: I appreciate all of that
40 information. And I want to iterate what Patty actually
41 put in the meeting chat, is, that I thought the
42 presentation was an excellent presentation and thank
43 you for your time.

44
45 CHAIRMAN HERNANDEZ: Okay, thanks,
46 Cathy. Just a comment, I mean this last discussion is
47 making an excellent argument for indigenous management.
48 I can see all the possibilities available to keeping
49 better track of these catches if its done locally.
50

0252

1 But, Jake, I have a question.

2

3

4 In looking at all this permit data, I
5 guess it's my understanding that most of the fishing in
6 these systems takes place in State jurisdiction and I'm
7 not sure, is all the permitting State permitting or is
8 there joint permits between State and Federal systems,
9 or how does that work.

9

10 MR. MUSSLEWHITE: Yeah, Mr. Chair. The
11 vast majority of the permits are State permits and I
12 think, you know, almost all of the fishing that I'm
13 personally aware of is, you know, done sort of at the
14 stream mouth or very close, like in marine waters just
15 adjacent so it would be a State managed fishery at that
16 point. There is some places where people do dipnetting
17 and things like that but that's more the exception than
18 the rule. And we do, of course, have a Federal permit
19 system that tends to be used more on Prince of Wales
20 and that sort of thing. But, you know, that's
21 certainly available to folks. I think it would be --
22 the only advantages, I believe -- somebody might
23 correct me if I'm wrong, but I believe you can only
24 like use rod and reel under a Federal, you know, that
25 sort of thing, but it's also limited to the freshwater.
26 So, you know, you have a lot more flexibility, I guess
27 with the State permit. And honestly the State permit
28 system works, you know, well, they do all the work for
29 us in terms of -- you know, they have electronic
30 reporting and things like that that we don't have. So
31 that's -- that's probably a good way to keep doing
32 things, if that helps.

33

34 CHAIRMAN HERNANDEZ: Yeah. Yeah, just
35 kind of wanted to make that clear to everybody that
36 even though you're giving us all this information, it
37 actually does come from the State and then it's them
38 who is compiling it and they have their methods of
39 doing that and that's kind of what we rely on for our
40 information it sounds like.

41

42 MS. KENNER: Hello, Mr. Chair, can you
43 hear me.

44

45 CHAIRMAN HERNANDEZ: Yes, I can.

46

47 MS. KENNER: Oh, that's wonderful.
48 This is Pippa Kenner with OSM. I just wanted to add to
49 what Jake is saying.

50

0253

1 CHAIRMAN HERNANDEZ: Go ahead.

2

3 MS. KENNER: Yeah, Jake, I agree with
4 everything you say and the State permit system is good
5 in all waters, not just marine waters, whereas the
6 Federal permit is generally available for freshwaters
7 with a few exceptions.

8

9 But I did want to say that there have
10 been a number of validation studies for the salmon --
11 subsistence salmon harvest permit program in Southeast
12 Alaska and we do have information that some communities
13 are using that system more than others. In the reports
14 that are done, primarily now by Lauren Sill with the
15 Division of Subsistence, in most of those reports
16 consideration of community subsistence patterns, she
17 does include -- she will include a discussion of how
18 the permit system is working, but those -- that
19 research is few and far between and we definitely could
20 use better information when we're writing analysis
21 about people's dependence on fishing in general and
22 salmon in particular.

23

24 Thank you.

25

26 CHAIRMAN HERNANDEZ: Thank you for that
27 additional information, Pippa. Yeah, I don't want to
28 get too deep in the hole permitting process but I guess
29 it is important to understand a little bit more about
30 how it works seeing how we do have these discrepancies
31 in numbers here between harvest surveys and permit
32 information so we have to keep that in mind, I guess.
33 Any other questions from Council on any other.....

34

35 MR. WAGNER: Mr. Chair.

36

37 CHAIRMAN HERNANDEZ:for Jake
38 Musslewhite this morning.

39

40 MR. WAGNER: Mr. Chair.

41

42 CHAIRMAN HERNANDEZ: Go ahead.

43

44 MR. WAGNER: Mr. Chair, Louie.

45

46 CHAIRMAN HERNANDEZ: Yeah, who is this?

47

48 MR. WAGNER: Louie.

49

50

1 CHAIRMAN HERNANDEZ: Go ahead, Louie.

2

3 MR. WAGNER: Thank you, Mr. Chair. I
4 have maybe about three questions for Jake. You show
5 one picture of the eulachon and another picture that
6 looks like the Klehini and we, my son and nephew and I
7 went up to get the eulachons last year, get our one
8 bucket and our proxy and the fish I see in the school
9 here, they'll lay in the river like this and maybe
10 hundred, two or 300 feet up, there's some more, they
11 school off in their areas like that for spawning and I
12 was wondering if he had more pictures to show us
13 because he has in here there was on site monitoring on
14 the 25th and when we were there, we didn't see anyone,
15 there was no one on the river, just two enforcement
16 officers that boarded us when we came out of the river
17 with our bucket.

18

19 MR. MUSSLEWHITE: Yeah, through the
20 Chair. I am not directly involved with that. I have
21 seen a few photos and things like that. So I'm not the
22 best person to ask. I mean I could probably dig up
23 some more photos and everything like that. But, yeah,
24 that's the best I -- I can do for you there in terms
25 of, you know, more documentation of those. Rob Cross
26 actually promised to take any eulachon questions for me
27 so I mean perhaps if he's on and he has, you know,
28 access to some resources or something like that then,
29 you know, we -- we -- he might be able to help you
30 better than I could.

31

32 MR. WAGNER: Yeah, and we had no
33 problem getting our fish, it was just, you know, a
34 couple of hundred feet from our cabin on the river,
35 we're land owners up there also. And they don't, you
36 know, only go up that -- the upper landing slough, they
37 go up the Eulachon, they go up the main river, they go
38 up the Klehini, you know, we need better reports if you
39 folks are going to be going up there. If my son and I
40 can make up there this year -- where I should be right
41 now -- we'll try to get some good pictures to bring
42 back for the fall meeting and whatever information we
43 could gather.

44

45 And on seven harvesters that
46 participated in the fishery, there was no one there and
47 the other one was, I figure, was our neighbor, his
48 cabin is next to ours -- well, there was three of us
49 and we had three proxies, so to me that's seven, was
50

0255

1 there actually seven fishermen or 4?

2

3 MR. MUSSLEWHITE: Yeah, through the
4 Chair, that's.....

5

6 MR. WAGNER:should get your story
7 straight.

8

9 MR. MUSSLEWHITE:that -- yeah,
10 that slide was given to me. It would take me a few
11 minutes, I could look up -- you know, those were all
12 through the Federal permitting system as far as I'm
13 aware so I would have to pull those out of our database
14 to see exactly who those -- you know, who those folks
15 were, or how many unique people or whatever, yeah, so
16 I'm not sure about that. That was just sort of
17 information I was given.

18

19 MR. WAGNER: Okay. Because.....

20

21 MR. CROSS: Mr. Chair, this is Rob
22 Cross, I could shed some light if you'd like.

23

24 CHAIRMAN HERNANDEZ: I think I heard
25 Rob Cross want to break in.

26

27 MR. CROSS: Yes, Mr. Chair, thank you.
28 So to a few of those -- or to both those questions from
29 Council Member Wagner, I believe it was. We will take
30 any information we can get on the Unuk River eulachon.
31 We like to use the local land owners and the fishermen
32 that go down there or harvesters that go down there and
33 as you know, better than anyone, it's difficult to get
34 there and with tides and flight restrictions and things
35 like that so if you have any photos we take as much
36 traditional, ecological knowledge and reports as we can
37 get. So we would appreciate that.

38

39 As far as the surveys, I wasn't
40 directly involved in those, but the U.S. Forest Service
41 Staff and I believe some members of KIA go down there
42 and they stay in a local land owner's cabin and try to
43 run as many of those rivers and sloughs as they can
44 with a jet boat but they're limited in their capacity
45 due to getting out there, having to tow a jet boat out
46 in big water and things like that.

47

48 And as far as the harvest reports go,
49 we did get a report that seven harv -- seven permits

50

0256

1 were used and I -- I don't have the data on whether
2 those were all desig -- whether those were all
3 individual harvesters or as you said there were some
4 designated harvester permits that were used as well. I
5 do know that 7 out of 122 permits were utilized through
6 a combination of direct use and designated harvester.

7

8 So hopefully that clears that up.

9

10 MR. WAGNER: You know your folks that
11 are reporting, it makes a big difference on us being
12 able to harvest our traditional fish and it's very
13 important at the beginning of the season for everyone
14 in Southeast, it's the first fish, and the reporting is
15 very important and to be -- have the best information
16 you can, you know, we wait -- we can hardly wait for
17 this time of the year to be on the river and I'm hoping
18 to get up there after this meeting if I'm not too late
19 and my big boat is down right now. I had to send my
20 steering south and I'm hoping for good weather to go up
21 in my outboard so I can be there and hopefully get some
22 pictures. So I know I'm talking about, when I get up
23 there and harvest our fish. But this monitoring needs
24 to be monitored 100 percent. So just flying over and
25 taking a picture just doesn't cut it because the fish
26 could be on the opposite side of where those fish are
27 and you can see the shade from the trees, you won't
28 know if that's the shade or fish in there and it's --
29 the whole river could be black. And when the fish come
30 in, they come in with the tide so there's fish all the
31 way down through the river and at night when the tide
32 changes and it's coming in again, the fish are coming
33 in at night. When we tie to our log there, you put a
34 flashlight over and you can see the fish coming up the
35 river. And a picture of the flats would be really good
36 to show all the seals and sea lions and the birds that
37 are down on the flats, you know, all of those would
38 really make a difference.

39

40 It's just a better monitoring should be
41 done if you guys are going to monitor this because it
42 matters to all of our lives, this whole community in
43 Metlakatla, Saxman, very important.

44

45 Thank you.

46

47 CHAIRMAN HERNANDEZ: Thank you, Louie.

48

49 MR. MUSSLEWHITE: Mr. Chair.

50

1 CHAIRMAN HERNANDEZ: Go ahead.

2

3 MR. MUSSLEWHITE: Thank you, Mr. Chair.

4 I absolutely agree with that and I think to tie all
5 this together to what Member Needham was saying as
6 well, the best estimate of harvest that we can get, the
7 cheapest and should be the most reliable is self
8 reporting. And so I think that harvesters due to
9 mistrust or whatever it is, often do themselves a
10 disservice by not fully reporting their harvest and I
11 think that, you know, we often incorporate -- or we
12 always incorporate the harvest estimates that we can
13 get with escapement estimates and so if we're getting
14 under reporting on harvest it makes escapement look
15 lower and then, again, I think it's doing a real
16 disservice. And so if we can promote people to harvest
17 100 percent -- or to report 100 percent of their
18 harvest they would be helping themselves out, they
19 would be giving us better information to use and we can
20 make more informed management decisions on that.

21

22 And then as far as the Unuk and
23 eulachon go, right ow we have a consultant from the
24 Chilkooot Indian Association that is doing environmental
25 DNA work up there and she is presently down on the Unuk
26 River trying to do some recon and see if we can use
27 environmental DNA to get better escapement estimates.
28 As you mentioned, eulachon are very difficult. They
29 don't have high sight fidelity, and the systems that
30 they are are extremely braided so going in and putting
31 in some sort of weir is just technically not possible.

32

33 Yeah, so I appreciate everything you've
34 said and we really -- again, we appreciate any
35 information we can get from local harvesters or land
36 owners and it's been critical.

37

38 And one last thing is that limited
39 opener that we have on the Unuk River is not only
40 allowing harvest opportunity for Federally-qualified
41 users but it's -- it's giving us information -- we're
42 using it as a survey since we are having a hard time
43 getting out there and it's logistically difficult,
44 we're using that harvest to try to estimate, or use it
45 as an index of that returning population. And, so,
46 again, I would just emphasize if people can fully
47 report their harvest it would help us out a lot and I
48 think, in turn, it would give us a better idea of how
49 many fish are coming back and potentially lead to a

50

0258

1 larger opener.

2

3

Thank you.

4

5 MR. WAGNER: Mr. Chair, can I respond
6 to one thing.

7

8

CHAIRMAN HERNANDEZ: Sure, go ahead,
9 Louie.

10

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MR. WAGNER: On the -- if they -- no on-site due to access difficulty, well, there's no harbor up there, Mr. Chair, and the weather can come up -- it's either out of the Southeast, east, north or westerly and boats upwards have been lost up there in my time, going to and from the logging camps, just in Shrimp Bay there, but it is not safe and I read in the book here somewhere where it was mentioned by -- it might have been Albert, that, you know, safety of the people come first so you have to think of the safety of them. They're unfamiliar with the area, last year everyone was so excited to go up, they thought they were going to follow me. So I left early in a storm, I didn't want to be responsible for anyone because those flats are over a mile long on the beach there and you start getting too many people coming up there like that it's no good, they're not experienced of the river, it's very shallow and sand bars all the way getting up there so it's -- it's a big concern if you start just telling the people to go up -- it's not like in Anchorage where you could drive there on the road, you know, so safety should be a very important issue here.

Thank you, Mr. Chair.

MR. SMITH: Mr. Chair, John Smith.

CHAIRMAN HERNANDEZ: Yeah, thank you,
Louie. Go ahead, John.

MR. SMITH: Yeah, I really want to echo out the -- in being really specific on the data, like we were talking about the moose earlier of knowing who harvested and where they were from and where they harvested from and getting the numbers to be more direct. I really like the idea of having a rep in each community, a tribal rep would be really good that would help the system and, of course, this would encourage money, maybe there's funds to put that position there.

0259

1 In our culture make note that I'm Kaagwaantaan from the
2 Eagle Nest House, (In Tlingit) and also Ed Mercer Box
3 House, I have responsibility to them of understanding
4 -- keeping an eye on who's coming in to your property
5 to harvest off the -- off the land. It was okay to do
6 that as long as you came in and checked in with the
7 head house and -- and as long as you made connection
8 that it was okay. So having a rep in each of the
9 villages would bring the cultural component into place
10 but also having the tribe like, take for instance,
11 Angoon, Basket Bay is a sockeye creek straight across
12 -- I live in Juneau but I lived in Hoonah before and I
13 still harvested out of Basket Bay, I still went to
14 Excursion Inlet, I went to Hoktaheen and specific times
15 of the moon and the sun and the stars are lined up, you
16 go to those specific places knowing that the sockeye
17 people are there.

18
19 I really -- also I'm an educator, most
20 of my life and I see a good time to start educating,
21 getting on the radio and maybe documenting in the paper
22 of how important it is for each of -- I mean all
23 ethnicities and all people that harvest off the land,
24 air, sea, that they help us, and it's important that
25 they -- and how can we really make that important so
26 that people aren't making little fibs on there because
27 the little fibs don't help us. The testimony from the
28 community also I really like. So I encourage those
29 things. And money would be a key to put a position up.
30 But I think the tribe would be a good connection and
31 maybe some of us like my big brother Herman and -- and
32 others that are here are cultural bearers so maybe we
33 can -- can encourage that.

34
35 I do have a lot of questions about the
36 mine also. And the two questions I have about the mine
37 is also about monitoring, is keeping an eye on who's
38 keeping an eye on that, who's doing the testing of the
39 carbon and the oxygen level, the elements that are
40 being -- floating in the water, understanding that. In
41 the document here it talked about in 1950 that there
42 was a bunch of money that was put up there and it says,
43 did they clean up, does it look like they cleaned up,
44 how's the river look, you know, those are my concerns,
45 are we really pushing to monitor but also making them
46 responsible, respectful and safe miners.

47
48 Thank you.

49
50

0260

1 CHAIRMAN HERNANDEZ: Okay, thank you,
2 John.

3
4 MR. CASIPIT: Mr. Chair, this is Cal.
5 I really want to ask a question about the data that was
6 presented by Jake earlier and I thought we were asking
7 questions about his presentation from the FRMP project,
8 and I've got some questions I'd like to ask him about
9 that.

10
11 CHAIRMAN HERNANDEZ: Sure, he's
12 available for questions. Go ahead, Cal.

13
14 MR. CASIPIT: Thank you, Mr. Chair.
15 Jake, on your presentation for the Hoonah, Icy Straits
16 page, I was looking through that, and it's not written
17 here but earlier you said something about locals and
18 Excursion Inlet not fishing there because they know
19 escapements are low or something like that. I mean is
20 that same method getting to, you know, that self-
21 service lodge that's in Excursion.

22
23 MR. MUSSLEWHITE: Yeah, through the
24 Chair. Member Casipit. Yeah, that's just -- based on
25 a couple of conversations I had with some of the cabin
26 owners there around Excursion, you know, because they
27 -- when I'm there in that area, I think they know who I
28 am and stuff and so we, you know, talk about how the
29 run is going and stuff and so I just kind of heard a
30 few mentions that maybe there's sort of a -- you know a
31 -- a community agreement not to fish there because
32 there was the perception that the run wasn't doing that
33 well. I don't know how widespread that is or whatever,
34 but, you know, I do know that perception is there and
35 that may be is one of the things that is sort of
36 constraining harvest there -- recently. As far as the
37 operation -- the charter operation, for those who
38 aren't aware of it there's Doc Warners, which is one of
39 those sort of unguided angler type things right there
40 at Excursion Inlet, so they give you a boat and a lunch
41 and a map and say go for it and, you know, so it's kind
42 of one of those classic unguided things that seems to
43 be becoming more and more popular. I have not talked
44 with them in recent years about it. We have put lots
45 of signs up around access to Neva like kind of down at
46 the bridge by Saltwater and further up the road and
47 everything, reminding folks -- because I think
48 awareness with some of our -- you know, that closure is
49 -- is tough, if you were to look in the Fish and Game
50

0261

1 sport regs you would not see any mention of the sockeye
2 closure there, I don't believe. Because it's strictly
3 a Federal regulation. So we've tried to make people
4 aware of that. I have heard anecdotes about people
5 from the lodge going up there and catching fish, I've
6 never encountered any myself but, you know, I think my
7 crew has occasionally seen people up there. So that's
8 -- I think on my list for this year is to, you know,
9 make contact with Doc Warners and just sort of see if
10 they are directing people to go up there to fish and
11 get them to stop or, you know, basically make them
12 aware if that helps.

13

14 Does that answer your question, Cal.

15

16 MR. CASIPIT: Yeah, it does. And it's
17 kind of what my personal observations there. That's my
18 primary place I go get sockeyes and I -- and I went
19 there last summer and got 10 so somebody -- nobody's
20 talked to me about a community closure there. And --
21 and as far as the folks from Doc Warners coming, you
22 know, I find that most of the time when you see the
23 folks from there fishing is when -- when the straits
24 are smoking. You know, if there's -- if there's a
25 bunch of wind on Icy Straits then most of those people
26 run up and go fish for sockeye instead of going out
27 into the Straits and so on.

28

29 I've got other issues with Doc Warners
30 people there but it's not related to the Federal
31 Program.

32

33 The second question I have is in
34 regards to the Sitka presentation you did for Redoubt.
35 And I was looking at the escapement there and ups and
36 downs, and I was wondering -- I thought there was --
37 but is there an escapement goal range for Redoubt under
38 the Fish and Game management system?

39

40 MR. MUSSLEWHITE: Yeah, through the
41 Chair. Member Casipit. Yeah, there definitely is an
42 escapement goal range, in fact, there's an entire
43 Redoubt Bay management plan. I don't -- I'd have to
44 look it up, I don't remember the numbers off the top of
45 my head but it's, you know, a carefully crafted
46 allocation plan that, you know, sets aside, you know,
47 clearly lays out the management between subsistence and
48 sport and commercial fisheries. There is provisions
49 there for seine openers, you know, given a certain

50

0262

1 projected return and that sort of thing so, yeah,
2 that's a pretty carefully observed and managed fishery
3 to say the least.

4

5 MR. CASIPIT: Yeah, I remember that
6 management plan too. I was -- it just escapes me what
7 the escapement goal range was and I was just asking if
8 you might remember it. I know about that management
9 plan and how it works as far as higher escapements more
10 things are happening there. But somehow -- somehow the
11 40 to 60 was the range -- somehow -- I don't know, I
12 don't know if that's true or not. But, yeah, it -- I
13 don't need it right now but if you guys can check on
14 that and let me know what the escapement goal range is
15 at some point, email me or whatever. Appreciate it.

16

17 MR. KOLLER: Mr. Chair, this is Justin
18 Koller.

19

20 CHAIRMAN HERNANDEZ: Justin, go ahead.

21

22 MR. KOLLER: Through the Chair. Mr.
23 Casipit. That escapement goal range for Redoubt Lake,
24 which I believe was set back in 2001 or 2003 is 7,000
25 through 25,000 is the goal range.

26

27 Thank you.

28

29 CHAIRMAN HERNANDEZ: Okay, thank you,
30 Justin. Cal, if you're done are there any other
31 Council members with a question.

32

33 MR. CASIPIT: Yeah, I'm done.

34

35 MR. JOHNSON: Mr. Chair, this is Ian.

36

37 CHAIRMAN HERNANDEZ: Okay. Anybody
38 else with a question on the fisheries report.

39

40 MR. JOHNSON: Mr. Chair, this is Ian.

41

42 CHAIRMAN HERNANDEZ: Go ahead, Ian.

43

44 MR. JOHNSON: Yeah, definitely some
45 themes that I want to continue on a little bit. So,
46 yeah, we've heard about the under reporting and, you
47 know, Jake, thanks for a great presentation, along with
48 others have said. You know, I'm just concerned about
49 even like the rule of thumb of doubling reporting,
50

0263

1 you're seeing a harvest of zero in the Eva system and
2 only a little over 200 in Hoktaheen and that's -- it
3 seems that even an assumption of a doubling rule of
4 thumb isn't going to get you probably at what are real
5 harvest number is there. I know our community of
6 Hoonah has had to shift to Surge Bay and other places
7 based on conditions but I'm real concerned about the
8 fish under reporting because I guess I think back to
9 the deer discussions we had last autumn or this --
10 yeah, last autumn, and, you know, basically lack of
11 reporting by our communities was identified as a key
12 issue and especially when addressing competition and
13 that -- you know, that competition that Cal just
14 brought up in that Neva Lake system is a real key one
15 and I don't want Hoonah or Gustavus or Pelican or other
16 communities that use that system to start seeing, you
17 know, I guess a deregulation or like a lack of control
18 there because they're not reporting so that's strong --
19 I'm definitely really concerned about that.

20

21 The -- also just anecdotally, or --
22 yeah, anecdotally, you mentioned climate change effect
23 in these systems and I heard, you know, reports during
24 that big drought that we had a couple years that that
25 Hoktaheen fish, especially, got really stacked up and
26 actually may have been really -- really susceptible to
27 harvest and not totally sure what the effect of that's
28 going to be but some of these systems, you know, the
29 effect doesn't just happen in the river itself, it
30 happens when these fish can't get into the mouth of the
31 river. So I just wanted to bring that up for thinking
32 about future considerations in our monitoring and how
33 we're thinking about river levels.

34

35 And I'd -- and another -- sorry, I
36 promise, I won't go on too long, but I'll try to get it
37 all out here.

38

39 I did notice that during the
40 presentation the general theme was that harvest is
41 down, subsistence harvest is down and the timelines for
42 that to me, to my eye, seemed to align with when
43 permits were no longer given out directly physically
44 within our communities. So in Hoonah, I think it was
45 2017 or '18 the State stopped coming here, became
46 slowly a digital process, and I think you -- that's --
47 we've lost out on an opportunity for reporting when
48 that happened and so I don't know what the reason for
49 that was other than money but to me there's a direct
50

50

0264

1 relationship amongst all the systems when that -- I
2 assume the State is not giving out permits in other
3 communities across the region as well, or maybe it's
4 just Hoonah.

5
6 And, yeah, I guess that's all I have
7 and sorry maybe you'll have to mine out my questions
8 and concerns a little bit but that's what's been on my
9 brain here as folks have been talking.

10
11 CHAIRMAN HERNANDEZ: So thanks for that
12 Ian, I mean this is a really important give and take
13 we're having here with the questions and answers and
14 comment because as I said, all of this, you know, might
15 inform what we want to do with proposed regulation
16 changes. So it's good to get -- have all these
17 discussion points. So any other Council members have a
18 question.

19
20 MR. MUSSLEWHITE: Mr. Chair, this is
21 Jake, if I could maybe just speak to Ian's comments
22 there.

23
24 CHAIRMAN HERNANDEZ: Okay. Good idea,
25 go ahead.

26
27 MR. MUSSLEWHITE: Yeah. I guess in
28 terms of the kind of permit harvest numbers and
29 everything, I guess the way I've personally approached
30 it is to view a lot of those things, you know, what we
31 call an index. You know he mentioned my rule of thumb
32 of doubling it which is, you know, maybe a little crude
33 but, you know, when I see the numbers I know that maybe
34 that's not capturing everything but it usually is good
35 enough to at least capture the trends. So hopefully,
36 you know, so that in itself, usually the trend is more
37 important than the absolute value of, you know, the
38 actual numbers. So, you know, that helps a little bit.

39
40 And also he mentioned, I think that was
41 an important to thing up, is that kind of that
42 transition where we saw the old school paper permit to
43 the electronic permit maybe was sort of a break, and
44 maybe a counter intuitive one, where you think that
45 reporting on the electronic permit would be better and
46 would encourage more reporting but, you know, as he
47 mentioned I think Fish and Game has a practice of going
48 to some of the smaller communities and issuing permits
49 but also kind of cornering people to report their catch
50

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1 before they would be issued the next year's permit and
2 that practice stopped. I'm -- I'm not sure of the
3 extent of that practice. I actually tried to start
4 that up again in Angoon myself and, you know, just held
5 a public meeting in Angoon at the office there where I
6 kind of presented some of the work I was doing and, you
7 know, just sort of information on the Federal program
8 here but most importantly set up a couple computers and
9 walked people through getting permits and then
10 reporting their catch and stuff and so we definitely
11 could expand efforts in that arena but, you know, it is
12 expensive for the travel and laborious and such. So
13 there's that. I got shut down in that effort by Covid,
14 essentially, after holding it for one whole year
15 straight, but I'm going to try to revive it this year
16 and in Angoon and maybe once I get my feet under me I
17 can try to extend that to Hoonah as well, although I
18 can't promise anything, but I'm definitely trying to
19 work in that direction anyway.

20

21 Yeah, so I hope that helps.

22

23 CHAIRMAN HERNANDEZ: Okay, anything
24 else Ian.

25

26 MR. JOHNSON: Yeah, thanks, thanks
27 Jake. I think one follow up for me, is, as we're
28 talking about these topics of co-management, I think
29 there are some really expensive endeavors to undertake
30 from a Federal and State perspective that would be
31 much, much cheaper and efficient for communities to
32 take on themselves and these household surveys seems to
33 be a prime example to me, you know, and it goes along
34 with what was mentioned by John and Louie, you know, to
35 establish a position in the communities. But that just
36 seems like a really natural place for us to start
37 collecting some of these datas. But, yeah, it's
38 expensive to mobilize, house yourself and deal with
39 inclimate weather and everything coming in from the
40 outside but it's a relatively easy and inexpensive
41 process for us to take on internally.

42

43 CHAIRMAN HERNANDEZ: Okay, thank you,
44 Ian. Other Council members with questions for Jake on
45 his presentation.

46

47 (No comments)

48

49 CHAIRMAN HERNANDEZ: Okay. We may be

50

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1 done with questions for now, of course, there may be
2 more that arise as we get into proposals. So as Justin
3 Koller presented to us, this is an opportunity, this
4 meeting, for the Council to draft proposals. It will
5 be our only opportunity as a Council to do that. I
6 should point out, you know, that Council members
7 working with their local organizations, groups,
8 whatever, can certainly put in proposals up through, I
9 think it was May 22nd, if I recall, sometime in May.
10 So, you know, this is not Council members only
11 opportunity to put in proposals but if you want a
12 proposal to come from the Council this is the only
13 opportunity.

14

15 So maybe just preliminary, maybe if
16 people have to think about it a little bit, maybe we
17 need to take a little break but maybe just a brief
18 discussion here, are there Council members out there
19 that have proposals in mind that they'd like to bring
20 forward. And maybe -- maybe we can just kind of,
21 without going into too much detail, maybe we can just
22 get an idea of what those proposals are first and then
23 go back and we'll work on them.

24

25 MR. SMITH: Chairman.

26

27 CHAIRMAN HERNANDEZ: Yes.

28

29 MR. SMITH: This is John. I like the
30 idea of having a rep, I truly believe that a
31 partnership with the tribe in every village to help
32 monitor data. I like the idea of how that was done
33 back in Hoonah. I was -- I grew up there, graduated
34 there and that was the process and didn't realize that
35 has changed. But definitely I'd like to make a motion
36 that we build a relationship with each community and
37 tribe to help with data, that would be very positive.
38 And not to mention that, you know, in Hoonah when I --
39 I worked for Whitestone 28 years and we put up a camera
40 up on the pole there and we could look up into the
41 mountains and it's -- it was waterproof and it's
42 probably still there today. I just -- I could see
43 little monitors at every river that the Fish and Game's
44 monitoring. I also realize too that there's not enough
45 Fish and Game officers, noticing in some villages there
46 isn't monitor or control and that sort, but just ideas.

47

48 Thank you.

49

50

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1 CHAIRMAN HERNANDEZ: Okay, thank you,
2 John. I don't think I see a regulatory action there.
3 You know what we're proposing here is actual changes to
4 regulation, which would not really be in the scope of
5 monitoring. However, we will -- as part of our letter
6 that the Council is drafting, you know, as part of this
7 indigenous management process we're probably going to
8 include ideas like that into that. But as far as a
9 regulatory proposal I don't see anything there along
10 monitoring, community monitoring opportunities, unless
11 somebody else has a different opinion on that I just
12 don't see that as a regulatory issue.

13
14 MS. PERRY: Mr. Chair.

15
16 CHAIRMAN HERNANDEZ: If any of our
17 Staff has a comment on that, go ahead.

18
19 MS. PERRY: Mr. Chair, this is DeAnna.

20
21 CHAIRMAN HERNANDEZ: Yeah, go ahead,
22 DeAnna.

23
24 MS. PERRY: I just wanted to let you
25 know that Patty Phillips had her hand up but now it's
26 down so now I'm not sure if she was speaking to that or
27 speaking to something else but I didn't know if you saw
28 that on Teams so I just wanted to bring your attention
29 to that. Patty did want to speak.

30
31 CHAIRMAN HERNANDEZ: No, I didn't
32 notice that. Yeah, Patty, if you're there.

33
34 (No comments)

35
36 CHAIRMAN HERNANDEZ: Well, we'll have
37 to wait for Patty, hopefully she'll be able to join us.
38 Anybody else on the Council with an idea for a
39 proposal.

40
41 MR. KITKA: Don, this is Harvey Kitka.

42
43 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

44
45 MR. KITKA: I had a thought that's been
46 bothering me for some time is where they put
47 limitations on subsistence fisheries for communities
48 and -- but the State has their -- their sportfishing on
49 -- on these fish, like sockeye, whereas the
50

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1 sportfisherman can go there every day and catch his
2 limit but there doesn't seem to be a top limit that
3 they can walk away or stop them at so they -- they can
4 fish every day and catch more fish than the subsistence
5 users would need for the year.

6

7

Thank you.

8

9 CHAIRMAN HERNANDEZ: Okay. It sounds
10 like maybe you're proposing maybe a seasonal bag limit
11 on certain species for sportfishing?

12

13

14

MR. KITKA: Yes. Basically on our
subsistence fish.

15

16

17

CHAIRMAN HERNANDEZ: Right, okay, I'm
taking note of that.

18

19

20

MS. PHILLIPS: Chairman Hernandez, this
is Patty Phillips again.

21

22

23

CHAIRMAN HERNANDEZ: Go ahead, Patty.

24

25

26

27

28

29

30

MS. PHILLIPS: Thank you. I was
looking at the shellfish, subsistence fishing part of
the regulations and Southeast Alaska does not have
regulations for shellfish like clams and I think that
we should have some; customary and traditional use
determination, and have it identified as a subsistence
fishing resource.

31

32

33

Thank you.

34

35

36

37

CHAIRMAN HERNANDEZ: Okay. So were you
saying like the first step would be have a customary
and traditional use determination or something more
than that?

38

39

40

41

42

MS. PHILLIPS: Both customary and
traditional use determination, and what do you call
that, season and harvest limit.

43

44

45

CHAIRMAN HERNANDEZ: Okay. Okay, any
other preliminary ideas we may want to talk about.

46

47

48

49

50

MR. WRIGHT: Mr. Chairman.

MR. HOWARD: Mr. Chairman, this is
Albert.

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1 CHAIRMAN HERNANDEZ: Okay. Albert, I
2 hear you but Frank was there first. I'm glad to hear
3 you're back Albert, but, Frank, you go ahead first.

4
5 MR. WRIGHT: Put a limit on out of
6 state, I don't know if we can do that but out of state
7 people taking crab. I see people in Hoonah coming --
8 sportsmen coming in and crabs that are still illegal
9 and they take 20 crab and they ain't even legal size so
10 we got to figure out how to slow this down and --
11 because Hoonah's just got one area that's closed off to
12 commercial fishermen but they come in there and they
13 think those crab are good but they're not.

14
15 Thank you, Mr. Chair.

16
17 CHAIRMAN HERNANDEZ: Okay, thank you,
18 Frank. I got that written down. Albert, what do you
19 have.

20
21 MR. HOWARD: Thank you, Mr. Chairman.
22 Just to add what Patricia mentioned as far as clams and
23 cockles and so on and so forth and I agree with that
24 but I don't see having a bag limit. Hoonah Sound is a
25 good example of the State coming in and allowing a
26 commercial fishery and taking away from the subsistence
27 users who used to fill a fish tote full of shrimp and
28 take it home, no problem. But when the State came in
29 and created a commercial fishery in Hoonah Sound, the
30 Sitka residents were then limited to a five gallon
31 bucket. The hard thing for the to understand, as an
32 example, Mr. Chairman, is if I would run 30 miles west
33 to get cockles and clams, I'm going to get a whole lot
34 of them because 30 miles west is a long run for me and
35 then I come back and share with the community. I don't
36 send anything I get to China, Japan or any other
37 country, it goes to homeowners here in Angoon and I
38 think we need to start putting that impression on the
39 State, every fishery -- commercial fishery that has
40 been allowed has since fished out of the State and it's
41 on the backs of residents in communities like Angoon.

42
43 So that's my spiel on that one.

44
45 I'd like to ask the State to restore,
46 you know, I don't know if we can put it in proposal
47 form, but have them restore our herring back to what it
48 was before they allowed bait fishery to wipe out all
49 the herring within Southeast and then Angoon. I used
50

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1 to spend a lot of time as a little kid with my dad
2 going everywhere. Hood Bay had a run, Distant Point
3 had a run of spawning herring. White Rock. Kelp Bay.
4 Favorite Bay. None of those have that anymore. So if
5 somehow if we can put it into a format asking the State
6 to figure out how to bring those runs back because
7 they're the ones that allowed it to be depleted it to
8 nothing. Hopefully that's an opportunity. I spoke with
9 Joel and we had conversations about Kake, and so one
10 proposal I'm going to ask for is maybe something he
11 wanted for Kake, is to close Point McCartney to Kanalku
12 Point for commercial fishing of crab.

13

14 He stated that when the boats go in
15 there and set their pots there's no more crab left for
16 the residents of Kake.

17

18 I would also like to have a proposal
19 for the Angoon area from the main land to Danger Point,
20 anything east of Danger Point be closed to commercial
21 crabbing is another proposal.

22

23 A third one is to allow furtherance of
24 Angoon to fish sockeye in a place we call Little Basket
25 Bay. It's right by Basket Bay but if we're caught
26 fishing there we're illegal so I would like the
27 opportunity for Angoon residents or anybody to fish it
28 and not be cited for it.

29

30 That's what I have for now. It sounds
31 like I got back just in time. Thank you, Mr. Chair.

32

33 CHAIRMAN HERNANDEZ: yes, you did,
34 Albert, thank you. I have a question for Staff
35 drafting these proposals. The call is for Federal fish
36 and shellfish proposals. I was wondering, Justin,
37 could you clarify for me on the shellfish proposals, it
38 does occur to me that most of the shellfish that we're
39 talking about the fishing takes place in State waters,
40 I don't know, where does -- where does the Federal
41 jurisdiction start when we're talking about shellfish?

42

43 (No comments)

44

45 CHAIRMAN HERNANDEZ: Is Justin or
46 somebody else there on the Staff there to answer that
47 question.

48

49 MR. KOLLER: Yes, pardon me, I'm sorry.

50

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1 I tried to unmute.....

2

3 MS. KENNER: Yeah, Mr. Chair, this
4 is.....

5

6 MR. KOLLER:my phone and it
7 didn't work for me. So, Mr. Chair, this is Justin
8 Koller.

9

10 CHAIRMAN HERNANDEZ: Okay.

11

12 MR. KOLLER: There is a small portion
13 of Federal public waters, marine waters around the
14 Makhnati Island area, in District 13, near Sitka,
15 there, and DeAnna and Mr. Casipit might be able to shed
16 some light on some additional Federal public waters
17 that these regulations apply to in the marine waters
18 around the Tongass National Forest. I think there is
19 several other ones but they're extremely small and most
20 marine waters are managed under State regulations for
21 fish -- or excuse me -- for shellfish and fish.

22

23 Thank you.

24

25 CHAIRMAN HERNANDEZ: So, okay, we're
26 talking about only those very small Federal water
27 areas. So just for the Council member's benefits, some
28 of the points that are brought up here, those are all
29 kind of issues that State Board of Fish takes up and,
30 you know, some of these crab proposals have already
31 been brought before the Board, even in their most
32 recent meetings, there were proposals on limiting crab
33 harvest in various places. So unless -- unless we're
34 talking about some very specific locations that are
35 Federal waters, you know, this is not really our
36 opportunity to do that. That next opportunity happens
37 three years from now, I guess, with the State. So
38 we'll have to keep that in mind.

39

40 MR. HOWARD: Mr. Chairman, real quick
41 if I may.

42

43 CHAIRMAN HERNANDEZ: Yeah, go ahead,
44 Albert.

45

46 MR. HOWARD: Thank you, Mr. Chairman.
47 So Admiralty Island National Monument has its own
48 language and it also has its own boundaries and it was
49 supposed to be co-managed between the city, the Native
50

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1 corporation and the Forest Service. There was no
2 mention of the State taking over the waters. And when
3 President Carter signed the declaration to create the
4 Monument there was a three mile line around the island,
5 that was removed without due process from the tribe so
6 if anyone on Staff knows anything about that three mile
7 line being removed and the process that was used to
8 remove that three mile line, if they could get me that
9 information I'd appreciate it.

10

11 Thank you.

12

13 CHAIRMAN HERNANDEZ: Yeah, thank you,
14 Albert. Yeah, I do recall that being mentioned before
15 and I don't -- I don't know what the answer is but if
16 Staff would want to enlighten us on that at some point,
17 that would be helpful as well. I don't know if they
18 have the answer right now.

19

20 (No comments)

21

22 CHAIRMAN HERNANDEZ: So while we're
23 waiting, maybe, for some more clarification, anybody
24 else on the Council with a proposal idea that they want
25 to bring forward.

26

27 MR. KITKA: Don, this is Harvey Kitka.

28

29 CHAIRMAN HERNANDEZ: Yeah, go ahead,
30 Harvey.

31

32 MR. KITKA: I have one thing that's
33 been kind of bothering me for some kind and that's -- I
34 think when I talked to Bob Larson some years ago, that
35 everything that we subsist on, whether it be shellfish
36 or land or rivers or anything -- anything that we
37 subsist on was in our ability to harvest at any time.
38 Why can't the State and the Federal government get
39 together and make the same ruling.

40

41 CHAIRMAN HERNANDEZ: I'll just put that
42 out there as a comment. I don't know if there's an
43 answer to that question, Harvey.

44

45 MS. KENNER: Mr. Chair, this is Pippa.
46 Can I clarify the question please.

47

48 CHAIRMAN HERNANDEZ: Go ahead, Pippa.

49

50

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1 MS. KENNER: I missed the beginning of
2 it because I was looking up all the C&T, did Harvey ask
3 about regulations being in alignment with the State or
4 was he talking about customary and traditional use
5 determinations being in line with the State?

6
7 CHAIRMAN HERNANDEZ: Harvey, if you
8 want to get back to Pippa on that.

9
10 MR. KITKA: Through the Chair. Pippa,
11 this is Harvey Kitka. And basically I was talking
12 about both things, why doesn't -- when the Federal
13 government took over the subsistence why didn't they
14 take the shellfish and all the other stuff with it and
15 it's been a question that's been kind of bothering me.

16
17 MS. KENNER: Okay, Harvey, this is
18 Pippa. That helps. Did you say why didn't they take
19 it all with them or why did they take it all with them?

20
21 MR. KITKA: I said why didn't they take
22 -- did not take it because everything we subsist on is
23 -- is recognized by the Federal government but not by
24 the State. I don't see where the State could trump the
25 Federal government.

26
27 MS. KENNER: Yeah, Harvey, thanks for
28 the question. Again, this is Pippa Kenner. So I think
29 the main part of your question has to do with the
30 Federal Subsistence Board's management authority over
31 fisheries in the marine waters and, in general, all
32 over the state our fisheries regulations only apply in
33 fresh waters and only in some freshwaters. There are
34 some exceptions, they've had to meet certain criteria
35 about when ANILCA was adopted and the status of those
36 waters at the time, but, in general, the Federal
37 Subsistence Board has not been given the delegated
38 authority from the Secretaries to manage fishing in
39 marine waters.

40
41 That's where we get into
42 extraterritorial jurisdiction.

43
44 MR. KITKA: Okay, so that would.....

45
46 MS. KENNER: Those requests -- those
47 requests go to the Secretaries -- sorry, go ahead.

48
49 MR. KITKA: Basically that was where I
50

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1 was trying to get to. I -- I kind of wanted to know
2 who we would have to write to or who we'd have to
3 petition to get things back to where our people have
4 had subsistence for thousands of years, that's why we
5 are called the Tides People. We lived off the sea, we
6 lived off the rivers, and off the land and so I -- you
7 know, when we get into these double regulations it just
8 gets kind of cumbersome and not knowing who to report
9 to in some cases.

10

11 Thank you.

12

13 CHAIRMAN HERNANDEZ: Okay, do.....

14

15 MS. KENNER: You're welcome Harvey.

16

17 CHAIRMAN HERNANDEZ: Yeah, thanks,
18 Harvey. So Pippa I might ask you, the start of the
19 meeting Harvey wanted to know, you know, his clan did
20 submit a petition for extraterritorial jurisdiction and
21 he was asking what the status of that was. I don't
22 know if anybody up in your office has an answer for him
23 on that. I was hoping to get to that him before the
24 end of the meeting. And also, maybe while we're on
25 that subject, maybe you would be best to explain to
26 maybe some of the newer Council members just exactly
27 what we're talking about when we're talking about
28 extraterritorial jurisdiction, you can do that briefly.

29

30 MS. KENNER: Well, hey, these are
31 really good questions from you, Mr. Chair, this is
32 Pippa Kenner for the record. I would also like to ask
33 if Greg Risdahl is on. He is the Subsistence Program
34 Coordinator for the Forest Service. And my
35 understanding is that that petition went directly -- or
36 excuse me -- the petition that came from the Sitka Clan
37 for extraterritorial jurisdiction in probably marine
38 waters did not come through OSM, it's going directly
39 through the agency to the Secretary and I -- I think --
40 that's about all -- that's as much as I can say. Greg
41 Risdahl or DeAnna might have more information.

42

43 Thank you, Mr. Chair.

44

45 MS. LAVINE: Mr. Chair, this is Robbin.

46

47 CHAIRMAN HERNANDEZ: Go ahead, Robbin.

48

49 MS. LAVINE: Thank you, Mr. Chair.

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1 Members of the Council. This is Robbin LaVine, the
2 Policy Coordinator for the Office of Subsistence
3 Management. Pippa's correct, the petition for
4 extraterritorial jurisdiction was sent from the Sitka
5 Tribe directly to the Secretary of the Department of
6 Agriculture. And the Forest Service was CC'd on that
7 communication. And that took place, I think, in 2020.
8 Last year your Council forwarded the letter to the
9 Chair in support of this position and we have that
10 letter on record. OSM has been kept in the loop on
11 this but very far down the loop, so at this point
12 that's all we know. And I do -- I -- I have learned
13 that we are hoping to speak with the Regional Forester
14 and may have an update on the progress of that petition
15 before your meeting concludes tomorrow but we can't --
16 we can't guarantee it.

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN HERNANDEZ: Okay, thank you,
21 Robbin. Harvey, I guess we're just going to have to
22 wait on that, it's in the process, I guess. Pippa, did
23 you say you could give us a brief description of what
24 the extraterritorial jurisdiction process is?

25

26 MS. KENNER: Actually I am not
27 particularly familiar with that process. This is Pippa
28 Kenner. And -- for the record -- and maybe Robbin or
29 Tom Kron can speak to that. If they don't feel
30 comfortable, we will get the information and we'll have
31 it for you this afternoon.

32

33 CHAIRMAN HERNANDEZ: Okay. I don't
34 know if.....

35

36 MS. LAVINE: Mr. Chair, this is Robbin.

37

38 CHAIRMAN HERNANDEZ: Go ahead, Robbin.

39

40 MS. LAVINE: If -- if you -- if you're
41 interested we can give you our protocol on procedures
42 for addressing petitions for Secretarial extension of
43 jurisdiction. We do have that document, that guidance,
44 in the Federal Subsistence Board policies and
45 protocols. That document can be shared with you
46 through DeAnna and I'll make sure she has it. If
47 you're interested, also, I can give you a very brief
48 overview of what might trigger or validate a petition
49 for extraterritorial jurisdiction, some of the factors
50

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1 that are usually included when someone forwards a
2 petition. And I have a little bit of information on
3 that on hand, if you're interested.

4
5 Thank you, Mr. Chair.

6
7 CHAIRMAN HERNANDEZ: Yeah, if you
8 have.....

9
10 MR. RISDAHL: Mr. Chair, this is.....

11
12 CHAIRMAN HERNANDEZ: Who is that?

13
14 MR. RISDAHL: This is Greg Risdahl.
15 I'm sorry, I've been trying to get off of mute. I can
16 give you a -- just a snippet here. I did send a
17 message to the Regional Forester, Dave Schmid right
18 after Harvey Kitka asked the question because I was not
19 familiar with the Sitka Tribe's resolution, or
20 petition, and I know he is in a regional leadership
21 team meeting through tomorrow so there is a strong
22 likelihood that I will not hear back from him until
23 Friday morning when I do have a briefing with him. But
24 I assure you, I will get you information on the status
25 of that as soon as I possibly can. As you know that
26 was sent to USDA, the Secretary's office when Sonny
27 Perdue was the Secretary and, of course, there's a new
28 Secretary, Vilsack, now. So I -- I don't know the
29 status of that but I will look into that for you.

30
31 Thank you much.

32
33 CHAIRMAN HERNANDEZ: Okay, that's good
34 to know. Okay, let's see, was -- who was it, was it
35 Robbin, maybe could give us a brief overview of what
36 criteria are for a Secretarial review while we're on
37 the topic.

38
39 MS. LAVINE: Thank you, Mr. Chair. So
40 this is -- these are the notes that I developed when
41 providing a little bit of support to another Council on
42 Federal jurisdiction issues and so these are the notes
43 that I have on extraterritorial jurisdiction.

44
45 So there is a process for petitioning
46 the Secretaries of the Interior and Agriculture to
47 exert regulatory authority over activities on non-
48 Federal lands under State law, like commercial fishing,
49 to protect subsistence activities on Federal lands and
50

1 waters. Although the Secretaries have never exercised
2 this authority, they can consider petitions to exercise
3 control over hunting, fishing or trapping activities
4 occurring on non-Federal lands and waters when such
5 petitions indicate that these activities may be
6 interfering with subsistence hunting, fishing, or
7 trapping on the Federal public lands to such an extent
8 as to result in a failure to provide the subsistence
9 priority as specified in Title VIII of ANILCA.

10
11 Those are the notes that I have to
12 share with you now. And as I said, I will send you the
13 most recent procedures for submitting petitions for
14 Secretarial extension of jurisdiction. I'll get that
15 to you, DeAnna, as soon as possible.

16
17 Thank you, Mr. Chair.

18
19 CHAIRMAN HERNANDEZ: Okay, thank you
20 for that Robbin. Yeah, I don't want to get too far
21 into this. Because it doesn't apply, you know, in a
22 lot of cases, but we did have a petition from Angoon
23 and their petitions stated that their fishery on
24 Kanalku, which was taking place in Federal waters was
25 being affected by interference from commercial fishing
26 taking place out in Chatham Strait. That was the basis
27 of it. That petition, it went through the process, it
28 was eventually I guess negotiated would be the proper
29 term between the Angoon community and I know there's a
30 lot of detail I'm leaving out here, and the Department
31 of Fish and Game, and they kind of came to a mutual
32 agreement that they would change their management
33 practices in Chatham Strait somewhat to try and remedy
34 the situation. So that's the one petition that I'm
35 familiar with.

36
37 Like I say the Federal waters involved
38 were freshwater fisheries taking place at Kanalku, that
39 was the criteria.

40
41 Now, Harvey has filed a petition for
42 the Kaagwaantaan Clan, not the tribe, and his petition
43 is based on the fact that there are Federal waters in
44 Sitka Sound, mainly those waters we've been talking
45 about surrounding Makhnati Island, where subsistence
46 harvest takes place and, basically they have to claim
47 that activities taking place in the surrounding
48 fisheries in Sitka Sound are interfering with their
49 ability to harvest in their Federal waters.

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1 So it's pretty specific criteria if
2 we're talking about petitions, it doesn't just apply to
3 like all shellfish or something like this. So if
4 anybody was thinking along those lines, bear that in
5 mind.

6
7 MR. HOWARD: Mr. Chairman, this is
8 Albert.

9
10 MR. WAGNER: Mr. Chair, Louie.

11
12 CHAIRMAN HERNANDEZ: Yeah, go ahead,
13 Albert.

14
15 MR. HOWARD: This is Albert, Mr. Chair.
16 Thank you, Mr. Chairman. I was a part of the
17 extraterritorial jurisdiction petition and part of the
18 process was to demonstrate that you've exhausted all
19 remedies with the State to fix the problem. If you had
20 heard what you what was stated earlier, you can file a
21 petition when you're concerned that what's happening in
22 State waters is affecting your subsistence resource in
23 Federal waters. You can file a petition that -- that
24 states the State of Alaska's management practices are
25 not consistent with Federal regulation, and you can
26 send the petition to the Secretary. So it doesn't have
27 to be Federal waters. You have to demonstrate that
28 what is happening in State waters is affecting what you
29 expect to happen in Federal waters. The petition -- I
30 had to leave the Board of Fish meeting because my --
31 m,y then 10 or 11 year old needed a single parent dad
32 at home, so they took priority over me staying in the
33 meeting. And what had happened was we tried to turkey
34 buzzard (ph).....

35
36 CHAIRMAN HERNANDEZ: What was that?

37
38 MR. HOWARD: I take that from
39 (Indiscernible) Paul's speech to AFN when they were
40 talking about when proposals are good for Native Claims
41 Settlement Act; he said every time they give you
42 something it's a turkey buzzard. Angoon something they
43 already had. You know if I was at the Board of Fish
44 meeting and stayed there instead of my single dad
45 obligation, things may have turned out different, but
46 anyone -- anyone that has concerns with what is
47 happening within your resource and you can demonstrate
48 that what's happening in State waters is affecting your
49 -- your way of life and it isn't being addressed by the
50

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1 State then you can petition the Secretary.

2

3 CHAIRMAN HERNANDEZ: Right. Okay,
4 yeah, I think.....

5

6 MS. PERRY: Mr. Chair.

7

8 CHAIRMAN HERNANDEZ:as every -- I
9 don't know, is somebody else chiming in.

10

11 MS. PERRY: Mr. Chair, this is DeAnna.

12

13 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

14

15 MS. PERRY: Yes, I received an email
16 from Wendy Steinberger. She's a Natural Resource
17 Specialist with the State. And she's been listening to
18 the meeting and wanted to answer the question about
19 tidelands around the Admiralty Island National
20 Monument. She does have a sentence or two here but I
21 would like to see if Wendy would like to deliver that
22 information personally to you or if she'd like for me
23 to read it. Wendy, are you still on, if you could
24 star, six, and we should be able to hear you.

25

26 (No comments)

27

28 MS. PERRY: Okay. I'll go ahead and
29 read what she has and she.....

30

31 MS. STEINBERGER: Yeah, I'm here.

32

33 MS. PERRY: Oh, great, thanks, Wendy.

34

35 MS. STEINBERGER: Sorry. I'm not
36 really good at Teams phone yet. Yeah, we actually -- I
37 believe that this would be covered under the Tongass
38 Quiet Title Disclaimer that was part of the litigation
39 in Original 128, and we actually have it on our
40 navigability website for the public to read. And,
41 essentially, the Tongass was not a valid pre-statehood
42 withdrawal and so all of those tidelands came to the
43 State. That's at least our understanding. And that's
44 why those lands around Admiralty Island would not have
45 gone to the Monument. So we believe that those were
46 disclaimed during the Original 128 procedure.

47

48 CHAIRMAN HERNANDEZ: Okay. Just what's
49 the 128 procedure?

50

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1 MS. STEINBERGER: Oh, Original 128 was
2 an original litigation with the Supreme Court of the
3 United States and the State of Alaska. It encompassed
4 lands in the Tongass National Forest and it encompassed
5 lands within Glacier Bay and it was all about tide
6 lands. The final decision -- I'm not sure if I have
7 that final decision out on the website or not -- but we
8 do have the Tongass disclaimer for the tide lands out
9 on the website.

10

11 CHAIRMAN HERNANDEZ: Okay.

12

13 MS. PERRY: This is DeAnna. Wendy has
14 sent me that link, Mr. Chair, and I'll be happy to
15 share that.

16

17 CHAIRMAN HERNANDEZ: Okay. Some people
18 might want to see that but it sounds like eventually it
19 all came down a court case that went to the Supreme
20 Court, it sounds like so.

21

22 MS. STEINBERGER: Yes, that is correct.

23

24 CHAIRMAN HERNANDEZ: Okay. Well,
25 that's probably where a lot of those disputes get
26 settled. So I hope that clarifies it for you, Albert.

27

28 MR. HOWARD: Mr. Chairman, that -- to
29 me, that's another process Angoon was left out of when
30 they took it to the Supreme Court. Angoon wasn't there
31 to say, yeah, sure, we agree with you taking the three
32 mile line off the map, we were never even at the table.
33 Now, that was something that Jimmy Carter had signed,
34 the proclamation of time, that had that three mile line
35 on it and there was no process that was brought to
36 Angoon to eliminate the line. So in our minds, at the
37 tribe, and my own personal mind, that that line is
38 still there unless someone can demonstrate that, in
39 fact, my Constitutional right was protected when they
40 removed it.

41

42 So, thank you, Mr. Chair.

43

44 CHAIRMAN HERNANDEZ: Well, the Supreme
45 Court is the highest court in the land so I guess they
46 got the final say.

47

48 MR. HOWARD: Yeah, I understand that.
49 But, still, you know, if somebody's making a decision
50

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1 about your own life, Don, and you're not there, is that
2 right?

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CHAIRMAN HERNANDEZ: Those are the kind of questions the Supreme Court decides, I guess, so that's the way it is.

MR. WAGNER: Mr. Chair, Louie.

CHAIRMAN HERNANDEZ: So -- I think I heard Louie, go ahead.

MR. WAGNER: Yes, I just have a question. On the proposals, you say we have until May 2nd to do it, if that's the case then I would like to talk to our Mayor and Secretary and Council and see if they would like to put one together.

CHAIRMAN HERNANDEZ: Yeah, Justin, could you just remind us of the closing date for proposals again.

MR. KOLLER: Yes, Mr. Chair. Mr. Wagner. The last day to submit proposals is May 16th.

Thank you.

CHAIRMAN HERNANDEZ: You have until May the 16th.

MR. WAGNER: Okay.

CHAIRMAN HERNANDEZ: That's right, Louie, if you want to take any information that you've gotten here at this meeting and bring it to a local entity and have them put in a proposal, that's an excellent idea.

MR. WAGNER: Yes. It's just to see if we can do something about bringing more fish home for the people, you know, it's been a long time. So we'll see what we could do there.

Thank you.

CHAIRMAN HERNANDEZ: Yeah, thank you. Let's see, so we're still looking for proposal ideas from the Council. Anybody else.

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1 (No comments)

2

3

CHAIRMAN HERNANDEZ: Okay. Maybe folks
4 need to think a little bit. I was going to propose
5 taking a 10, 15 minute break here. People can collect
6 their thoughts a little bit. When we come back we'll
7 hear if there's any other ideas and decide on how to
8 proceed with drafting proposals if we have some come to
9 the top here.

10

11 So let's -- let's recess until 3:30 and
12 we'll come back.

13

14 (Off record)

15

16 (On record)

17

CHAIRMAN HERNANDEZ: Hello everyone,
18 this is Chairman Hernandez again. I opened up my phone
19 line. We can get back to business here if everybody is
20 coming back from break. And I'll start with, Frank,
21 Frank, if you're there and you can run down the roll
22 call one more time and make sure we have a quorum.
23

24

25 MR. WRIGHT: Okay, Don.

26

27 Ian Johnson.

28

29 (No comments)

30

31 MR. WRIGHT: Ian Johnson.

32

33 (No comments)

34

35 MR. WRIGHT: Cal Casipit.

36

CHAIRMAN HERNANDEZ: Just a reminder,
37 Frank, everybody has to unmute their phones probably
38 so.
39

40

41 MR. WRIGHT: Yeah.

42

43 MR. CASIPIT: Cal's here.

44

45 MR. WRIGHT: Okay, thank you, Cal.

46

47 Michael Douville.

48

49 (No comments)

50

0283

1 MR. WRIGHT: Michael Douville.
2
3 (No comments)
4
5 MR. WRIGHT: Ian Johnson.
6
7 (No comments)
8
9 MR. WRIGHT: James Slater.
10
11 (No comments)
12
13 MR. WRIGHT: Probably still in his
14 skiff.
15
16 Bob Schroeder.
17
18 MR. SCHROEDER: Bob's here, thank you.
19
20 MR. WRIGHT: Okay, thank you, Bob.
21
22 MR. DOUVILLE: Mike Douville is here.
23
24 MR. WRIGHT: Thank you, Mike. Thanks.
25
26 Albert Howard.
27
28 (No comments)
29
30 MR. WRIGHT: Albert.
31
32 MR. HOWARD: Albert Howard's here.
33
34 MR. WRIGHT: Okay, thank you, Albert.
35
36 Don's here.
37
38 Patricia Phillips.
39
40 MS. PHILLIPS: Here.
41
42 MR. WRIGHT: Okay, thank you, Patty.
43
44 Louie Wagner.
45
46 MR. WAGNER: Here.
47
48 MR. WRIGHT: Thank you.
49
50

0284

1 Harvey Kitka.

2

3 MR. KITKA: I'm here.

4

5 MR. WRIGHT: Thank you, Harvey.

6

7 John Smith.

8

9 (No comments)

10

11 MR. WRIGHT: You on here John.

12

13 (No comments)

14

15 MR. WRIGHT: Cathy Needham.

16

17 MS. NEEDHAM: I'm here.

18

19 MR. WRIGHT: Thank you, Cathy.

20

21 MR. SMITH: I'm here.

22

23 MR. WRIGHT: Who is that?

24

25 MR. SMITH: John Smith.

26

27 MR. WRIGHT: Okay, John, thank you.

28

29 Mr. Chair, we got a quorum.

30

31 CHAIRMAN HERNANDEZ: Okay, thank you,
32 Frank. Okay, so we have a preliminary list here of
33 proposal ideas. Has anybody thought of anything else
34 while we've been on break.

35

36 (No comments)

37

38 CHAIRMAN HERNANDEZ: Okay. So normally
39 what the process is with the Council is once we have an
40 idea for a proposal, quite often ask for a little Staff
41 assistance during the course of the meeting to maybe
42 come up with some regulatory -- proposed regulatory
43 language that, you know, works to convey the idea
44 that's brought forward in the proposal. And we may
45 have to give them some time to work through that during
46 the course of the meeting and come back to us with some
47 workable language, I guess would be the right term so
48 that we could submit it.

49

50

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1 So for right now, I have a proposal
2 that deals with seasonal bag limits and, Harvey, I
3 think that was your suggestion and I guess I should
4 have asked, I don't know if you're looking for seasonal
5 bag limits on specific locations or if you're looking
6 for kind of a broader proposal that would deal with all
7 areas. So that's a question for you.

8
9 I also have.....

10
11 MR. KITKA: Don this is.....

12
13 CHAIRMAN HERNANDEZ: Yeah, go ahead,
14 Harvey.

15
16 MR. KITKA: I was basically -- I was
17 wondering about the disparity between the sportfishing
18 from out of state people that are non-Federally-
19 qualified fishing in our subsistence areas and being
20 allowed to take more than what we are allowed to take
21 in a day's time, or in a year's time.

22
23 CHAIRMAN HERNANDEZ: Right. So it
24 doesn't sound like you have any like specific streams
25 that you want to address, it's a more general proposal?

26
27 MR. KITKA: Yes. This has to do with
28 all our subsistence fish. This happens in probably
29 almost all our communities. I know it happens around
30 Kake and I'm pretty sure it happens in every place that
31 charter people bring their crews in and start
32 sportfishing in our streams and they're not really
33 sportfishing, they're snagging, just -- but they -- the
34 bag limit per day coming to more than what we can take
35 home subsistence for the family.

36
37 CHAIRMAN HERNANDEZ: Right, okay, so it
38 sounds like more of a general -- a general regulation
39 dealing with the whole region essentially it sounds
40 like. All right, we'll come back to that, I just want
41 to clarify where we're going on some other ones.

42
43 MS. PERRY: Mr. Chair.

44
45 CHAIRMAN HERNANDEZ: Go ahead.

46
47 MS. PERRY: Mr. Chair, this is DeAnna.
48 So I just wanted to be clear, are we looking at a State
49 proposal for this, it sounds like one of the proposals
50

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1 that we just put in that went through the Board of
2 Fish, the next Board of Fish cycle is in a couple
3 years. Is that what Harvey's mentioning when he's
4 talking about the sport and the charters. There's not
5 a current meeting cycle for Southeast that's open right
6 now, this is only a window open for Federal proposals
7 and I just wanted to clarify because maybe I'm not
8 understanding right.

9

10 MR. KITKA: Mr. Chair, this is Harvey.

11

12 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

13

14 MR. KITKA: Yeah, we do have the
15 charter fleet, that even some of the bigger cruise
16 ships that are bringing people ashore and they're
17 allowed to fish, even like Hanus Bay, like Neva -- Neva
18 Lake, they go up there and they're allowed to sportfish
19 and it seems like their bag limits are a lot different
20 than our bag limits, and it'd be nice to maybe put a
21 limit on how much they can take on Federal lands.

22

23 MS. PERRY: Okay, thank you, Harvey.

24

25 CHAIRMAN HERNANDEZ: yeah, that was my
26 understanding, Harvey, that it would -- right, apply to
27 sportfishing that's taking place in Federal lands.

28

29 Okay.

30

31 Okay, Patty, you were talking about
32 customary and traditional shellfish, harvest
33 opportunities. Were you thinking that these would
34 apply just to the limited amount of Federal waters that
35 would provide for shellfish fishing?

36

37 MS. PHILLIPS: Well, thank you, Mr.
38 Chair. I really -- yes, we need to do that for sure,
39 but I think that we should just establish C&T
40 determination for all Southeast Alaska, Yakutat area
41 for shellfish, C&T. I understand we can't do bag limits
42 or, you know, harvest limits or gear types. I mean why
43 can't we establish a customary and traditional use
44 determination for shellfish, for clams, I mean it's
45 something that we use for subsistence and then -- and
46 then I was thinking about it, waters under Federal
47 jurisdiction at river systems are from headland to
48 headland, and within headland to headlands are areas
49 where you can get clams. So I know that the Federal
50

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1 regulations say Makhnati and, you know, lighthouse
2 stations and, you know, like that but the law says
3 waters inside of river systems from headland to
4 headland, so, you know, does it apply or not. And then
5 we had, you know, way back when John Littlefield was
6 Chair they brought to the Yakutat meeting the whole,
7 you know, whole idea of when President Theodore
8 Roosevelt, you know, signing into law the Tongass
9 National Forest that, you know, the waters out to a
10 certain extent were included in the Tongass. So, you
11 know, I -- was there a resolution of that, there
12 probably was and I'm just not recalling it. But even
13 with a C&T determination, we don't have to set season
14 and bag limit, we can just say the rural residents of
15 Southeast Alaska have customary and traditional use of
16 shellfish, including clams.

17
18 So I mean what harm is there in that,
19 and then just go with it.

20
21 CHAIRMAN HERNANDEZ: Well, I don't
22 think there's any harm in that because we do have
23 Federal waters. I'll remind the Council that further
24 on in this meeting we're going to have a discussion or
25 presentation or some information on, you know, there's
26 this process underway right now to identify other
27 Federal waters in Southeast. It's still -- there's
28 still some areas that are under consideration, I think.
29 I guess I don't know until we hear the presentation but
30 that's my understanding. So, yeah, it's -- it's -- you
31 know without a customary and traditional use
32 determination there would be no -- no shellfish harvest
33 in Federal waters so, yeah, it's -- I think it's
34 warranted, Patty, and, like I say, analysis would
35 probably maybe settle some of these questions about
36 just exactly where jurisdiction ends, and this headland
37 to headland design -- language that you talked about.
38 So I could see all that being worthwhile, just have to
39 figure out the right language to bring that out in a
40 proposal.

41
42 Okay, so I think I know where we're
43 going there.

44
45 MR. SMITH: Mr. Chairman, John Smith.

46
47 CHAIRMAN HERNANDEZ: John, go ahead.

48
49 MR. SMITH: Yeah, is that actually a --
50

0288

1 can you hear me?

2

3

CHAIRMAN HERNANDEZ: Yeah, go ahead.

4

5

MR. SMITH: Okay. I was just checking
6 if there was a map or a chart that kind of defines the
7 -- the State, the Federal waters and the boundaries,
8 but also I -- I hear what Harvey's saying, you know,
9 two to four percent of our people harvest the
10 subsistence and then you have a different regulations
11 between the -- the two entities and it seems like
12 there's more regulation with the subsistence and then
13 you have people that come into town and they're taking
14 salmon out and, of course, there's no tax. You know
15 somebody was talking earlier today about that, I'm not
16 sure if that was Gustavus or whatever, but I surely do
17 believe that it would be encouraging to have a bag
18 limit but also maybe restricting certain cultural areas
19 that people can fish, but not discriminating against
20 every -- you know, people that are coming from out of
21 town because they pay big money, too, to get a permit
22 to come in there. I looked at that and it's a lot of
23 money for them to come. So they're putting the money
24 up to receive some salmon in this -- in this area. so
25 how do we do this without leaving anybody out is the
26 important thing.

27

28

Thank you, guys.

29

30

Happy day.

31

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CHAIRMAN HERNANDEZ: All right, we'll
keep that under consideration. I just want to point
out the Council, under new business, which is where we
are right now, but Item K on the agenda is a briefing
on the Secretarial Regulations Proposing the Inclusion
of Identified Submerged Lands in the Tongass National
Forest. So like I say, we're going to have that
discussion later in the meeting and there may be maps,
I don't know John, if they have maps. I really don't
know where that discussion is going, or that briefing,
but we will just kind of keep all those points in mind
until we get that briefing.

45

Okay.

46

47

48

49

50

So let's see there was also a
suggestion for some kind of closed areas for crabbing.
Unless -- unless those areas are specific to what we

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1 know are Federal waters, I don't see that, you know, we
2 don't have much jurisdiction over crab fishing. And
3 like I said the State just addressed a lot of those
4 proposals at this meeting that's going on right now so
5 I don't know if we can address that.

6
7 Herring restoration was mentioned. I
8 don't know if that's a regulatory proposal. It kind of
9 strikes me as something more of some other kind of
10 request. I don't know, I don't see where we could go
11 on that, personally.

12
13 MR. SMITH: Mr. Chairman.

14
15 CHAIRMAN HERNANDEZ: Go ahead.

16
17 MR. SMITH: Yeah, when you're talking
18 about crab, I share a perspective. Like here in Juneau
19 this last year it was really good. Almost every time
20 harvest a pot there was more than 10 to 20, you know,
21 we would come home with a lot of crab, but in different
22 areas there wasn't as big of numbers there so it
23 changes quite frequently. So I think that because of
24 that, that it should be encouraged that the regulations
25 change. Like here in Juneau, the way it was this year
26 and hearing how everybody was harvesting, you know, if
27 you get 20 crab a day and you go out every day that's a
28 lot of crab. But -- so in certain areas, even like
29 back home in Hoonah, those numbers changed in those
30 spots. Even like going out for cockles down in -- down
31 the bay, there used to be a lot of them but now you go
32 there you don't see that many. So I really think a bag
33 limit is going to be important because even here in
34 Juneau, 10 years ago when I moved here, I was kind of
35 learning the area and out the road it was very busy but
36 noticed lots of people, I go out there now and you
37 can't even find a cockle, so just concerns that really
38 do believe that a bag limit in the shellfish, cockles
39 and those kind of things would be a positive because
40 I've seen people fill their skiffs up and I only see
41 one or two people but I'm sure they're taking it home
42 to share with family.

43
44 Happy day.

45
46 CHAIRMAN HERNANDEZ: I would hope so.
47 Let's see the other proposal deals with allowing a
48 fishery at Little Basket Bay. That seems that would be
49 a regulatory proposal. So what we've done in the past
50

0290

1 and, I don't know, I'm looking for suggestions here
2 seeing how we're not all meeting in person, we've been
3 able to have, you know, Council members who suggested
4 these proposals actually take some time to sit down
5 with the Staff that's present and work on language
6 together. I don't know how to make that work in this
7 virtual world. I don't know I'm looking for
8 suggestions here on how to go about crafting these
9 proposals if anybody could come up with a suggestion
10 that would be great.

11

12 MS. PERRY: Mr. Chair, this is DeAnna.

13

14 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

15

16 MS. PERRY: We could do a work group
17 this evening through Teams and those folks who might be
18 interested in participating who don't have Teams would
19 be able to call in and participate. That's probably
20 the only option available to us with our virtual
21 meetings. But we could make sure that we have Staff
22 and Council members together on one call to go through
23 this list and see what Federal proposals we might be
24 able to craft.

25

26 CHAIRMAN HERNANDEZ: Well, that would
27 be a good working solution. If the Council members who
28 brought these forward would want to get together with
29 Staff and discuss them and flesh out some language and
30 be able to bring that back to the Council, you know,
31 for consideration by the Council. That would certainly
32 work, if we could do that.

33

34 MS. NEEDHAM: Mr. Chair, this is Cathy.

35

36 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

37

38 MS. NEEDHAM: Thank you, Mr. Chair. I
39 didn't suggest any of the proposals but I'm more than
40 happy to stay after and work with Staff. I think I get
41 a gist of where some of the Council members are coming
42 from on the things that we did, if Patty and Harvey
43 could also do it, I think that might just be a good way
44 to get it done.

45

46 CHAIRMAN HERNANDEZ: Yeah. I can't
47 remember who put forward the Little Basket Bay proposal
48 that.....

49

50

0291

1 REPORTER: Albert.

2

3 CHAIRMAN HERNANDEZ: Is it Albert? I
4 don't know if he wants to join in on that.

5

6 MR. HOWARD: Mr. Chairman.

7

8 MS. NEEDHAM: Mr. Chair, this is Cathy.

9

10 CHAIRMAN HERNANDEZ: A couple people
11 talking, was that Albert.

12

13 (No comments)

14

15 CHAIRMAN HERNANDEZ: Who else was on
16 the line.

17

18 MR. HOWARD: Okay, I think I'm off
19 mute.

20

21 REPORTER: You are, Albert.

22

23 CHAIRMAN HERNANDEZ: Oh, yeah, Albert,
24 was that your suggested proposal, the fishery at Little
25 Basket Bay?

26

27 MR. HOWARD: Yeah, it was. It's based
28 on -- Little Basket Bay I think you can, you know, I
29 can't throw a rock that far but it's like a five minute
30 boat ride from Basket Bay to Little Basket, but we
31 legally can't fish it but there is sockeye there.

32

33 CHAIRMAN HERNANDEZ: Would you want to
34 get together tonight and work out some proposed
35 language and make that happen?

36

37 MR. HOWARD: Sure, that sounds good to
38 me.

39

40 CHAIRMAN HERNANDEZ: Okay. So, Cathy,
41 I think your suggestion could work if a few Council
42 members want to get together this evening.

43

44 MR. MUSSLEWHITE: Hey, Mr. Chair, this
45 is Jake Musslewhite.

46

47 CHAIRMAN HERNANDEZ: Yeah, Jake.

48

49 MR. MUSSLEWHITE: Yeah, hey, I just

50

0292

1 wanted to point out really quick before you spend too
2 much time on it, that Little Basket Bay would actually
3 be open in Federal public waters. So, you know, I'm
4 not -- I'm not sure if it would be open in the adjacent
5 marine waters under State regs or whatever, but it's
6 already open for Federal freshwaters. So you really
7 wouldn't need any kind of proposal to open that, the
8 part that you could open, if that makes sense.

9
10 CHAIRMAN HERNANDEZ: Okay, that's what
11 we need to hear. I did neglect to ask, is the Staff
12 willing to spend a little time this evening with the
13 Council members and flesh some of these out? I don't
14 know if it would be just you Jake or if anybody else
15 would be involved, but are you available?

16
17 MR. MUSSLEWHITE: Boy, Mr. Chair, I
18 wish I could, I got like six things I got to do
19 tonight, you know, unfortunately.

20
21 CHAIRMAN HERNANDEZ: Okay. How about
22 Justin.....

23
24 MR. CROSS: Mr. Chair, this is Rob
25 Cross. Some of the Staff will be available to help you
26 guys out this evening.

27
28 CHAIRMAN HERNANDEZ: Okay. That's
29 good, Rob, thank you. So why don't we do that. And
30 then when these come back to the Council they'll
31 probably be pretty well fleshed out and the Council can
32 review them and decide if they want to move them
33 forward so I think that's a good plan.

34
35 And so far.....

36
37 MS. PHILLIPS: Mr. Chair, this is
38 Patty.

39
40 CHAIRMAN HERNANDEZ: Is that Patty.

41
42 MS. PHILLIPS: Yeah, I just got bumped
43 off. Could you tell me the plan and I'll dial in.

44
45 CHAIRMAN HERNANDEZ: Okay. DeAnna will
46 set that up so DeAnna should be in contact with you,
47 Cathy, and Harvey -- Harvey are you going to be
48 available this evening, Harvey.

49
50

0293

1 MR. KITKA: Yeah, Don, I'll be
2 available but probably not until about 7:00 though.

3

4 CHAIRMAN HERNANDEZ: Okay. Well, we'll
5 try and make that work for everybody and that would be
6 much appreciated. It'd be a big help.

7

8 MR. SMITH: Mr. Chair.

9

10 MS. PERRY: Mr. Chair.....

11

12 CHAIRMAN HERNANDEZ: Excuse me.

13

14 MR. SMITH: Yeah, this.....

15

16 MS. PERRY: This is.....

17

18 MR. SMITH:John Smith to just let
19 you know that I'm open to support if you need any back
20 up there, I'm available.

21

22 CHAIRMAN HERNANDEZ: Okay. Yeah.
23 DeAnna, if you want to include John in that contact
24 list that would be great.

25

26 MS. PERRY: Mr. Chair, so are we
27 setting this for 7:00 -- I need a time so that I can
28 send everybody an invite and the information.

29

30 CHAIRMAN HERNANDEZ: Okay. Somebody
31 help DeAnna out there.

32

33 MS. PERRY: I know Harvey said he
34 wasn't available until 7:00, is that okay with everyone
35 else or -- I just need an agreement on time, please.

36

37 MS. PHILLIPS: I'm flexible, this is
38 Patty.

39

40 MR. JOHNSON: Mr. Chair, this is Ian.

41

42 CHAIRMAN HERNANDEZ: Yeah, go ahead,
43 Ian. I was going to suggest that you set that up on a
44 chat line or something so we can move on here. Go
45 ahead, Ian.

46

47 MR. JOHNSON: Yeah, sorry, I missed
48 roll call earlier. I have been here for awhile, so
49 just making that known. But then also, DeAnna, I guess

50

0294

1 if it was me, I think you could keep the same Teams
2 link that you've been using and then I think using
3 break out rooms within Teams would allow every -- all
4 the different working groups to stay on the same link
5 and maybe trade information back and forth. So I know
6 that's an option through Teams and I'm putting that out
7 there.

8

9 CHAIRMAN HERNANDEZ: Okay. So we have
10 a plan, people can kind of just get together and -- and
11 make that happen, that would be great. If we want to
12 move on with the agenda here, next topic up is a review
13 and approval of our annual report. And that is an
14 action item and DeAnna, our Coordinator will introduce
15 us to that.

16

17 (No comments)

18

19 MS. NEEDHAM: Mr. Chair, this is Cathy.

20

21 CHAIRMAN HERNANDEZ: Hi, Cathy, go
22 ahead.

23

24 MS. NEEDHAM: Did we miss the agenda
25 item, call for nonrural determination proposals.

26

27 (No comments)

28

29 REPORTER: Yes.

30

31 (Pause)

32

33 CHAIRMAN HERNANDEZ: Did you say you'd
34 like to go to -- oh, excuse me, I'm sorry, I skipped
35 over that. Yeah, I missed it. Call for nonrural
36 determination proposals would be next on the agenda.
37 Yeah, thank you, Cathy.

38

39 MS. KENNER: Mr. Chair, this is Pippa.

40

41 CHAIRMAN HERNANDEZ: Yeah, Pippa, are
42 you going to present on that.

43

44 MS. KENNER: I am. I am ready to.

45

46 CHAIRMAN HERNANDEZ: Okay. Sorry for
47 my mistake there, I think we're all on the same page
48 now so we're going to call for nonrural determination
49 proposals, and it is an action item so go ahead Pippa.

50

0295

1 MS. KENNER: Hello, Mr. Chair. Members
2 of the Council. My name is Pippa Kenner and I'm an
3 Anthropologist at the Office of Subsistence Management
4 here in Anchorage. The materials for this presentation
5 are at Tab 8 in your meeting material.

6
7 So I'm here to provide you with a brief
8 overview of the current call for proposals for nonrural
9 determinations in Federal regulations. This is not an
10 action item on your agenda unless you would like to
11 submit a proposal.

12
13 A nonrural determination is the process
14 for formally changing in Federal regulation a
15 community's status from nonrural to rural or from rural
16 to nonrural. This is the second call for proposals for
17 nonrural determinations since 2018. Any valid nonrural
18 determination proposals submitted this year will be
19 acted on by the Board in 2025. The call for nonrural
20 determination proposals occurs every four years at the
21 same time as every other fisheries regulatory cycle.
22 The next call for proposals for nonrural determinations
23 will be in 2026.

24
25 So as you just heard from our
26 colleagues in the Fisheries Division, Justin, the
27 proposed rule for the 2023/2025 subsistence fish,
28 shellfish regulations has published in the Federal
29 Register which is necessary to open OSM's call for
30 proposals. The call for proposals to change nonrural
31 determinations will be open until May 16th, 2022.

32
33 There is a flier on our website and at
34 Tab 8 in the meeting materials on how to submit
35 proposals to change nonrural determinations. This
36 flier includes information on where to submit a
37 proposal and lists items a proposal must contain to be
38 accepted for consideration by the Board.

39
40 Again, this is only an action for your
41 Council if you wish to submit a proposal and it's an
42 update on where we are in the process.

43
44 Thank you, very much for your attention
45 and I'm prepared to try to answer your questions.

46
47 CHAIRMAN HERNANDEZ: Okay, thank.....

48
49 MS. KENNER: Thank you, Mr. Chair.

50

0296

1 CHAIRMAN HERNANDEZ: Yeah, thank you,
2 Pippa. Does the Council have any questions on this.

3
4 MS. NEEDHAM: Mr. Chair, this is Cathy.

5
6 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

7
8 MS. NEEDHAM: Thank you, Mr. Chair.
9 When is the submission deadline, I guess I'm not -- my
10 copy says -- I don't see an actual deadline. And then
11 my second question would be, whether or not if we know
12 -- there are only two nonrural communities -- do we
13 know if Ketchikan is going to put in a change for
14 nonrural determination.

15
16 Thank you, Mr. Chair.

17
18 MS. KENNER: Yes, thank you, Mrs. --
19 Mr. Chair -- Member Needham. This is Pippa Kenner for
20 the record. I understand that Staff from the Ketchikan
21 Association have been in touch with OSM but, no, I have
22 not personally spoken to them. I think from what I
23 have, what they've put on the public record at these
24 meetings, it is likely we will receive a proposal from
25 them.

26
27 Thank you.

28
29 Oh, and the deadline is the 16th of
30 May.

31
32 CHAIRMAN HERNANDEZ: Okay, anything
33 else Cathy.

34
35 MS. NEEDHAM: No, thank you, Mr. Chair.

36
37 CHAIRMAN HERNANDEZ: Okay, any other
38 Council members have a question on this.

39
40 MR. KITKA: Harvey Kitka here.

41
42 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

43
44 MR. KITKA: I just -- just a comment.
45 Being's as we lose our ferry system, that becomes very
46 evident that we have no real contact with any -- any
47 communications in Southeast, this includes Juneau and
48 Ketchikan and there's no road systems connecting us to
49 the -- to the main road systems and things, for all
50

0297

1 these communities in Southeast, kind of -- kind of a
2 strange thing to come as a nonrural determination
3 because from my point of view everybody's nonrural
4 right now -- or everybody's rural right now. When you
5 -- when you have to fly everything in to get your
6 groceries and stuff it gets pretty tough.

7

8 CHAIRMAN HERNANDEZ: Okay, thank you,
9 Harvey. Any other Council members with a question for
10 Pippa or a comment or a suggestion.

11

12 MR. WRIGHT: Mr. Chairman.

13

14 CHAIRMAN HERNANDEZ: Go ahead.

15

16 MR. WRIGHT: Just wondering why it's
17 the 16th of May and then it's not going to be -- is it
18 not going to be acted on until '26?

19

20 MS. KENNER: Thank you, Mr. Chair. To
21 Member Wright. For the record this is Pippa Kenner.
22 The process for -- the processing of these proposals
23 for nonrural determinations include a series of
24 consultations and public meetings with the public that
25 extends the duration of the process into a fourth year,
26 that's right.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN HERNANDEZ: Okay, Frank, any
31 follow up.

32

33 MR. WRIGHT: Just wondering why -- why
34 it's still saying we can get proposals in and -- and --
35 and I guess that's just the way the government works.

36

37 Thank you, Mr. Chair.

38

39 MS. KENNER: Yeah, Mr. -- thank --
40 thank you, Mr. Chair. Member Wright. So the call for
41 proposals to change nonrural determinations, it
42 coincides with the call for proposals to change fish
43 and shellfish regulations and those calls are usually
44 open for two months, 60 days, and so that is why it
45 closes on May 16th. We have a lot of work to do after
46 those proposals come in. They almost all come in at
47 the last day or two, of course, but we have to get
48 analysis written and ready for Council review at the
49 fall meeting so we have to close it at a time early
50

0298

1 enough that we can do the review process of the
2 analysis of these proposals.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN HERNANDEZ: Okay, thank you,
7 Pippa. I think that was a good explanation. Any other
8 questions from Council.

9

10 (No comments)

11

12 CHAIRMAN HERNANDEZ: I have one
13 question, Pippa. Going back in history a little bit.
14 During the time when -- the first few years that I was
15 on the Council, Saxman was actually removed as a rural
16 community and made nonrural, that was -- and, of
17 course, that ended up getting reversed but was the
18 process the same back then. Did that come -- did
19 somebody put in a proposal to remove Saxman or --
20 almost to my recollection was, they were just kind of
21 summarily removed by the Board and I don't recall a
22 process there and I don't know if things have changed
23 since then and I don't know if you were -- I'm pretty
24 sure you were working then as well, do you recall.....

25

26 MR. SMITH: Mr. Chairman.

27

28 CHAIRMAN HERNANDEZ:that -- yes.

29

30 MR. SMITH: What determines a rural and
31 nonrural, is it based on the number of people or -- or
32 what?

33

34 CHAIRMAN HERNANDEZ: I believe.....

35

36 MS. KENNER: Okay, so.....

37

38 CHAIRMAN HERNANDEZ:that was --
39 and -- and, Pippa, yeah, if.....

40

41 MS. KENNER:okay that is.....

42

43 CHAIRMAN HERNANDEZ:you could
44 maybe just -- yeah, there's a few issues there.

45

46 MS. KENNER: Well, that -- I was going
47 to say that fits right into the Chair's question.
48 Thank you, Mr. Chair. For the record, this is Pippa
49 Kenner.

50

1 So at the beginning of the Federal
2 Subsistence Management Program, a decennial review of
3 nonrural determinations was built into the regulations
4 and that is coinciding with the census every 10 years.
5 There would be a process of reviewing the
6 rural/nonrural nature of communities. There were
7 population thresholds. And what happened to Saxman is
8 that it was aggregated with Ketchikan and what we found
9 in review of the nonrural determination process is that
10 people really -- Council members and the public really
11 disagreed with aggregating small nearby communities
12 into these larger nonrural areas. That aggregation was
13 based on the number of commuters, where kids went to
14 school, that sort of thing. The public and many
15 Council members did not feel that that were -- that
16 those were good criteria for determining whether a
17 community was rural or nonrural. So in the review of
18 the nonrural determination process that occurred after
19 the 2000 decennial review, the year 2000, we went back
20 to the drawing board and came up with -- with a lot of
21 consultation with Councils, we deter -- we wrote a --
22 we proposed a new process for determining for the
23 rural/nonrural determination process. And that is,
24 that, every so many years we have a call for proposals,
25 and in those proposals the proponent needs to give us a
26 lot of information about why the rural or nonrural
27 character of a community has changed. What has
28 happened. That change could be anything.

29
30 For an example, I'm going to say maybe
31 a Naval base closed, like what happened in Adak, or a
32 -- or a -- well, that's -- that's the best discussion,
33 or maybe some large industry has left the community and
34 so now the nonrural character doesn't apply anymore in
35 that community and so we ask that people give us the
36 information that the Councils and the Board will need
37 in making this determination. And then it goes through
38 a threshold process, so we look at what's been given to
39 us and write a threshold analysis for the Councils and
40 for the Board to determine, is there enough information
41 in this application for a -- in this proposal for us to
42 move forward, and the proposal either passes or does
43 not pass the threshold. If it passes the threshold, we
44 go through the public meeting process and eventually we
45 get to the Councils and in these new regulations it is
46 stated that the Board will rely heavily on the
47 determination made -- the recommendation of the
48 Councils. That was not part of the previous process,
49 it now is a major part of the process. And then that
50

0300

1 proposal goes to the Board.

2

3 So for example, recently, or the most
4 recent -- the only change that we've made through this
5 new process is with a small community that was
6 aggregated with Seward at the beginning of the program.
7 They requested that they not be aggregated with Seward,
8 which is a nonrural -- which is a nonrural area, they
9 wanted to be determined rural and so they went through
10 that four year process with the Southcentral Council
11 and with the Board and they are now considered a rural
12 community.

13

14 Thank you, Mr. Chair.

15

16 CHAIRMAN HERNANDEZ: Thank you, Pippa.
17 That was a pretty good explanation of the new process.
18 So, yeah, it is different from what it was in the past.
19 I think my take from that is there is no more decennial
20 review, it's all done by proposal now, every four
21 years, is that correct?

22

23 MS. KENNER: That's correct, Mr. Chair.
24 This is Pippa.

25

26 CHAIRMAN HERNANDEZ: Yes, okay, thank
27 you, Pippa. And I guess the other important component
28 of what you said is that all these proposals -- any
29 proposal that comes forward comes to us, the RAC, and
30 we make a recommendation on it and our recommendation
31 holds a lot of weight so we have an opportunity to make
32 proposals and we also have an opportunity to review
33 proposals.

34

35 Any other questions.

36

37 (No comments)

38

39 CHAIRMAN HERNANDEZ: Okay. So I guess
40 the last question is, is there anybody on the Council
41 who is thinking about putting in a proposal that we
42 need to take action on.

43

44 (No comments)

45

46 CHAIRMAN HERNANDEZ: Okay, maybe not.
47 So we can close out that item for now. If somebody
48 wants to revisit it with a proposal recommendation we
49 can do that but we all know where we stand on that

50

0301

1 right now. So, DeAnna, would you like to lead us
2 through review and approval of our annual report.

3

4 MS. PERRY: Sure, Mr. Chair. For
5 Council members behind Tab No. 10 of your meeting book
6 you'll see the draft of the Council's 2021 annual
7 report. I trust that everybody's had a chance to
8 review that at this point. It covers several topics
9 that were raised at the last meeting. If folks need
10 another minute to give it another glance we can do that
11 then the Council should decide if there will be edits
12 to the report, including any additional topics you'd
13 like to add. I can make those edits by the end of this
14 meeting and have our Chair approve and we can send that
15 on to OSM. This is an action item so it would be the
16 Council's responsibility to finalize this report again,
17 by either giving a thumb's up, or any edits,
18 subtractions, additions we need to do.

19

20 So I would ask, Mr. Chair, that you
21 inquire of the Council's wish.

22

23 Thank you.

24

25 CHAIRMAN HERNANDEZ: Okay. Thank you,
26 DeAnna. So we don't have to take this action right at
27 this moment. If Council members would like to spend
28 some time before the end of the meeting and review all
29 these items, if there's any suggested amendments we can
30 do that. We could also take care of.....

31

32 MS. PERRY: And, Mr. Chair.....

33

34 CHAIRMAN HERNANDEZ: We can also take
35 care of them right now if Council members are ready so
36 I'll open it up to the Council members, any questions
37 for DeAnna or comments on the annual report. Go ahead.

38

39 (No comments)

40

41 CHAIRMAN HERNANDEZ: Any questions or
42 anybody have anything they want to amend on the annual
43 report that they know about right now.

44

45 MS. PERRY: Mr. Chair.

46

47 CHAIRMAN HERNANDEZ: DeAnna, go ahead.

48

49 MS. PERRY: Yeah, I just wanted to add,

50

0302

1 based on the public testimony given earlier today, it
2 sounds like there are some signed resolutions out
3 there, so if it's okay with the Council, if I'm able to
4 obtain those to attach to the annual report I will. I
5 have one day to turn this around to get it to OSM so if
6 I'm unable to find all of those signed resolutions, we
7 do have one that is attached, that I think most of
8 these folks used for their individual resolutions but I
9 just wanted the Council to know I will make an effort
10 to get some of those signed resolutions to also attach.
11 That's in regards to our No. 1 topic on our annual
12 report, Transboundary Mining Impacts.

13

14 CHAIRMAN HERNANDEZ: Okay, yeah, thank
15 you, DeAnna. That's a good point. That would be an
16 appropriate thing to attach to the annual report, the
17 resolution, right?

18

19 MS. PERRY: yes.

20

21 CHAIRMAN HERNANDEZ: Okay, that's good
22 to know. Something else that we've been attaching to
23 the annual reports is the -- one of the requests for an
24 annual report is to report on subsistence harvests and
25 I can't remember what the exact wording is in ANILCA
26 but that fisheries report that Jake Musslewhite
27 prepared for us, I think we've been attaching that to
28 the annual report as well to give the Board a -- just a
29 really good idea of what's happening with our
30 subsistence fisheries harvest in the region.

31

32 (Teleconference interference -
33 participants not muted)

34

35 CHAIRMAN HERNANDEZ: So, yeah, that was
36 a very excellent report and like I say we can include
37 that in the annual report for the Board to review as
38 well.

39

40 MR. CASIPIT: Mr. Chair, this is Cal.

41

42 CHAIRMAN HERNANDEZ: Go ahead, Cal.

43

44 MR. CASIPIT: Yeah, a couple -- a few
45 things. The draft that's in our book behind the tab on
46 Page 6, it does specify as enclosures the Transboundary
47 resolution, the fish harvest and the wildlife harvest
48 reports so I think that's all included.

49

50

0303

1 I am prepared to make a motion to
2 approve this annual report if that's okay unless
3 Council members have any additions. I think this is a
4 pretty good summary of the items that we've been
5 talking about the past few meetings.

6
7 Anyway, I move that we approve this
8 annual report as we've discussed.

9
10 CHAIRMAN HERNANDEZ: Cal made the
11 motion, if Council members think we're ready to
12 consider that we'll ask for a second.

13
14 MR. JOHNSON: This is Ian, I second.

15
16 MS. NEEDHAM: This is Cathy, I second
17 the motion.

18
19 CHAIRMAN HERNANDEZ: Okay. Ian
20 seconded that, DeAnna. So it's up for discussion and
21 any other discussion on the annual report.

22
23 MR. SMITH: Mr. Chairman.

24
25 CHAIRMAN HERNANDEZ: I believe that's
26 John.

27
28 MR. SMITH: Yeah, I just -- I don't
29 know if this pertains or whatever, but the
30 Transboundary river mining, I really think we should
31 request or -- a report from them of the mining of what
32 they've done to clean up after some of their
33 strategies, or I mean issues that might have happened,
34 like the watershed breaking or those type of things,
35 actually see if they're taking care of business. I
36 don't know if that could go in there but it would
37 really, you know, be good to see if they're cleaning
38 that up.

39
40 Happy day.

41
42 CHAIRMAN HERNANDEZ: Okay, thank you,
43 John. DeAnna, maybe this would be a good time to maybe
44 just review a little bit for new Council members just
45 exactly what kind of things we do put in the annual
46 report and maybe that would fit in with what John is
47 requesting there.

48
49 MS. PERRY: Yes, thank you, Mr. Chair.

50

0304

1 I'm trying to pull up my briefing. So for new Council
2 members and a reminder to our seated Council members.
3 Our annual reports go to the Federal Subsistence Board
4 and this is something that is a mechanism through
5 ANILCA that established the annual reports as a way to
6 bring regional subsistence issues and needs to the
7 Secretary's attention. So each of the 10 Regional
8 Councils do an annual report. It provides us as a
9 Council and opportunity to address the directors of
10 each of the four Department of Interior agencies and
11 Department of Agriculture Forest Service in their
12 capacity as the Board.

13

14 Going to John's request, that's not
15 something that the Board could help us out with.
16 That's not something that Office of Subsistence
17 Management, the Federal Subsistence Board would know
18 about, what -- what mitigations or what clean up has
19 happened on the transboundary mining -- on those
20 rivers, the transboundary rivers.

21

22 So the Title VIII, Section .805, in
23 ANILCA, it describes what we can put in the annual
24 report and I'll read them off here real quick.

25

26 1. Identification of current and
27 anticipated subsistence uses of fish and wildlife
28 populations within the region.

29

30 2. Evaluation of current and
31 anticipated subsistence needs for fish and wildlife
32 populations from the public lands within the region.

33

34 3. A recommended strategy for the
35 management of fish and wildlife populations within a
36 region to accommodate subsistence uses and needs
37 related to public lands.

38

39 4. Recommendations concerning
40 policies, standards, guidelines and regulations to
41 implement the strategy.

42

43 So those are the types of things that
44 the Board has jurisdiction over and those are what we
45 give them as far as what is region specific concerns
46 that are on the minds of the Council members and their
47 constituents.

48

49 CHAIRMAN HERNANDEZ: Okay, thank you,

50

0305

1 DeAnna. That was probably helpful to a lot of us to
2 review that again, and it did raise a question in my
3 mind. One of the topics in an annual report you stated
4 was a recommendation on management strategies, I
5 believe was the wording.

6
7 MS. PERRY: Yeah, a recommended
8 strategy.

9
10 CHAIRMAN HERNANDEZ: Right. So I guess
11 I had this thought earlier and it's kind of come back
12 to me, our paper that we're preparing on indigenous
13 management, I mean that is essentially a suggestion for
14 a management strategy. Do you think the annual report
15 would be a good place to attach that letter to or would
16 it be best as a stand-alone letter. Maybe other
17 Council members have thoughts on that, I don't know.

18
19 MR. SCHROEDER: This is Bob, am I
20 coming through.

21
22 CHAIRMAN HERNANDEZ: Yeah, go ahead,
23 Bob.

24
25 MR. SCHROEDER: Yeah, I suggest we keep
26 it as a separate item. Annual reports have a -- kind
27 of a different function and we want a little bit more
28 direct action on this, I believe. So that would be my
29 suggestion. Thank you.

30
31 CHAIRMAN HERNANDEZ: Okay, thank you,
32 Bob. I think I can see that -- I think I can see that
33 point of view, you're probably right, okay. any other
34 Council members.

35
36 MS. PHILLIPS: Chairman Hernandez, this
37 is Patty Phillips.

38
39 CHAIRMAN HERNANDEZ: Yeah, go ahead,
40 Patty.

41
42 MS. PHILLIPS: Thank you. I just had a
43 question about No. 7, co-management of subsistence
44 resources. It says general topics discussed this past
45 year were: food sovereignty -- my question is about
46 food sovereignty, broadening the concepts of
47 subsistence to food sovereignty. Is that to redefine
48 subsistence to food sovereignty or to include food
49 sovereignty, you know, in the context of subsistence.
50

0306

1 So broadening the concept of subsistence to include
2 food sovereignty, you know, I'm not sure what you're
3 saying there.

4

5 MS. PERRY: Through the Chair. Member
6 Phillips. So during our work group conversations there
7 has been talk about broadening the word subsistence to
8 also include the concept of food sovereignty. Many
9 felt -- you know some of the information, some of the
10 folks who have spoke to the work group, felt that
11 subsistence was not an adequate word or description and
12 would also like to see that encompass food security.
13 So perhaps I should insert the word, include, in
14 between in and food on that second bullet, so it would
15 read:

16

17 Broadening the concept of subsistence
18 to include food sovereignty.

19

20 Would that be a little clearer?

21

22 MS. PHILLIPS: Yes. Yes, it would,
23 thank you.

24

25 MS. PERRY: Okay. Thanks for the
26 question.

27

28 CHAIRMAN HERNANDEZ: Yeah, thank you
29 Patty. I think that was a good amendment. And, yeah, I
30 just -- you know, we did -- I guess we do point out in
31 the annual report that indigenous management has been a
32 topic of the Council so we are bringing it to their --
33 to the Board's attention as well through our annual
34 report. So like Bob said our other letter is probably
35 more powerful on its own, so that's good.

36

37 Any other comments or suggested
38 amendments to the annual report.

39

40 MR. CASIPIT: Mr. Chair, this is Cal.

41

42 CHAIRMAN HERNANDEZ: Go ahead, Cal.

43

44 MR. CASIPIT: Yeah, the only suggestion
45 I have would be kind of tailing on to what you were
46 saying is that maybe somewhere in this, No. 7., that we
47 just end with saying something like -- or somewhere in
48 there the Board should expect a letter with more detail
49 and a -- and more specific suggestions for the Board's
50

0307

1 consideration. Something like that.

2

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CHAIRMAN HERNANDEZ: Yeah, okay, yeah, because we've moved on, you know, from what we originally started here in this topic of co-management, now, we actually have a work product. So DeAnna you might add that to the letter, saying that we now have forwarded a more detailed letter, I guess, on our efforts.

MS. PERRY: Okay.

CHAIRMAN HERNANDEZ: Yeah, that's a good idea. Any other suggestions.

(No comments)

CHAIRMAN HERNANDEZ: Okay. So deliberation on this motion put forward by Cal, we've got some suggested changes and I think, DeAnna, has agreed that she could add those to the annual report with just a few modifications. Are there any others before we offer the question on this annual report topic.

(No comments)

CHAIRMAN HERNANDEZ: Okay. This does require a vote by the Council on the motion so if somebody would like to call for the question if we're ready.

MR. JOHNSON: Mr. Chair, this is Ian. I call for the question.

CHAIRMAN HERNANDEZ: Okay. Thank you, Ian. The motion is to approve our annual report as presented to us in our Council book and I think I could do a roll -- excuse me, voice vote on this. All in favor of approving the annual report as presented to us say aye.

IN UNISON: Aye.

CHAIRMAN HERNANDEZ: Thank you. Is there anybody opposed to approving the annual report as presented, say nay.

(No opposing votes)

0308

1 (Teleconference interference -
2 participants not muted)

3
4 CHAIRMAN HERNANDEZ: Okay, very good,
5 we could move on. Let me just look and make sure I
6 don't miss anything again. It kind of looks like the
7 next topic also has to do with the annual report and
8 this is Item H, Federal Subsistence Board annual report
9 reply process review and revision discussion, Council
10 comments and feedback. This is to be presented by Tom
11 Kron from OSM. Tom, are you with us this afternoon.

12
13 MR. KRON: I am, Mr. Chair, glad to be
14 here. Members of the Council. Mr. Chair. For the
15 record my name is Tom Kron and I am the Leadership Team
16 representative for OSM for this meeting.

17
18 During the Federal Subsistence Board's
19 August 2021 work session, the InterAgency Staff
20 Committee briefed the Board on the annual report reply
21 process and possible revisions to improve
22 responsiveness to Regional Advisory Council concerns.
23 This InterAgency Staff Committee briefing is part of
24 the larger InterAgency Staff Committee effort to
25 improve workload efficiencies within the Federal
26 Subsistence Management Program. The Board reviewed and
27 discussed the report reply process and agreed to
28 forward this topic to the Councils for your input on
29 the suggested revisions, including possible ideas of
30 your own.

31
32 As you are aware, and DeAnna talked
33 about, ANILCA Section .805 authorizes the Councils to
34 prepare an annual report containing information related
35 to important subsistence resource issues within each
36 region.

37
38 Historically, the Board has strived to
39 provide responses to every topic listed in annual
40 reports regardless of its authority to address the
41 issues raised. However, it is unclear if the Board
42 responses on all annual report topics are helpful to
43 the Councils. The InterAgency Staff Committee has
44 suggested process revisions.

45
46 1. To maintain annual reports as a way
47 to inform the Board of local conditions, issues and
48 needs, and

49
50

0309

1 2. To propose letter writing as a way
2 to request a response from the Board on topics of
3 concerns.

4
5 To this end we ask you to think about
6 what you want from the Board in response to your annual
7 report. To guide your discussion I suggest that we
8 open the floor for questions and Council discussion and
9 then ask you to take action, depending on your comments
10 to forward to the Board.

11
12 Before I go any further, I wanted to
13 ask if Robbin, Greg, Glenn, Pat or Jill are on, and
14 have any additional comments. I think I saw that Pat
15 is still on the Teams briefings so maybe -- again, I'm
16 not sure who's available from the ISC but it would be
17 good to ask for their comments on this as well.

18
19 Thank you.

20
21 CHAIRMAN HERNANDEZ: Okay, thank you,
22 Tom. So you're available and some of the Staff to take
23 questions on this and I guess I want to start off with
24 one question. You say we can take action. I guess I'm
25 a little unsure of what type of action the Council
26 might take in relation to this. What are you looking
27 for?

28
29 MR. KRON: Well, again.....

30
31 MS. LAVINE: Mr. Chair, this is Robbin.

32
33 CHAIRMAN HERNANDEZ: I heard somebody
34 else responding.

35
36 MS. LAVINE: Hello, Mr. Chair, this is
37 Robbin LaVine, I'm the Subsistence Policy Coordinator
38 with OSM.

39
40 CHAIRMAN HERNANDEZ: Okay, go ahead,
41 Robbin.

42
43 MS. LAVINE: Yes, Mr. Chair, the Board
44 is looking for Council input on a possible revision to
45 the annual report reply process. Of course the Board
46 recognizes the tremendous value of the annual reports
47 from the Regional Advisory Councils and this is not --
48 this continues to be an incredibly important part of
49 our program and how the Board informs itself on
50

0310

1 subsistence issues of importance in your region so
2 we're not talking about changing the annual report
3 process, what we're talking about or what the ISC is
4 suggesting, and not the Board, this is coming from the
5 ISC and the Board puts it to you, this -- the -- the
6 suggestion is that if there are items of critical
7 importance, that you write a letter requesting a reply.
8 And I think you just did that in the item prior to this
9 agenda item. You said, should we put this -- should we
10 put this issue in our annual report or attach it to our
11 report and then you said, no, we want this to be a
12 letter because we want a detailed response from the
13 Board. So this is basically what the Council -- or the
14 ISC is suggesting.

15
16 Under the ISC scenario, the only change
17 in the process is how the Board responds to issues in
18 your annual report. In this particular scenario, the
19 Board wouldn't respond -- wouldn't reply to your annual
20 reports, other than to really express gratitude, but if
21 there are issues that you want the Board to provide a
22 substantive response for, that would happen in a letter
23 writing process.

24
25 Thank you, Mr. Chair.

26
27 CHAIRMAN HERNANDEZ: Okay, thank you,
28 Robbin. Thank you, Tom. So maybe we should open it up
29 to questions from other Council members, anybody have a
30 question now.

31
32 MS. NEEDHAM: Mr. Chair, this is Cathy.

33
34 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

35
36 MS. NEEDHAM: I don't actually have a
37 question but I do have feedback to provide if that's
38 helpful at this time.

39
40 CHAIRMAN HERNANDEZ: Great, go ahead.

41
42 MS. NEEDHAM: So I think that what
43 they're looking for is to figure out if there's a
44 better way that the Board responds back to us and after
45 being on the Council for many years and submitting a
46 number of annual reports over the years, I think that
47 in the words of an old friend of ours, Steve Kessler,
48 from awhile ago, if we put something into our annual
49 report and we have -- we get a better response back
50

0311

1 from the Board when we have a specific ask. So the
2 annual report actually kind of serves two purposes.

3
4 One, to just inform the Board of the
5 work that we are doing but that sometimes we do want a
6 response back from them, and there are cases where
7 we've asked them for information and maybe their
8 response back was; we're aware but really we don't have
9 jurisdiction or we're aware, there isn't -- you know,
10 we don't see a path forward, that kind of thing. So --
11 and then it sounds like now what they're trying to move
12 towards is if we have a specific request we have to do
13 a letter, which I think our Council, we do do a lot of
14 letter writing already and I think that is a very
15 effective tool that we utilize. I think my only
16 concern with that and it's not enough of a concern to
17 say that there should be some other way because if that
18 becomes policy, yeah, I think it could really work, but
19 my only concern is -- and I'm not talking about just at
20 these telephonic meetings but the burden of letter
21 writing and the time that it takes for us to get a
22 letter written gets longer and longer all of the time.
23 And it used to be, when we had our good friend, Steve
24 Kessler, with us, you know, during our meetings we
25 would have enough Staff that would actually be drafting
26 those letters and we would see them by the end of our
27 Council meeting and we could vote on them and send them
28 off to the -- off through the system to be addressed
29 and so -- I just want to make sure that everybody -- if
30 we decide to go this route when we want a response back
31 -- a meaningful response back from the Federal
32 Subsistence Board, if we decide to go the letter
33 writing route, how much longer sometimes that takes.
34 And I just want to make sure we would have a lot of
35 Staff support in that aspect. I think we put a lot of
36 burden on our Coordinator to go back, wait for the
37 transcripts, she has to read through all of our
38 discussion to get our letters written and it kind of
39 delays the process, a lot. But if we had better
40 support I think it could be a pretty effective means.

41
42 I think that's just my thoughts and so
43 I'll let other Council members weigh in on it. I think
44 they're looking for feedback and that's my feedback,
45 thank you, Mr. Chair.

46
47 CHAIRMAN HERNANDEZ: Okay. Thank you
48 very much, Cathy. Yeah, very valuable feedback.
49 Hopefully points well taken there. I don't know if
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0312

1 there's any response to that. It wasn't really a
2 question but.....

3

4 MS. LAVINE: Mr. Chair, this is Robbin.

5

6 CHAIRMAN HERNANDEZ: Go ahead, Robbin.

7

8 MS. LAVINE: I just wanted to respond.
9 That's exactly what we're looking for. Thank you, Mr.
10 Chair.

11

12 CHAIRMAN HERNANDEZ: Okay. Thank you,
13 Robbin. Anybody else on the Council with a question or
14 input on this.

15

16 MR. SCHROEDER: Don, Bob Schroeder.

17

18 CHAIRMAN HERNANDEZ: Go ahead. Go
19 ahead, Bob.

20

21 MR. SCHROEDER: Yeah, I think we should
22 keep things pretty much as is mainly because -- well,
23 for quite a few reasons, but very pertinent is the
24 annual report is a specific item mentioned in ANILCA
25 and I don't think we want to just twiddle with that
26 very much at this time. I think there could be
27 unforeseen consequences there.

28

29 The other reason for keeping our
30 current system with the annual report, is that there
31 are quite a few items -- sometimes the annual reports
32 would have eight or nine or 10 items because there were
33 quite a few items of concern for Council members, and,
34 frankly, it would be an undue burden and basically a
35 modification of ANILCA to say that we should really
36 channel those things into some other -- into a letter
37 writing campaign.

38

39 And also I just really second what
40 Cathy Needham said about the burden that that would put
41 on the Council. The annual report can typically be
42 raising some issue in a rather succinct and not
43 particularly developed form, whereas letters, to make a
44 point, we have to kind of lay out arguments and be a
45 little bit more formal.

46

47 So that's my feeling, I suggest no
48 change is warranted at this time.

49

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0313

1 CHAIRMAN HERNANDEZ: Okay, thank.....

2

3 MR. SMITH: Mr. Chairman.

4

5 CHAIRMAN HERNANDEZ:you, Bob.

6 Any -- go ahead.

7

8 MR. SMITH: Just a comment on Cathy. I
9 really like that idea. In the district, and even in
10 the Juneau commission, we would use a Google rollover
11 and then all the committee members are able to see what
12 the main writer in that Google drive that made it, that
13 everybody's able to read and then send comments for
14 that person to edit. We've done that before, where we
15 started that in the beginning of a meeting and have a
16 letter edited by the time we were finished and I think
17 that might be just a good strategy. I really like
18 that.

19

20 Happy day.

21

22 CHAIRMAN HERNANDEZ: Okay. If we get
23 into letter writing we'll keep that in mind. And, you
24 know, the Council has done both, obviously. We put
25 items in the annual report, we also write letters. I
26 think maybe what Bob was suggesting was that we kind of
27 continue to do what we're doing in the annual report,
28 that there will still be times when we recognize that a
29 letter would be more effective so.

30

31 Anybody else with a comment or a
32 question.

33

34 MS. PHILLIPS: Chairman Hernandez, this
35 is Patty Phillips.

36

37 CHAIRMAN HERNANDEZ: I hear somebody,
38 couldn't tell who.

39

40 MS. PHILLIPS: Patty Phillips.

41

42 CHAIRMAN HERNANDEZ: Oh, hi, Patty, go
43 ahead.

44

45 MS. PHILLIPS: So for example, you
46 know, I understand that this is a very, you know, the
47 whole RAC process is a careful, deliberative and
48 intentionally slow process. But, for example, in the
49 annual letter, No. 1, Transboundary River Mining, on
50

0314

1 the final paragraph we say -- the Council
2 (indiscernible) for the transboundary mining concerns
3 to the U.S. Department of State. So we're asking for
4 something. So with this new policy change, would we
5 have to be writing a letter to ask that besides having
6 it in our annual letter or what?

7

8 CHAIRMAN HERNANDEZ: I think that's a
9 good question, Patty, maybe somebody could address
10 that.

11

12 MS. LAVINE: Mr. Chair, this is Robbin.

13

14 CHAIRMAN HERNANDEZ: Go ahead.

15

16 MS. LAVINE: Thank you, Mr. Chair.
17 Through the Chair. Under this new process, your annual
18 reports would be a means of informing the Board on
19 important subsistence issues, conditions, most up to
20 date things emerging in your region, and as well as
21 expressing concerns, but it wouldn't be a place where
22 you request a response. So if you get to a point if
23 there is an issue that is -- that goes beyond informing
24 the Board, beyond sharing information, if you get to a
25 point where you request a response from the Board, then
26 that would go into a letter.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN HERNANDEZ: Okay. Patty, do
31 you want to follow up on that.

32

33 MS. PHILLIPS: Well, yeah, so I mean it
34 looks like we're going to have to be writing letters
35 about our -- our numbered items in our annual report.
36 Because then we go into No. 2 and we say, you know, the
37 Council has concerns about information sharing between
38 ADF&G and the Federal Subsistence Management Program,
39 and we would like to know more about the current
40 information sharing policy and so here we are asking
41 for more information, and so we're going to have to do
42 another letter. If that's what I'm understanding.

43

44 CHAIRMAN HERNANDEZ: I see where you're
45 going with this, Patty.

46

47 MR. SCHROEDER: Yeah, Don, could I get
48 back in there.

49

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0315

1 CHAIRMAN HERNANDEZ: Go ahead, Bob.

2

3 MR. SCHROEDER: Yeah, I just picked up
4 -- since Patty didn't pick up her copy of ANILCA, if
5 you read through Section .813, it's pretty clear on
6 what periodic reports are. And they're not talking
7 about simply about informing, they're talking about
8 quite a few things there. You're supposed to be making
9 -- Point 7 under .813, is, such other recommendations
10 the Secretary deems appropriate. So we're supposed to
11 do -- this is a piece of our job, so this basically
12 seems to be something of a rewrite of what's in ANILCA
13 and I just don't really feel that this is appropriate
14 to do this.

15

16 And as Patty said it takes a lot of
17 effort for us to write letters. We meet twice a year.
18 We have limited Staff availability at this moment and I
19 -- I frankly think we just wouldn't get anywhere near
20 as much done.

21

22 So, thank you.

23

24 CHAIRMAN HERNANDEZ: Okay. That.....

25

26 MR. KRON: Mr. Chair.

27

28 CHAIRMAN HERNANDEZ: Go ahead, Tom.

29

30 MR. KRON: Yeah, just to respond to Bob
31 and Patty, you know, again there's no effort to rewrite
32 ANILCA, you know, that's not in our purview anyway.
33 But it's just a request to ask the Councils what their
34 thoughts are on the way things are set up to work right
35 now and to ask you if there are things you think could
36 be done better relative to the annual report, annual
37 report reply process. And Bob had said earlier don't
38 change it, it works, and that -- that could very well
39 be where things go. But, anyway, we're not -- we're
40 not actually proposing changes, we're just asking you
41 -- putting out some issues to be considered and asking
42 you what you think.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN HERNANDEZ: Thank you, Tom.
47 That's a good clarification of where we are. Any other
48 questions or comments from Council members.

49

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0316

1 MS. NEEDHAM: Mr. Chair, this is Cathy.

2

3 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

4

5 MS. NEEDHAM: Thank you, Mr. Chair. I
6 think I wanted to add one other consideration or
7 response back to Staff regarding this topic. And that
8 is, when I think about how our annual report and our
9 communications with the Federal Subsistence Board go,
10 you know, as we saw with all of the work that we did
11 with the Roadless Rule, we actually refer to our annual
12 report outside of just communicating with the Federal
13 Subsistence Board. I know that I have provided copies
14 of past annual reports that we have approved to other
15 organizations that are interested in topics or that are
16 like working on topics that we have discussed and at
17 the same time also.....

18

19 (Teleconference interference -
20 participants not muted)

21

22 MS. NEEDHAM:like what is the
23 Federal Board's response back so like -- like I kind of
24 agree with the fact that the way that the Regional
25 Advisory -- the Southeast Regional Advisory Council,
26 how we do our business, and what we include in our
27 annual report and the letter writing we do is really
28 working for us because we've found that niche and I
29 wouldn't want any part of that taken away from us
30 because I think we've worked really hard on trying to
31 make sure that we have good communications when we
32 interact with the Federal Subsistence Board but also a
33 very strong, you know, public record for when our
34 constituents need to find and utilize points that have
35 been brought to our attention and that we have
36 captured.

37

38 So I'll leave it at that, thank you,
39 Mr. Chair.

40

41 CHAIRMAN HERNANDEZ: Thank you, Cathy.
42 anybody else on the Council want to weigh in on this.

43

44 MS. PHILLIPS: This is Patty again, Mr.
45 Chair.

46

47 CHAIRMAN HERNANDEZ: Yeah, go ahead,
48 Patty.

49

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0317

1 MS. PHILLIPS: So I would suggest that
2 our annual report, that (indiscernible - breaking up) I
3 don't think you're trying to rewrite ANILCA -- I don't
4 think OSM is trying to rewrite, you know, that
5 provision of ANILCA but -- and you're trying to find a
6 better way, you know, how can -- how can the Federal
7 Subsistence Board better respond to our concerns. So
8 in our annual report, you know, we should take our
9 asks, our requests and put them at the end of our
10 bullet points, you know, like on No. 1, the Council
11 requests the Board forward these transboundary mines to
12 the U.S. Department of State, make that the end of our
13 bullet point. On No. 2. the Council would like to know
14 more about the current information sharing policy
15 between the State and the FSMP, put that at the --
16 well, that's already at the end but, you know, we can
17 do a better job of, okay, this is the concern and this
18 is what we want. I mean right now I mean are they
19 having to do problem-solving to figure out what we're
20 asking? Anyways, on TEK, the Council would like to see
21 this developed for insuring local knowledge into OSM
22 recommendations. So, you know, I mean that's
23 (indiscernible - breaking up) more clearly
24 (indiscernible - breaking up) everything else we're
25 putting into our report.

26
27 Thank you.

28
29 CHAIRMAN HERNANDEZ: Okay, thank you,
30 Patty. All good suggestions. Anybody else.

31
32 (No comments)

33
34 CHAIRMAN HERNANDEZ: Okay. So, Tom, I
35 don't know if you want anything more from the Council
36 other than, you know, a record here of our discussion
37 for you to consider or I don't know if you want a more
38 formal action. I hate to say it but are you looking
39 for a letter.....

40
41 (Laughter)

42
43 CHAIRMAN HERNANDEZ:or is this
44 adequate?

45
46 MR. KRON: Mr. Chair, I think this is
47 very adequate. I would ask Robbin if she's got any
48 additional thoughts but I think you've had a number of
49 your Council members weigh in with their perspectives.
50

0318

1 I think, you know, we've heard what you think and we
2 understand.

3

4

Robbin, what do you think.

5

6

MS. LAVINE: Thank you, Mr. Chair, this
7 is Robbin. I wholeheartedly agree with Tom, this is
8 exactly what we're looking for, really rich discussion
9 and sharing your thoughts with us. And I think if you
10 summarize the discussion here that will be perfect and
11 exactly what we're looking for.

12

13

Thank you, Mr. Chair.

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(No comments)

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So keep that in mind for tomorrow.

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1 And.....

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3 MS. PERRY: Mr. Chair.

4

5 CHAIRMAN HERNANDEZ:anybody else
6 on the Council got something to add.

7

8 (No comments)

9

10 CHAIRMAN HERNANDEZ: Did I hear
11 somebody else.

12

13 MS. NEEDHAM: Mr. Chair, this is Cathy.

14

15 CHAIRMAN HERNANDEZ: Yeah, go ahead,
16 Cathy.

17

18 MS. NEEDHAM: For those that were going
19 to work this evening on the Federal fisheries
20 proposals, if you could stay on -- or be on Teams just
21 after this meeting so we can figure out what we're
22 doing since we didn't set a time and all of that, that
23 would be great.

24

25 And I don't know if this is the right
26 time to add this or anything, but even if we don't do
27 anything, there is a Board of Game call for proposals
28 that's opened, and it closes in April, and I don't know
29 if we wanted to consider any Board of Game proposals
30 but I thought at least Council members should know that
31 that period is open if they aren't aware of it already.

32

33 Thank you, Mr. Chair.

34

35 CHAIRMAN HERNANDEZ: Okay, thank you,
36 Cathy. Yeah, I guess I'm aware of that so we'll keep
37 that in mind. Okay, anything else from other Council
38 members we need to consider this evening, or tonight
39 before we reconvene tomorrow morning.

40

41 MS. PERRY: Mr. Chair, if I could
42 interject, this is DeAnna.

43

44 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

45

46 MS. PERRY: Yes, I just wanted to let
47 Council members know that I have forwarded Bob's
48 updated bullet points for the indigenous management
49 conversation tomorrow. I'm working with OSM to get

50

0320

1 that version put on the website so if folks have a
2 chance to look that over tonight and be ready for our
3 discussion tomorrow, it is on its way to you.

4

5 CHAIRMAN HERNANDEZ: Okay. Just to
6 clarify, DeAnna, are you sending it like an email to
7 like Council members but also putting it on the
8 website?

9

10 MS. PERRY: Yes. Because it's being
11 distributed to Council members, this is the cleaned up
12 version that Bob is okay with public seeing it so, yes,
13 we're posting it on the website.

14

15 CHAIRMAN HERNANDEZ: Okay, thank you.
16 I'm glad that could happen on short notice, so
17 progress. Okay, if there's nothing else, last chance.
18 I know this work group wants to get together here
19 shortly for talking about proposals so I will recess
20 the meeting until 9:00 o'clock tomorrow morning.

21

22 (Off record)

23

24 (PROCEEDINGS TO BE CONTINUED)

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