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SOUTHEAST ALASKA SUBSISTENCE  
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

VOLUME III

TELECONFERENCE  
March 24, 2022  
9:00 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 - 03/24/2022)

(On record)

CHAIRMAN HERNANDEZ: I see it is 9:00 o'clock. I'll ask if Frank Wright has called in yet and if he's ready to do a roll call to see if we have our full membership here this morning.

MR. WRIGHT: Yeah, I'm here, Don.

CHAIRMAN HERNANDEZ: Good morning, Frank.

MR. WRIGHT: Good morning.

CHAIRMAN HERNANDEZ: Do you want to call the roll and see if we've got everybody yet.

MR. WRIGHT: Ian Johnson.

(Teleconference interference - participants not muted)

MR. WRIGHT: Is that you Ian.

MR. JOHNSON: Can you hear me?

MR. WRIGHT: Yeah, got you.

MR. JOHNSON: Okay, thanks.

MR. WRIGHT: Cal Casipit.

MR. KITKA: This is Harvey Kitka.

MR. WRIGHT: I didn't call you yet, Harvey.

(Laughter)

MR. KITKA: Oh, I just turned my phone on.

MR. WRIGHT: Okay.

Cal Casipit.

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1

(No comments)

2

3

MR. WRIGHT: Michael Douville.

4

5

MR. DOUVILLE: Michael Douville is

6

here.

7

8

MR. WRIGHT: Thank you, Mike.

9

10

Jim Slater.

11

12

MR. SLATER: Jim Slater is here.

13

14

MR. WRIGHT: Thank you. Glad you made

15

it over.

16

17

Bob Schroeder.

18

19

MR. SCHROEDER: Bob Schroeder's here.

20

21

MR. WRIGHT: All right, thanks, Bob.

22

23

Albert Howard.

24

25

(No comments)

26

27

MR. WRIGHT: Albert Howard.

28

29

(No comments)

30

31

MR. WRIGHT: Don Hernandez is here.

32

33

Patricia Phillips.

34

35

MS. PHILLIPS: Here.

36

37

MR. WRIGHT: Thank you, Patty.

38

39

Louie Wagner.

40

41

MR. WAGNER: Here.

42

43

MR. WRIGHT: John Smith.

44

45

MR. SMITH: Here.

46

47

MR. WRIGHT: Cathy Needham.

48

49

MS. NEEDHAM: Here.

50

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1 MR. WRIGHT: Cal Casipit.

2

3 (No comments)

4

5 MR. WRIGHT: We have a quorum, Mr.

6 Chair.

7

8 CHAIRMAN HERNANDEZ: Okay, thank you,  
9 Frank. Good morning everybody. Yeah, we're going to  
10 pick up where we left off this morning in new business  
11 after we hear some public testimony. I'm hoping that  
12 last night that people that had suggestions for  
13 proposals were able to get together with Staff and  
14 flesh out some wording on those. If we have that,  
15 we'll hopefully get to that this morning. So keep that  
16 in mind. But otherwise we'll start our morning with  
17 public testimony that's not related to agenda items,  
18 any topic of concerns to folks. If there's anybody  
19 that's on the line that's called in that would like to  
20 do a public testimony I'd appreciate it if you'd let us  
21 know now so I can kind of get an idea who we have and  
22 decide who would go first. So anybody on the line that  
23 would like to do public testimony this morning, go  
24 ahead and unmute your phones if you're muted and let us  
25 know that you're there.

26

27 (No comments)

28

29 CHAIRMAN HERNANDEZ: Maybe we don't  
30 have anybody ready to go this morning. We'll be a  
31 little flexible if somebody calls in here in the near  
32 term, we can allow that. But otherwise I think I'd  
33 like to get started this morning.

34

35 As I said we were working our way  
36 through the new business. The main topic of new  
37 business is call for fisheries proposals and we will  
38 hopefully have some of those to talk about this  
39 morning. Other than that we have some discussion  
40 topics and briefings to hear. I think I'll hold off on  
41 the finishing up the proposals until maybe the last  
42 item on our new business in case people are still  
43 working on those.

44

45 So one topic we haven't gotten to yet  
46 is receiving public testimony protocol, and this is a  
47 discussion item and it's going to be led by Tom Kron  
48 from OSM.

49

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

2

3 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

4

5 MS. NEEDHAM: Mr. Chair, I believe Joel  
6 Jackson, the President of Organized Village of Kake is  
7 on the line now. He was having a little bit of a hard  
8 time getting into the meeting because I accidentally  
9 transposed a number on the passcode.

10

11 CHAIRMAN HERNANDEZ: Oh, okay, yep,  
12 those things happen. We're always amenable to  
13 receiving public testimony. We'll hold off on the  
14 public testimony protocol and hear from Mr. Jackson  
15 first. So Mr. Jackson, if you're on the line go ahead  
16 you have the Council's attention.

17

18 MR. JACKSON: Can you hear me now?

19

20 CHAIRMAN HERNANDEZ: yeah, I hear you  
21 fine.

22

23 MR. JACKSON: Okay. Well, I didn't  
24 know you guys had talked about the villages and  
25 communities around Southeast, I had asked, I think it  
26 was Board of Fish to close their bays off to commercial  
27 crabbing and we had been looking to do that for quite  
28 awhile, so long as I've been on the council. We're  
29 looking to close it off from what's called Point  
30 McCartney, that's just outside our community -- it's  
31 not too far, probably about six, eight miles, and then  
32 Kiku Point (ph), which is probably approximately 10, 12  
33 miles and that would effectively close off our bay to  
34 commercial fishing or -- yeah, commercial type  
35 activity. Because just like I had stated before, we  
36 have to protect our resources and these crab have been  
37 hit hard for, I don't know, the last 30, 40 years and  
38 they're mostly by outside boats that come here and set  
39 their crab gear. And we've seen the crab population go  
40 down in numbers and they're smaller and smaller and  
41 then those nasty little critters, the sea otters moved  
42 in on us so that's impacted it quite a bit. And of  
43 course the crabbers were the first ones to say the sea  
44 otters is the one that's making on our crab, nevermind  
45 the thousands of pots that dump in our bay. But when  
46 they dump their pots in our bay, all the way from up  
47 inside Port Camden up inside Rocky Pass over towards  
48 Hamilton Bay, those places are just full of crab pots,  
49 and then even right in our boat harbor, Kiku Straits  
50

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1 out to in front of town are full of pots.

2

3

4 We do set some subsistence pots but  
5 we're lucky to catch a few crab. And that's a great  
6 concern to us as a community. I've instructed a few of  
7 our resource directors that we hire over the years to  
8 try to find a way to do that and then I get on this  
9 call, what was it, the day before yesterday and I was  
10 surprised, and I was what the heck, you know, then I  
11 learned it has to go to the Board of Fish and it sounds  
12 like from what I saw and read yesterday that pretty  
13 much all those requests were granted to shut those  
14 places off.

14

15 And compared to a lot of bays around  
16 Southeast our bay is relatively small and we do get  
17 sportfishermen in here too. So it's just -- you know,  
18 I thought I'd bring this to you guys and at least get  
19 it on the record. And then hopefully we could come up  
20 with a plan to present to the Board of Fish if that's  
21 where it has to go. And from my understanding they  
22 meet every four years and that's quite a length of time  
23 to only meet, you know, once every four years.

24

25 So, you know, that's my predicament and  
26 I appreciate any comments or questions, you know,  
27 suggestions, whatever. Because I'm, you know, we're to  
28 the point now I'm afraid our dungeness crab -- we do  
29 have a little bit of snow crab, we do have a little  
30 king crab, and even when they're fishing those -- those  
31 a little bit of snow crab and king crab, we got boats  
32 coming in here and setting up the bay. But there  
33 really isn't anything in numbers anymore and we're  
34 getting concerned and I get calls about the limited  
35 amount of crab we have, dungeness, snow, king crab.

36

37 So that's what I wanted to present  
38 today. Like I said, if anybody have any questions,  
39 comments, whatever, I welcome it, or suggestions.

40

41 (Pause)

42

43 MS. NEEDHAM: Mr. Chair, are you there.

44

45 (No comments)

46

47 MS. NEEDHAM: Okay, I'll go ahead

48 and.....

49

50

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1 MR. JACKSON: Maybe I put him back to  
2 sleep.

3  
4 (Laughter)

5  
6 MS. NEEDHAM: He might have dropped  
7 off, sometimes the phone system's.....

8  
9 CHAIRMAN HERNANDEZ: Okay, I'm here.

10  
11 MS. NEEDHAM: Are you back, Don.

12  
13 CHAIRMAN HERNANDEZ: I'm back, yeah.

14  
15 MS. NEEDHAM: Okay.

16  
17 CHAIRMAN HERNANDEZ: Sometimes you got  
18 to hit the buttons a little harder, and it didn't  
19 register there. Okay. Yeah, are there any questions  
20 for Mr. Jackson.

21  
22 MS. NEEDHAM: Mr. Chair, this is Cathy.

23  
24 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
25 Cathy.

26  
27 MS. NEEDHAM: Thank you, Mr. Chair.  
28 President Jackson, do you know if Kake has a State  
29 customary and traditional use determination for the  
30 areas that you're concerned about for crab?

31  
32 MR. JACKSON: Not to my knowledge,  
33 would that be the first step?

34  
35 MS. NEEDHAM: Well, I think that.....

36  
37 (Teleconference interference -  
38 participants not muted)

39  
40 MS. NEEDHAM: I think that is something  
41 that we can also help find out for you. And the reason  
42 why I ask the question is at this -- I did attend this  
43 last Board of Fish meeting and there were a number of  
44 proposals that were submitted that were for closures  
45 to the crab commercial fisheries in and around nearby  
46 the local area of a community and those proposals that  
47 had a customary and traditional use determination for  
48 their local area, the Board of Fish closed those areas  
49 for commercial fishing in order to provide, you know, a  
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1 reasonable opportunity for subsistence users. That was  
2 the justification they used. And it turned out there  
3 was a number of proposals that different communities  
4 did submit and so it actually really kind of gets your  
5 attention at what the Board of Fish did, that it was  
6 pretty broad supportive thing.

7  
8 So knowing if you have a State C&T for  
9 that would be helpful.

10  
11 And then it is a Board of Fish process,  
12 however, this Council did -- one of the communities,  
13 the community of Hydaburg put in a proposal and then  
14 this Council did write a support comment to the Board  
15 of Fish to actually support their closure. We didn't  
16 know about the other communities that submitted  
17 proposals but we did know about the Hydaburg one and so  
18 we did support that commercial closure. And like I  
19 don't know that it necessarily overly helped because  
20 the Board of Fish still was going to close those things  
21 as long as the community had a C&T determination so I  
22 think that that is the helpful part of it.

23  
24 And then the other comment I was going  
25 to make back to you is the Organized Village of Kasaan  
26 had this issue, or concern as well and they were very  
27 successful in getting an out of cycle Board of Fish  
28 proposal to be heard at the Board level and they were  
29 able to get a closure in Kasaan Bay out of cycle, which  
30 is not necessarily very common but it's not  
31 unprecedented. And what the Organized Village of  
32 Kasaan had when they did that was they had somebody who  
33 basically gave the Board of Fish some local data. So  
34 President Ron Leighton fished -- like crabbing in  
35 Kasaan Bay was able to document like his catches and  
36 compare it to past catches as a subsistence user and he  
37 was able to take that data, their C&T determination and  
38 do an out of cycle Board of Fish proposal.

39  
40 So I think those are some tools that  
41 you might -- that the Organized Village of Kake might  
42 have in their tool box to do that and if you could  
43 document, you know, the impact that you've had, which I  
44 think that you guys have a lot of good information  
45 about your impacts, you might be able to take that as a  
46 course of action as well.

47  
48 Thank you, Mr. Chair.

49  
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1 CHAIRMAN HERNANDEZ: Thank you, Cathy.  
2 That's pretty helpful.

3  
4 (Teleconference interference -  
5 participants not muted)

6  
7 MR. WRIGHT: Mr. Chair.

8  
9 MR. WAGNER: Mr. Chair, Louie.

10  
11 CHAIRMAN HERNANDEZ: I hear several  
12 people talking and -- was that Frank.

13  
14 MR. WRIGHT: Yeah.

15  
16 CHAIRMAN HERNANDEZ: Go ahead, Frank.

17  
18 MR. WRIGHT: There's got to be a way  
19 because in Hoonah, I don't know how many years ago that  
20 we had closed off commercial fishing behind the island  
21 from crab there and moved up just a little ways, Gain  
22 Creek there's a line there that goes across that  
23 commercial can't go in there, so there is a way. So I  
24 -- I don't know how many years ago it was but no  
25 commercial fishermen can go in there. So maybe you can  
26 do a little research and find out how Hoonah did it but  
27 it was -- but it's been done. IT could be done. So we  
28 got two areas that are shut off to commercial fishing.

29  
30 Thank you, Mr. Chair.

31  
32 CHAIRMAN HERNANDEZ: Okay, thanks,  
33 Frank.

34  
35 MR. CASIPIT: Mr. Chair.

36  
37 MR. SMITH: Mr. Chairman.

38  
39 CHAIRMAN HERNANDEZ: Was there somebody  
40 else who.....

41  
42 MR. WAGNER: Mr. Chair.

43  
44 MR. CASIPIT: Mr. Chair, this is Cal.

45  
46 CHAIRMAN HERNANDEZ: .....wanted to say  
47 something. I hear John, go ahead, John.

48  
49 REPORTER: Okay one at a time please.

50

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1 MR. CASIPIT: Mr. Chair, I think it was  
2 me, Cal, I have a question.....

3  
4 CHAIRMAN HERNANDEZ: Oh, Cal, sorry.

5  
6 MR. CASIPIT: .....as well.

7  
8 CHAIRMAN HERNANDEZ: Sorry, go ahead,  
9 Cal. Yep, go ahead, Cal.

10  
11 MR. CASIPIT: It's not really a  
12 question but it pertains to Member Needham's question  
13 about C&T of crab for Kake. I do have a copy of --  
14 well, it's the latest copy 20/2021 statewide  
15 subsistence and personal use regulations. District --  
16 I believe Kake is in District 9 and there is a positive  
17 determination for shellfish except shrimp, king crab  
18 and tanner crab in the waters of.....

19  
20 (Teleconference interference -  
21 participants not muted)

22  
23 MR. CASIPIT: .....north of the  
24 latitude of Point Ellis. So with that verbal  
25 description, Mr. Jackson, is that -- does that cover  
26 your area because if it does you already do have a  
27 positive customary and traditional use determination  
28 for dungeness crab?

29  
30 MR. JACKSON: I would have to check on  
31 that. I mean we've had Staff look at this and, of  
32 course, they claimed they couldn't find anything. But  
33 back in the 1970s, or late '60s we had a map of our  
34 customary and traditional areas and it encompassed all  
35 the way down to the south of Kuiu Island over to  
36 Baranof, all of Baranof shore on this side of Chatham  
37 Strait, all the way down the channel to Admiralty, all  
38 the shores along there and then all the way up to  
39 Hobart Bay, it jumped over towards just outside of  
40 Petersburg, Wrangell, the tip of Prince of Wales and  
41 it's all the way back out to the southern tip of Kuiu  
42 Islands. And that was recognized by the State of  
43 Alaska and it was stamped and approved by them, and it  
44 was called the Goldschmidt and Haas map. So I know  
45 that map that we had and it is filed with the State.  
46 And, you know, it encompasses -- I think we had  
47 somebody calculate all that and it encompassed about  
48 1.2 million acres of that whole area, land and water.  
49 So, you know, but I'll have to check with my Staff and  
50

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1 make sure -- I'm pretty sure we more than likely filed  
2 our customary and traditional use of the crab and  
3 everything else in our area.

4  
5 CHAIRMAN HERNANDEZ: Okay, thank you,  
6 Cal.

7  
8 MR. SMITH: Mr. Chairman, John Smith.

9  
10 CHAIRMAN HERNANDEZ: Go ahead. Go  
11 ahead, John.

12  
13 MR. SMITH: Yeah, I hear another echo  
14 on the data and even on looking on where funds may be  
15 to do some test fishing there for the crab and seeing  
16 what the numbers are looking like in all the different  
17 bays that are there.....

18  
19 (Teleconference interference -  
20 participants not muted)

21  
22 MR. SMITH: .....Rocky Point, Hamilton  
23 Bay, (Indiscernible - interference - coughing).....

24  
25 (Teleconference interference -  
26 participants not muted)

27  
28 MR. SMITH: .....you know all those  
29 different areas and understanding more of whose pots  
30 are sitting outside of Kake, you know, is Petersburg  
31 and other communities.....

32  
33 (Teleconference interference -  
34 participants not muted)

35  
36 MR. SMITH: .....coming into that area,  
37 you know, I.....

38  
39 (Teleconference interference -  
40 participants not muted)

41  
42 MR. SMITH: .....see Fish and Game.....

43  
44 REPORTER: Excuse me.

45  
46 MR. SMITH: Can you hear me?

47  
48 REPORTER: Yes. Excuse me, this is  
49 Tina the reporter.....

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1                   CHAIRMAN HERNANDEZ: But we can hear  
2 the people in the background as well though.

3  
4                   REPORTER: Right. If people could  
5 please check your line, make sure you're muted with the  
6 star, six, please. Somebody's talking on a phone in  
7 another conversation and we'd like to be able to hear  
8 the speaker, what he has to say, so everybody, unless  
9 you're Mr. Smith, please mute.

10  
11                   MS. PERRY: I'll reach out to Tom Kron.  
12 Tom, I can see you on the camera and I think maybe  
13 either your video mic is on your phone might be on so  
14 if you could check to make sure you're muted.

15  
16                   Thank you.

17  
18                   REPORTER: And whoever's coughing also,  
19 please, could you mute your phone. Go ahead, Mr.  
20 Smith.

21  
22                   MR. SMITH: Thank you. Thank you, (In  
23 Tlingit). Of understanding -- let me see if I can get  
24 back -- okay, understanding, you know, who's fishing  
25 outside of Kake there, you know, whether the  
26 communities are coming from Petersburg, you know,  
27 there's other communities there of, you know, maybe a  
28 partnership with the Fish and Game to kind of scope it  
29 out, make a trip and see who's fishing there and  
30 getting data. Not to discourage the fishing but just  
31 even getting opportunity to find out how many fish each  
32 one of those pots are actually catching. If there's a  
33 low number we need to shut it down like Mr. Jackson is  
34 saying. And by test fishing that would bring that  
35 number up. And, you know, to me, you know, I grew up  
36 in Hoonah myself and, you know, I'm representing Juneau  
37 here but, you know, saying right around Gartini Creek,  
38 like he was speaking about earlier, you know, the  
39 numbers went down there because of overfishing. Well,  
40 to me, just close the whole bay out and make people,  
41 you know, travel a little further, you know, or test  
42 and find another location and let that settle for  
43 awhile and grow again and this is by us testing. But  
44 we need data and how do we get that data and I don't  
45 know if that's available but, you know, that's where  
46 the community needs to come in too of reporting. It's  
47 really important, and there's the teaching piece of us  
48 trying to teach and -- and get that to the community,  
49 that it's important for all of us, even the commercial  
50

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1 fishermen, are they sending in data and telling how  
2 many fish -- or crab they're actually doing, that's  
3 key. You know, and if too much is being -- and numbers  
4 are down, needs to be shut down.

5

6 Respect to the (In Tlingit), the Crab  
7 people.

8

9 Gunalcheesh. Ah.

10

11 CHAIRMAN HERNANDEZ: Okay, thank you,  
12 John. Anybody else on the Counsel have questions or  
13 suggestions for Mr. Jackson.

14

15 MR. WAGNER: Mr. Chair, Louie Wagner.

16

17 CHAIRMAN HERNANDEZ: Go ahead, Louie.

18

19 MR. WAGNER: President Jackson, in  
20 Ketchikan area here, on Gravina, Bostwik Inlet has been  
21 closed for approximately 15 years and they also closed  
22 Clover Pass and Knudsen Cove to all commercial fishing  
23 and only for subsistence so if that can help any. So  
24 there's precedence that has been set so it shouldn't be  
25 too big a problem.

26

27 Thank you.

28

29 CHAIRMAN HERNANDEZ: Thank you, Louie.  
30 Anybody else, a question, suggestion or comment.

31

32 (No comments)

33

34 CHAIRMAN HERNANDEZ: Okay. I think  
35 we're done, a lot of helpful suggestions there. Yeah,  
36 and I think the Regional Council would be willing to  
37 support you in whatever you try and do there if you get  
38 us the best available information to look at so thank  
39 you very much Mr. Jackson.

40

41 MR. JACKSON: Yes, and thank you for  
42 your time this morning. I appreciate all the comments  
43 and suggestions and we'll definitely start working on  
44 it because I think this is a very crucial point. We  
45 don't do anything -- may collapse and be like our  
46 herring that years ago disappeared from here because  
47 they overfished it and still hasn't recovered. So I  
48 need to move rather quickly on this and I'll definitely  
49 get Staff on it now that I know what direction to go  
50

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1 and, hopefully, you know, we'll get it done.

2

3 Thank you again, and I heard you guys  
4 were going to talk about -- a little bit about co-  
5 management, so if you don't mind I'll hang out for a  
6 little bit.

7

8 CHAIRMAN HERNANDEZ: Oh, yeah,  
9 absolutely, yeah, stay on the line.

10

11 MR. JACKSON: All right, thank you,  
12 sir.

13

14 CHAIRMAN HERNANDEZ: Okay, thanks,  
15 again, look -- yep, look forward to hearing from you  
16 again. So in the meantime has there been anybody else  
17 on the line that would like to give public testimony to  
18 the Council this morning.

19

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

21

22 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

23

24 MS. PERRY: I understand that Matt  
25 Jackson with the Southeast Alaska Conservation Council  
26 is now with us.

27

28 CHAIRMAN HERNANDEZ: Okay.

29

30 MR. JACKSON: Thank you, I'm here, can  
31 everyone here me.

32

33 CHAIRMAN HERNANDEZ: Very good -- yep,  
34 yeah, good morning Mr. Jackson. We got a lot of Mr.  
35 Jackson's.....

36

37 MR. JACKSON: Thank you very much.

38

39 CHAIRMAN HERNANDEZ: Go ahead.

40

41 MR. JACKSON: No relation to Joel,  
42 although I have a lot of respect for him.

43

44 CHAIRMAN HERNANDEZ: Okay. Okay.

45

46 MR. JACKSON: Yeah, Matt Jackson here.  
47 I'm an organizer for Southeast Alaska Conservation  
48 Council and I'm here because SEACC is, you know, we're  
49 coming out of this pandemic and climate change, as we  
50

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1 all know has been having a lot of impacts on our  
2 communities on the resources, you know, just to speak  
3 generally about the last issue. We know that  
4 increasing acidity in the ocean is causing problems for  
5 crab resources and so on. And I'm here to share with  
6 the Council that this summer and into 2023 SEACC is  
7 going to be traveling to Communities and seeking input  
8 on issues of concern and potential policies --  
9 solutions to those issues of concern in areas around  
10 climate change, but also around the young growth  
11 transition. And I wanted to alert the Council to this  
12 because, you know, we really value your perspectives.  
13 We realize that you do a lot of this work already, you  
14 know, hearing folks concerns. And I don't follow this  
15 Council as closely as I should but I wanted to make  
16 myself available. My email is M-A-T-T at SEACC.org.

17  
18 And some of the questions we're going  
19 to be asking, you know, in terms of young growth we are  
20 not necessarily opposed to a certain young growth  
21 forestry industry but what we do want to make sure is  
22 that communities have the chance to say which  
23 watersheds and which areas they would like to see  
24 managed to -- to turn back into old growth for the fish  
25 and wildlife habitats benefits that old growth give.  
26 And so we're going to be having listening sessions  
27 where folks can kind of mark pins on maps, the  
28 watersheds and the areas that they don't necessarily  
29 want to see cut for young growth, but they want to see  
30 managed into old growth forests again, you know, multi-  
31 hundred year time scale, those kind of protections.

32  
33 And in the area of climate change we  
34 are going to be, you know, asking folks in different  
35 communities what the biggest challenges that they're  
36 experiencing are but also, you know, perhaps with some  
37 of the opportunities that they see to address those  
38 challenges. And, you know, I am -- I want to share  
39 this with the Council, both so that I can learn from  
40 you but also I'm curious what questions you think might  
41 be the most important for SEACC to be asking.

42  
43 That's all I really wanted to share  
44 with the Council. If there's questions or ideas from  
45 you right now I'm very eager to take them, but mostly I  
46 just wanted to inform the Council and share my contact  
47 information. It's M-A-T-T at SEACC.org., and I'd be  
48 happy to have more in-depth conversations and keep  
49 interested members informed of what we're doing.  
50

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1 CHAIRMAN HERNANDEZ: Okay, thank you,  
2 Matt. Maybe there are some questions or comments from  
3 Council members. So anybody on the Council.

4  
5 (No comments)

6  
7 CHAIRMAN HERNANDEZ: Not hearing  
8 anybody else but, Matt, I'm glad you brought that to  
9 the Council's attention. You know I see when you're  
10 talking about young growth management, I see that as a  
11 potential, very important issue here ahead of us on the  
12 Tongass. And how that all relates to our changing  
13 climate, I think, is a real strong connection there.  
14 You know all the reading and research.....

15  
16 (Teleconference interference -  
17 participants not muted)

18  
19 CHAIRMAN HERNANDEZ: .....that I have  
20 done and conversations on what may happen with young  
21 growth harvest I see -- I see a potential for.....

22  
23 (Teleconference interference -  
24 participants not muted)

25  
26 CHAIRMAN HERNANDEZ: .....this young  
27 growth industry that's being talked about in the future  
28 as being even more -- potentially more damaging.....

29  
30 (Teleconference interference -  
31 participants not muted)

32  
33 CHAIRMAN HERNANDEZ: .....than what  
34 we've lost in old growth because.....

35  
36 REPORTER: I need the person that's  
37 talking over Don.....

38  
39 CHAIRMAN HERNANDEZ:  
40 .....(indiscernible - overriding conversation).....

41  
42 REPORTER: Don, I can't hear you. Don,  
43 I'm sorry but I can't hear you. It's not picking up on  
44 the recording -- well, it is, but so is the other  
45 conversation.

46  
47 CHAIRMAN HERNANDEZ: Yeah. Yep, I can  
48 hear that.

49  
50



0338

1                   REPORTER: Can whoever's having the  
2 conversation, laughing, and enjoying your conversation,  
3 could you please mute your phone.

4  
5                   (Teleconference interference -  
6 participants not muted)

7  
8                   REPORTER: Does somebody recognize  
9 their voice, if they do please ask them to mute.

10  
11                  MR. JOHNSON: Can you please mute your  
12 phone.

13  
14                  REPORTER: Because I can't type what  
15 you're saying, Don, with the other conversation  
16 recording simultaneously over you. So if somebody  
17 recognizes their voice please text them and ask them to  
18 please mute.

19  
20                  (Pause - for unmuted conversation)

21  
22                  CHAIRMAN HERNANDEZ: Okay, I think  
23 they're gone.

24  
25                  REPORTER: Awesome, so go ahead, Don.

26  
27                  CHAIRMAN HERNANDEZ: Okay. Yes, so I  
28 just see the potential for even greater harm happening  
29 if we move into a really large scale second growth  
30 harvest. Given the fact that the old growth harvest  
31 was so concentrated in the highest value stands for  
32 wildlife and fisheries habitat, and, you know, those  
33 need to be restored. That's extremely important. A  
34 very intense second growth harvest would almost  
35 certainly be geared towards almost 100 percent export  
36 market. It wouldn't do a whole lot of good for our  
37 local economy. Those stands need to be, you know,  
38 brought back to old growth conditions, preferably with  
39 the benefits to fish and wildlife habitat. And the  
40 other big factor is, and I haven't really, you know,  
41 heard much about this from the Forest Service or  
42 haven't seen much research on it but in this -- in this  
43 condition here on the Tongass Forest, after a second  
44 growth harvest, the regeneration for what would  
45 essentially be a third growth I think would just be  
46 disastrous. I don't think this country is capable of  
47 sustaining a multiple rotation Forest. And if you get  
48 started cutting second growth we're looking at  
49 ecological disaster I think. So it has to be taken a  
50

0339

1 real close look at and everybody needs to be involved.

2

3 That's just my feeling and I feel  
4 pretty strongly about that. So thank you for bringing  
5 it to our attention, Matt. And I look forward to maybe  
6 meeting with you more in the future.

7

8 Anybody else on the Council.

9

10 MR. SCHROEDER: Mr. Chair, this is Bob  
11 Schroeder.

12

13 CHAIRMAN HERNANDEZ: Go ahead, Bob.

14

15 MR. SCHROEDER: Yeah, thanks, Matt, for  
16 coming our way. I know the Regional Advisory Council  
17 has worked pretty closely with SEACC on the Roadless  
18 Rule -- opposition to the Roadless Rule and our  
19 comments.

20

21 I've got a couple of things for you  
22 today. One, just a really interesting article that I  
23 saw early this morning in addition to sequestering  
24 carbon, that major forests actually cause a -- it's  
25 kind of like a bio-physical cooling to our world. So  
26 this is something else that the Tongass is particularly  
27 beneficial to. So perhaps all of us have known that  
28 the Tongass has always been cool. That's a joke.

29

30 The other thing, just over the last six  
31 months or a year, I noted that SEACC has been working  
32 with Harvey Kitka and other people in Sitka on the  
33 herring issue. And basically I'm wondering if you see  
34 SEACC working on general species conservation because  
35 a major concern to the Regional Advisory Council is  
36 basically species depletion, not only herring but also  
37 some of our other marine resources, particularly salmon  
38 due most likely to -- with respect to salmon, most  
39 likely to ocean acidification and warming and other  
40 climate effects. So if you could just give us an idea  
41 of if SEACC may make this a bit of a program component  
42 as you go forward.

43

44 And congratulations on your new job.

45

46 MR. JACKSON: Thank you, Bob. I wasn't  
47 necessarily prepared to speak on this publicly. I  
48 think what I can -- I can say one thing which is that  
49 SEACC is getting involved in the herring issue. We  
50

0340

1 haven't historically taken on single species issues but  
2 we did see a need for that with Pacific herring. Some  
3 of you may be familiar that there used to be herring  
4 stocks, abundant herring stocks, abundant enough to  
5 meet all the community subsistence needs for the  
6 immediate areas everywhere in Southeast from Ka\*Shaks  
7 and Lynn Canal and now we really only have Sitka Sound,  
8 anything approaching its former abundance, and then  
9 kind of a second population in the Craig area and  
10 everywhere else is pretty destitute. We are trying to  
11 partner with and be supportive of Sitka Tribe of  
12 Alaska. They have a long history of owning this issue  
13 and we are still -- we are still kind of debriefing  
14 from the Board of Fish meeting that was just last week,  
15 but the reason that I'm glad that you mentioned this is  
16 I'm actually kind of heartbroken this morning, the  
17 Western Mariner Tug oil spill sheen has spread into  
18 Hayward Strait as of this morning and is like -- the  
19 sheen is approaching the herring spawning grounds. And  
20 today is the 33rd anniversary of the Exxon Valdez and  
21 this isn't any official publications from DEC yet, it's  
22 just been -- it's been overheard on the radio that  
23 ADF&G had to call off their test sets because of the  
24 diesel sheen in Hayward Strait so I -- that's breaking  
25 news for you all. But it's something that will  
26 require, I think, some adaptive management from Fish  
27 and Game, and some strong oversight from the -- from  
28 the public to make sure that the impacts from this oil  
29 spill don't negatively affect subsistence users or the  
30 herring population.

31  
32 (Teleconference interference -  
33 participants not muted)

34  
35 CHAIRMAN HERNANDEZ: Okay. Well,  
36 thanks for that news Matt. Anybody else on the Council  
37 with a question or a comment for Matt.

38  
39 MS. PERRY: Mr. Chair, John has his  
40 hand up, I think he'd like to go next.

41  
42 CHAIRMAN HERNANDEZ: Okay, go ahead,  
43 John.

44  
45 MR. SMITH: Yeah, can you hear me?

46  
47 CHAIRMAN HERNANDEZ: Yeah, I hear you  
48 fine, John.

49  
50

0341

1 MR. SMITH: Hello.

2

3 CHAIRMAN HERNANDEZ: Yeah, we can hear  
4 you fine.

5

6 MR. SMITH: Okay, thank you, Matt.

7 Thank you for your introduction and your respect to us  
8 Kwaan and (In Tlingit), the Tree people and the Plant  
9 people. You know I echo what I was sharing earlier, I  
10 think it was the other day about the respect to the  
11 garden, you know, we went into corporations and Huna  
12 Totem, Sealaska, even the -- I'm not sure the Forest  
13 Service, if they have logged some of the trees and, you  
14 know, respecting that there should be some laws, and  
15 rules and regs, maybe there is, I'm the new guy. But I  
16 pulled a page up the other day of title -- all the  
17 titles and was kind of observing a lot of the rules,  
18 laws, and regulations but understanding that when we  
19 take from the Earth we need to take care of it. And I  
20 did see a lot of that as I flew over, you know, I did a  
21 lot of trips to Angoon in the last couple years with  
22 the -- with the partnership with the Forest Service and  
23 the community and the tribe and the school district to,  
24 you know, uplift the garden that was over there and  
25 just pulling the community together, realizing the  
26 trees and how -- made me sad in a lot of ways seeing  
27 that. But it -- understanding that we need to take  
28 care of those things. And like when the young trees,  
29 you know, they get all crowded up and they're not being  
30 thinned, we can even pull them up and save their roots  
31 and transplant them somewhere else, you know, having  
32 funds and money, but making sure that people that are  
33 logging like Huna Totem, Sealaska and other  
34 corporations are taking care of that and making sure.  
35 You know the carbon issue that we're having, I truly  
36 believe that's the key, the ocean makes a big percent  
37 of the oxygen for our people and the relationship that  
38 we have with the plants that they support that and that  
39 we -- carbon, they absorb that.

40

41 So I really encourage that there's a  
42 lot of laws, rules and regs. I know that logging's  
43 coming back again, and there's a call for it, and I  
44 know the corporations are talking about it. There  
45 needs to be a different process of it, a more  
46 respectful process for respecting what the Tree people  
47 do for us. They absorb all that bad carbon and they  
48 deplete it, you know, and, you know, I see a lot of  
49 people that are harvesting bull kelp and others for  
50

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1 food, but also they're doing it to grow it to absorb  
2 the carbon and then dropping it down to deplete it and  
3 that's what's saving these bays. So even the Forest  
4 Service, Fish and Game and others, I really encourage  
5 even NOAA is right here, to be testing and studying  
6 these bays, but encouraging the -- the growing of the  
7 kelp and other things that are going to absorb that  
8 negative carbon that -- and I'm really sad to hear  
9 about the herring.

10

11 Thank you.

12

13 CHAIRMAN HERNANDEZ: Yeah, thank you,  
14 John. Any other Council members with a question or a  
15 comment for Matt Jackson.

16

17 (No comments)

18

19 CHAIRMAN HERNANDEZ: Okay. I think  
20 we're done here. Matt, thank you very much for joining  
21 us this morning and giving us your contact information.  
22 I think some of us probably will want to keep in touch  
23 with you so, once, again, thank you.

24

25 MR. JACKSON: Thank you, Don.

26

27 CHAIRMAN HERNANDEZ: And now I'll check  
28 one more time, is there anybody else who has called in  
29 since we started this public testimony session who'd  
30 like to testify this morning.

31

32 (No comments)

33

34 CHAIRMAN HERNANDEZ: Okay, not hearing  
35 anybody so I think that will probably conclude our  
36 public testimony for this morning. So now moving back  
37 to the agenda, like I say the next item up was  
38 discussion topic on receiving public testimony and its  
39 protocol.

40

41 (Teleconference interference -  
42 participants not muted)

43

44 CHAIRMAN HERNANDEZ: So it's very  
45 timely. I think Tom Kron from OSM, I think was going  
46 to lead us through that discussion, so Tom, if you're  
47 there.

48

49 MR. KRON: Yeah, Mr. Chair, this is not

50

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1 an action item but we wanted to gather input from the  
2 Councils on it. Basically the Federal Subsistence  
3 Management Program gathers input on proposals four  
4 different times during the process, which I think many  
5 of the Council members are familiar with.

6  
7 There's information gathered during the  
8 proposal process, which we're in right now for  
9 fisheries. The second opportunity for public comments  
10 occurs after the proposals have been submitted to the  
11 Federal Register. The third opportunity, for  
12 fisheries, for example, will be at your Council meeting  
13 this fall, this coming fall. And then the fourth  
14 opportunity for public comments is at the Board meeting  
15 when the fisheries proposals will be considered next  
16 year.

17  
18 Now, prior to the fall 2022 meetings  
19 when the Councils are going to discuss fisheries  
20 proposals and closure reviews we're requesting Council  
21 input on how you would like to receive written public  
22 comments. Once OSM receives input from the Councils on  
23 permanent guidance we will update the written framework  
24 accordingly. And, again, this is not an action item  
25 but we would like to hear from you what your thoughts  
26 are.

27  
28 In the Council's opinion, what -- and  
29 I'll go through a list here, maybe, again, Mr. Chair,  
30 if you could gather comments from your Council -- in  
31 the Council's opinion -- No. 1 -- what is the best way  
32 to encourage public feedback to the Councils.

33  
34 No. 2. Would the Council prefer to  
35 receive comments from the public orally or in writing.

36  
37 No. 3. Would it be helpful to the  
38 Council if OSM requested the written public comments  
39 submitted to your Council Coordinator prior to the  
40 meeting.

41  
42 No. 4. Is it better for the Councils  
43 if receive public comments that are read verbatim into  
44 the record or summarized.

45  
46 No. 5. Do you have any other  
47 suggestions regarding the ways of improving written or  
48 oral public testimony procedures during the Council  
49 meetings.

50

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1                   And, again, these five questions are  
2 just to generate some thoughts but we would like to  
3 hear from you. It's not an action item but we would  
4 like to hear from the Council what your thoughts are on  
5 this issue.

6  
7                   Thank you, Mr. Chair.

8  
9                   CHAIRMAN HERNANDEZ: Okay, thank you,  
10 Tom. I guess I'm kind of wondering myself, like when  
11 and how would you like to hear answers to those  
12 questions. Are we having a discussion now or should we  
13 put together some kind of a written, I don't know, a  
14 letter or document addressing these questions or -- I  
15 mean maybe -- there's probably questions from the  
16 Council right now to you, I would assume, but kind of  
17 get into it in more depth, would you be looking for  
18 like a letter from the Council on this, you think.

19  
20                   MR. KRON: Again, we've asked all 10  
21 Councils these same set of questions and I think most  
22 of them basically gave us feedback during the Council  
23 meeting. To my knowledge no letters have come in.  
24 It's your choice how to respond but, again, what we're  
25 hoping to do is just to hear from you, to hear some  
26 feedback if you have any.

27  
28                   Thank you.

29  
30                   CHAIRMAN HERNANDEZ: Okay. Okay.  
31 Well, maybe before we get any further I should see if  
32 there's any questions or comments from Council members  
33 now.

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

36  
37                   CHAIRMAN HERNANDEZ: Go ahead, Cathy.

38  
39                   MS. NEEDHAM: Thank you, Mr. Chair. I  
40 had a question. Are there -- is our discussion only  
41 pertaining to receiving public testimony on proposals  
42 for Federal regulation changes or is it going to  
43 eventually be some type of policy about public  
44 testimony on even non-agenda items and that kind of  
45 thing? Are we only talking about proposals or is it a  
46 broader thing?

47  
48                   MR. KRON: Mr. Chair. The current  
49 question relates to regulatory proposals, so, again,  
50

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1 fisheries regulatory proposals coming up next fall, and  
2 then there'll be wildlife proposals after that. So the  
3 current question relates to proposals only.

4

5 Thank you, Mr. Chair.

6

7 CHAIRMAN HERNANDEZ: Follow up, Cathy.

8

9 MS. NEEDHAM: Not on that. I'm still  
10 formulating my thoughts, thank you, Mr. Chair.

11

12 CHAIRMAN HERNANDEZ: Yeah, okay. So --  
13 yeah, Tom, this is Don again. Yeah, I think I  
14 understand where you're coming from here. And, like I  
15 say, we have a procedure, you know, in our regulatory  
16 process.....

17

18 UNIDENTIFIED VOICE: Hi Chris.

19

20 (Teleconference interference -  
21 participants not muted)

22

23 REPORTER: Whoever's calling for Chris  
24 could you please mute your phone.

25

26 MS. PERRY: Mr. Chair, this is.....

27

28 CHAIRMAN HERNANDEZ: Thank you, Tina.

29

30 MS. PERRY: .....DeAnna.

31

32 CHAIRMAN HERNANDEZ: Was that DeAnna.

33

34 MS. PERRY: Yes, Mr. Chair. If you'd  
35 like we could go through these questions one by one and  
36 I could capture -- Tom and I can capture a little bit  
37 of the feedback for each of these, if you'd like to do  
38 that. I know I have these questions in front of me and  
39 it looks like Ian has also posted those in chat for  
40 those folks that are on the videoconference. That's  
41 just one suggested way to go through this item.

42

43 CHAIRMAN HERNANDEZ: Yeah, that should  
44 be helpful to have them someplace where people could  
45 look at them. You say they're in the chat box, uh, I  
46 don't know if you could put it up on the screen but --  
47 yeah.

48

49 MR. CASIPIT: Mr. Chair, some of us are

50



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1 not on Teams, this is Cal.

2

3 CHAIRMAN HERNANDEZ: I know, yeah, I  
4 realize that.

5

6 MS. PERRY: And I'll be happy to kick  
7 us off with the first question if you'd like, verbally,  
8 and I do have it on the screen too for folks who would  
9 like to look at it.

10

11 CHAIRMAN HERNANDEZ: Yeah, if everybody  
12 isn't able to look at it maybe we'll just take them one  
13 by one and read them orally and address them that way.

14

15 MS. PERRY: Okay. So the first  
16 question was, and, again, as Tom mentioned this is  
17 regarding public comments on proposals. So in the  
18 Council's opinion, what are the best way to encourage  
19 public feedback to the Councils.

20

21 CHAIRMAN HERNANDEZ: Okay. Anybody  
22 have any suggestions there.

23

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

25

26 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

27

28 MS. NEEDHAM: I think that that is the  
29 -- that question, in particular, I think that we could  
30 be doing a better job about that. I don't think that  
31 there's a huge amount of education about our process  
32 and so, at least, the regulatory cycle part of it, like  
33 we all know it day in and day out, but when you look  
34 across the broader landscape of Southeast Alaska, most  
35 folks don't know how it works.

36

37 And so encouraging people to engage  
38 means that they need to understand, you know, how our  
39 process works and at what point and times they have the  
40 opportunity to provide testimony to us. And then it's  
41 also helpful at the same time to show -- or to talk to  
42 them how that is incorporated into our process, like  
43 how -- like how is that utilized after they do take the  
44 time to come to our Council meetings. And so I don't  
45 know, like, what the best way to encourage that  
46 feedback is but I feel like there needs to be something  
47 associated with an education campaign that lets people  
48 know more about our process. Our process is very  
49 different than like other regulatory processes for fish  
50

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1 and wildlife. So I think whatever we decide in terms  
2 of encouragement, I think a public outreach campaign  
3 should kind of be a part of that.

4

5 And then I don't have Facebook but my  
6 understanding is like putting information out over  
7 Facebook sometimes can be a really effective way of  
8 communicating and that may be a good way -- social  
9 media might be a good way to have some kind of social  
10 media policy on encouraging public feedback, might be  
11 an option.

12

13 Thank you, Mr. Chair.

14

15 CHAIRMAN HERNANDEZ: Okay, thank you,  
16 Cathy. Is there anybody else on this topic, what's the  
17 best way to encourage public feedback.

18

19 MR. WAGNER: Mr. Chair, Louie.

20

21 CHAIRMAN HERNANDEZ: Go ahead, Louie.

22

23 MR. WAGNER: For us here in Metlakatla,  
24 to have the information, we don't receive any  
25 information, we haven't anyway, but our secretary at  
26 our council chambers would be a good one for us, for  
27 any of that to come in and so she could get it to the  
28 rest of the community. That would be very helpful.

29

30 Thank you.

31

32 Yeah, and not everyone has Facebook and  
33 that includes me.

34

35 (Laughter)

36

37 CHAIRMAN HERNANDEZ: Yeah. Yeah.

38

39 (Laughter)

40

41 MR. WAGNER: Thank you, Mr. Chair.

42

43 CHAIRMAN HERNANDEZ: Thank you, Louie.  
44 Yeah, like I say in just about every community there  
45 would be some key people to be in contact with for  
46 sure, you just kind of have to identify those. But,  
47 yeah, anybody else on the Council with a suggestion.

48

49 MR. KITKA: Mr. Chair, Harvey Kitka.

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0348

1 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

2

3

4 MR. KITKA: I know that it'd be nice to  
5 have at least some little brochure or something sent to  
6 the education systems. I know that -- I think it's  
7 Heather from Sitka -- she's the one that's head of the  
8 AC here in Sitka, she's got a class over at the  
9 University of Alaska that teaches how to talk to  
10 Council, things like that, and I was just wondering if  
11 some of this could be brought to the -- brought to  
12 their attention, or a brochure sent to them or  
13 something.

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CHAIRMAN HERNANDEZ: Yeah, thank you,  
Harvey. Yeah, that's a good suggestion. I don't know  
there might be other school systems we're not aware of  
that are, you know, teaching essentially government  
classes and how to internet with government that might  
-- this information might fit into that. That's a good  
way to get the younger folks informed and, of course,  
once they become adults they will still retain that  
information.

Anybody else.

MR. SLATER: Mr. Chair, hi, this is  
Jim.

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

CHAIRMAN HERNANDEZ: I heard Jim for  
sure and somebody else.

MR. SLATER: Yeah, hi, I'll go and then  
Ian. One thing I thought of was that we -- the local  
RAC members for different communities could raise up  
areas that were -- or proposals that might concern the  
community. But also there may be the Fish and Game  
Advisory Committees. If we notified them of proposals  
or topics that were affecting the communities, that  
would be another avenue.

I think, in general, people aren't  
going to comment unless there's some local interest --  
some local issue that's going to affect them directly  
so if we could make the local communities aware of  
issues that were affecting them and their surrounding  
areas, that would definitely generate more comments.

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1 Thanks.

2

3

CHAIRMAN HERNANDEZ: Yeah, that's a  
4 good observation. Thank you for that. Was there  
5 somebody else also.

6

7

MR. JOHNSON: Yeah, Mr. Chairman, this  
8 is Ian.

9

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CHAIRMAN HERNANDEZ: Yeah, go ahead,  
11 Ian.

MR. JOHNSON: Yeah, definitely agree  
14 with everything that's been said so far and I guess I  
15 can't emphasize enough Cathy's point in just focusing  
16 on education. You know a lot of these proposals are  
17 really jargon heavy and that's a fast way to shut down  
18 people. And so just helping -- anything you can do to  
19 break down that barrier. And Harvey had a good  
20 suggestion there, bring it to schools and seminars. I  
21 see in the chat John mentioned radio and paper. I  
22 actually find that that problem corner show gets a lot  
23 of engagement, and I'm not saying that that's the  
24 answer but there is a lot of usership on the radio and  
25 that's a possibility. And I was going to bring up ACs  
26 well, like the State ACs for bringing these issues up.  
27 So reaching out to the various heads of those is  
28 definitely a good way.

And then I've been -- I mean really to  
31 me this question is all about the co-management topics  
32 that we're going to talk about later but, like, if you  
33 have investment within communities to engage in these  
34 topics and develop these proposals, like you're going  
35 to organically grow the ability for communities to  
36 actually engage in this process and to me that's like  
37 at the heart of really the co-management discussion, is  
38 helping build the base of understanding for people and  
39 making sure that they are active contributors to these  
40 processes and that's data, public feedback, it's just  
41 building capacity for that.

So the best way to encourage public  
44 feedback is invest in communities to be a part of the  
45 management system. And then also have spent a lot of  
46 time, personally, thinking about more technologically  
47 savvy ways of displaying the proposals and I think to  
48 Jim's point about community impact, it would be really  
49 nice if the proposal process included a map, you know,

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1 call it a Google map, or whatever, a weather map, you  
2 click on a point -- I click on Port Frederick in Hoonah  
3 and it just does a spacial search for every current  
4 proposal that affects those waters. And I just think  
5 that that would be a really easy way -- a really easy  
6 way for people to at least filter down the proposals  
7 that are most pertinent to them and that could  
8 encourage community feedback, rather than trying to  
9 wade through text on text on text, trying to determine  
10 which ones are pertinent to their area. And I guess I  
11 would suggest if we were going to pursue something like  
12 that it not just be for this Federal process, but that  
13 it be a cooperative project across agencies, a common  
14 hub, so to speak, to submit proposals for Board of  
15 Game, Board of Fish, Federal proposal processes where  
16 folks could access and filter that information more  
17 easily.

18  
19 CHAIRMAN HERNANDEZ: Yeah, very good,  
20 thank you, Ian. Good comments. Is there somebody else  
21 with a comment.

22  
23 (No comments)

24  
25 CHAIRMAN HERNANDEZ: Okay. Yeah, I  
26 think you got some good suggestions there Tom. And I  
27 would say at a minimum that you could do a better job  
28 of -- like Mr. Jackson pointed out to yesterday, you  
29 know, if there's a proposal that directly affects an  
30 area we should probably, at a minimum, at least,  
31 contact local Advisory Committees and any affected  
32 tribes and make them aware of it. I think that would  
33 be helpful. And like I say that's at a minimum.

34  
35 Anybody else with a last word on  
36 question No. 1.

37  
38 (No comments)

39  
40 CHAIRMAN HERNANDEZ: Okay. Let's go to  
41 question No. 2. Would the Council prefer to receive  
42 comments from the public orally or in writing. And I  
43 guess I have one quick question on this Tom, when you  
44 say in writing, are you including email comments?

45  
46 MR. KRON: Yeah, I think so, Mr. Chair.

47  
48 CHAIRMAN HERNANDEZ: Okay. So any  
49 questions, comments from the Council members on this  
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1 one, would the Council prefer to receive comments from  
2 the public orally or in writing.

3

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

5

6 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

7

8 MS. NEEDHAM: I don't think it should  
9 be an either or situation. I think we should receive  
10 comments from the public orally and in writing. I  
11 think that getting -- if people will take the time to  
12 come to our meeting and engage with us, they should  
13 always be given the opportunity to provide oral  
14 testimony on not only just proposals but anything that  
15 comes before us. However, recognizing that it is --  
16 there are a lot of -- we have a lot of engaged users in  
17 this region but they don't necessarily have the funding  
18 to come to our meetings and participate, that we should  
19 absolutely give them the opportunity to provide it in  
20 writing.

21

22 And if this whole discussion or the  
23 reasons why we're being asked this question has  
24 anything to do with the fact that last meeting cycle we  
25 have some very engage -- we had a lot of engagement for  
26 some of our proposals this last cycle and I know that  
27 there might have been a little bit of frustration about  
28 people providing written comments and then coming and  
29 presenting their comments orally and that it was almost  
30 verbatim to the written comments -- if that's what this  
31 whole conversation or policy that is trying to get  
32 built is about, I think that I'm a little bit irritated  
33 by that. Because I think we need to be building a  
34 public record, we need to be -- that is -- I mean  
35 that's our job, our job is to build a public record  
36 about these things. It provides opportunity for people  
37 to weigh in on proposals that affect them in any way  
38 and if they choose to meet a proposal comment deadline  
39 period but still want to spend the money to come to us  
40 and talk to us about the issue and engage with us, they  
41 should be able to also give that exact testimony before  
42 us and then maybe we could even have dialogue about it  
43 where we ask them questions.

44

45 And so I don't think we should be  
46 choosing one mechanism over another, I think we should  
47 be encouraging the public and people who are affected  
48 by regulatory changes. We should be considering them  
49 on all their views and they should be able to provide  
50

50

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1 public comment on things that are important to them and  
2 that impact them in both oral or written or any other  
3 way that they feel is going to give us the feedback  
4 that we need.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN HERNANDEZ: Yep, thank you,  
9 Cathy. Any other Council members have comments on  
10 receiving public, either oral or written comments.

11

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

13

14 MR. WRIGHT: Mr. Chair, this is Frank.

15

16 CHAIRMAN HERNANDEZ: Go ahead, Cal.

17 And I think I might have heard Frank also.

18

19 MR. CASIPIT: Okay. I kind of have an  
20 addendum to Cathy's point. I agree with her 100 percent  
21 on what she just said but I do have an addition to  
22 that. And, again, it goes back to last meeting and if  
23 this is all over what happened last meeting, well, you  
24 know, I was kind of frustrated with that because I was  
25 reading through public comments and reading about a  
26 Fish and Game report that we didn't have and apparently  
27 the public did. And there was some kind of reason why  
28 we didn't -- we, Council members, didn't get that  
29 report, that written report in our Council materials.  
30 And I think I talked about it at the last meeting but  
31 there are words in my head echoing around by former  
32 Chairs Bill Thomas and John Littlefield about --  
33 especially in terms of agencies, to have their reports  
34 to us before the meeting and not give it to us orally  
35 at the meeting, because it makes it real hard to  
36 incorporate that information from agencies and read it  
37 along with our Staff analysis that we have and it just  
38 -- it's really frustrating -- it was really frustrating  
39 to me that I was reading a report that Fish and Game  
40 had apparently done for several weeks and the public  
41 had for several weeks that I didn't have. It just -- I  
42 don't know, if that can be resolved, that would be  
43 wonderful.

44

45 I don't know if OSM Staff is working  
46 with Fish and Game on information sharing protocols or  
47 whatever but I know we were doing that quite a few  
48 years ago but I don't know where any of that is now but  
49 that's a suggestion there. Having the agency reports  
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1 ahead of time would be -- would be really good.

2

3 CHAIRMAN HERNANDEZ: Yeah. Yep, I know  
4 we've had this discussion many times many times in the  
5 past, Cal. So, yeah. But that's -- like I say that's  
6 not really public testimony although it relates to the  
7 public testimony. But, yeah, glad you brought that  
8 out.

9

10 I do have, you know, a lot of concerns  
11 about oral or written testimony but it more relates to  
12 Question No. 5, so I'll kind of hold off there.

13

14 I think, Frank, did you have a question  
15 or comment.

16

17 MR. WRIGHT: A comment, Mr. Chair.  
18 What we're doing is -- what we're talking about is what  
19 we already do, you know, people coming and speaking to  
20 us and, you know, some people are new at speaking and  
21 it's probably pretty scary for them but -- and then  
22 written testimony and -- and I totally agree with what  
23 Cathy says because, you know, it's just -- we're an  
24 organization that needs public testimony so that we can  
25 move on proposals, if we didn't have their input then  
26 we wouldn't -- we wouldn't be very functional. So, you  
27 know, I think written and oral or even just over the  
28 phone, you know, even testimony over the phone is what  
29 we need.

30

31 Thank you, Mr. Chair.

32

33 CHAIRMAN HERNANDEZ: Okay, thank you,  
34 Frank. Any other Council want to talk to this.

35

36 MS. PHILLIPS: Chairman Hernandez.

37

38 CHAIRMAN HERNANDEZ: Patty, go ahead.

39

40 MS. PHILLIPS: Thank you. I'm back on  
41 long distance so I'm not so broken up. Thank you.

42

43 So, you know, I was recently appointed  
44 after a few year absence but I was appointed back in  
45 1993, I believe, and when I brought forth concerns as a  
46 RAC Member, Staff was very willing and, you know,  
47 stepped right up with the helping of proposals to be  
48 submitted to -- you know through the Federal process.  
49 But over the years we've heard from, you know, members  
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1 of the public, their knowledge and, you know, how they  
2 think things should be changed and maybe there could be  
3 like a facilitator of sort, a dedicated facilitator of  
4 sort that could, you know, when they hear with someone  
5 with a public comment that could be submitted as some  
6 form of proposal, that there could be a follow up. I  
7 mean if, you know, when they submit comment -- when  
8 they're providing comment we learn their name but, you  
9 know, is there a way to follow up with contacting them  
10 and saying, hey, we have this process or the State has  
11 this process, like Mr. Joel Jackson today. He talked  
12 about crab and so there was suggestions on, you know,  
13 how he could bring forth his concerns and to which body  
14 and so that would develop trust -- further trust in  
15 this system, you know, that has been in place for about  
16 30 years or so. I mean so -- is there a way for that  
17 to happen and anyways that's my comment, thanks.

18

19 CHAIRMAN HERNANDEZ: Okay, yeah, I  
20 understand what you're saying there Patty. Is there  
21 anybody else.

22

23 MR. SLATER: Mr. Chair, this is Jim.

24

25 CHAIRMAN HERNANDEZ: Go ahead, Jim.

26

27 MR. SLATER: Yeah, hi, I wanted to say  
28 that I agree with everything I've heard today and  
29 especially with what Cathy said, that we need to build  
30 public record and listen to comments. But I have some  
31 thoughts on the previous meeting that we had and while  
32 we need to listen to -- build a public record, the way  
33 things went last time it seemed like a very small group  
34 of people were able to inundate the Council with the  
35 same comments over and over again and they would write  
36 them, and then testify verbally, sometimes multiple  
37 times throughout the conference, the same thing, and  
38 then also submit written comments to DeAnna for that  
39 day and so there was basically three records per person  
40 or four even if they orally commented twice. So it  
41 seemed like it somehow wasn't represented -- and at a  
42 minimum we should do something to note that the person  
43 has already commented, written -- if they're going to  
44 comment again orally or if they're submitting the same  
45 comments again, for it to be read during the meeting,  
46 that we somehow recognize that and take that into  
47 account whether they have to give out -- whether --  
48 what's changed since their -- maybe their written  
49 comments or so on, just so that the Council members can

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1 identify what's going on.

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That's all, thank you.

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CHAIRMAN HERNANDEZ: Yeah, very good Jim. And I want to talk about that more when we get into question No. 5, you know, procedures during the Council meeting so, yeah, I'm kind of holding off until Question No. 5. But anybody else comments on Question No. 2.

(No comments)

CHAIRMAN HERNANDEZ: Okay, let's move on to Question No. 3, and I'll read it:

Would it be helpful to the Council if OSM requested the written public comments submitted to your Council Coordinator prior to the meetings within a certain time period and the Coordinator, in turn, will summarize the comments and present them to the Council during the meeting.

Okay.

Would it be helpful if OSM requests the written public comments submitted to the Coordinator prior to the meetings within a certain time period and the Coordinator, in turn, will summarize the comments and present them to the Council during the meeting.

Any thoughts on that.

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

CHAIRMAN HERNANDEZ: Yeah, go ahead, DeAnna.

MS. PERRY: I thought I might be able to add a little bit of more information so that the Council kind of knows where we came up with this particular question. And I would also like to say that this process, or this discussion that we're having wasn't prompted from what happened at the Southeast meeting, there were quite a few issues that happened in many Councils last go-around. One, in particular, that 3 kind of speaks to, is in the past if someone wanted to provide a comment for the Council's meeting or for instance they were on vacation or they were at work,

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1 they couldn't get away and call in, they could send an  
2 email to us Council Coordinators a couple days ahead  
3 and we would read that into the record. There were  
4 comments made by folks at the last cycle that that was  
5 inappropriate, that these were late comments. So what  
6 we're trying to do now is try to educate the public and  
7 try to get, you know, the best way for the Council to  
8 receive these comments and this No. 3 speaks to that.  
9 In the Federal Register it gives that written public  
10 comment period which is open at the very beginning when  
11 the proposal is first published. And then those  
12 comments get rolled into or considered in the analysis  
13 that's done on that proposal. But as Tom mentioned  
14 earlier, there are four different opportunities for the  
15 public to comment throughout the proposal period and so  
16 when we were hearing a lot of comments at our meeting  
17 saying, well, you accepted these late comments, you  
18 know, that you shouldn't have accepted them, that's  
19 where No. 3 is kind of coming from.

20

21 So I just wanted to give you a little  
22 context in that.

23

24 I actually got a bunch of form letters  
25 for one meeting and those had to be summarized like two  
26 days prior to the meeting and those folks in opposition  
27 had quite a bit to say about that.

28

29 So, anyway, I hope that context helps  
30 you. Thank you.

31

32 CHAIRMAN HERNANDEZ: Thank you, DeAnna.  
33 And I know, you know, the purpose of public comments is  
34 to inform the Council as to, you know, making a  
35 decision on a proposal. And the purpose of having a  
36 comment period end is so that written public comments  
37 can be incorporated into our meeting books, it gets  
38 sent out, you know, with the rest of the analysis and  
39 we can see all that and consider it. And then, of  
40 course, we also offer this opportunity to give public  
41 testimony, you know, in person at the meeting which, of  
42 course, can also sway the Council's opinion at times.  
43 So we're kind of asked to consider written public  
44 comments, you know, ahead of time, but then we're also  
45 asked to consider public comments that come in during  
46 the course of the meeting. So I don't know it's kind  
47 of a double standard there. And then of course the  
48 email comments come in, to me, I consider them  
49 essentially like same as oral comments but people just  
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1 don't care to be on the phone, they'll just email them  
2 in and expect them to be read into the record. And  
3 then, of course, the next question also deals with --  
4 or this question also deals with, you know, should  
5 those be summarized or how to deal with those. So,  
6 yeah, so those are the issues.

7

8                                 And okay I'll offer up the other  
9 Council members if.....

10

11                                 MR. SMITH: Mr. Chair.

12

13                                 CHAIRMAN HERNANDEZ: .....they have  
14 some comments on that. Go ahead, who was that?

15

16                                 MR. SMITH: It's me, John.

17

18                                 CHAIRMAN HERNANDEZ: Go ahead, John.

19

20                                 MR. SMITH: Yeah, I truly believe that,  
21 you know, we did this the other day where we opposed a  
22 situation with Mr. Jackson, we all voted and so I see  
23 that happening right here, right now, and so I truly  
24 believe that it's nice to have the paper and be able to  
25 review it as a committee member, to understand and  
26 maybe even study more to make a good vote, you know,  
27 for the people. So that would be encouraged. But also  
28 to encourage that we -- we can make a movement right  
29 quick when we believe that it's for the people and it's  
30 for the best benefit of it that we should do it at any  
31 time, even like right now, if we need to do something  
32 to support the fuel that we should do it.

33

34                                 Thank you, Mr. Chairman.

35

36                                 CHAIRMAN HERNANDEZ: Okay, thank you,  
37 John. Other comments from the Council.

38

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

40

41                                 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

42

43                                 MS. NEEDHAM: Thank you, Mr. Chair. I  
44 think we should be able to receive comments written or  
45 orally up until the time we deliberate a proposal. I  
46 think that is the best way for us to handle information  
47 that comes in from the public. It makes reasonable  
48 accommodation for them to be able to weigh in on the  
49 process. I understand and I appreciate DeAnna kind of  
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1 clarifying where this question comes from and I think  
2 about -- I think if we get written public comments that  
3 are included in our meeting book that it is okay to  
4 summarize that when we're actually going through our  
5 proposal process, if the proponent isn't in the room  
6 and doesn't want to speak to it. Otherwise I think if  
7 we get written comments that come in during our  
8 meeting, if we have not deliberated that proposal and  
9 that morning somebody has been listening in and has  
10 decided that they want to take the time to offer some  
11 additional information and they send an email to our  
12 Coordinator, I think that we should take that comment  
13 and it should be read into the record, I don't think it  
14 should be summarized. And I say this because even  
15 ourselves, when we do our own work on other things down  
16 the line, we read everything into the record verbatim  
17 and think back to the Roadless Rule and the 45 minutes  
18 it took us to read every single thing into the record.  
19 So comments come after the deadline but before we  
20 deliberate a proposal in writing, obviously they need  
21 to be submitted to our Coordinator, but then I think  
22 that they could be read into the record. The only time  
23 I think that we should be summarizing is when -- if  
24 those comments could be distributed to us, like if  
25 they're really long comments, between the deadline and  
26 the time we deliberate our proposal, that could be  
27 summarized if we all got to see it and had a chance to  
28 review it. Otherwise if -- and my understanding is the  
29 way -- after what happened at our meeting last time,  
30 that there was some comments probably that came in  
31 after the deadline but before we deliberated that it  
32 was said that -- it was too -- and DeAnna explained it  
33 better, but it was said that we were receiving comments  
34 when we shouldn't have been -- written comments when we  
35 shouldn't have been, I wholeheartedly believe that we  
36 should always be open and listening to those that take  
37 the time to weigh in on our regulatory process and so I  
38 think we should see them. If you can't send them out  
39 on email then read them into the record.

40

41 Thank you, Mr. Chair.

42

43 CHAIRMAN HERNANDEZ: Thank you, Cathy.

44

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

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47 CHAIRMAN HERNANDEZ: Go ahead, Ian.

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49 MR. JOHNSON: I just want to give a

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1 here, here to Cathy's statement. And, you know,  
2 honestly I see what -- kind of what we're debating as a  
3 direct and opposite position to the first question we  
4 had so the first question was how do you increase  
5 public engagement -- I could ask the second question,  
6 how do you decrease public engagement, and I can tell  
7 you one way to do that is make the process restrictive.  
8 And I know there's rules to be abided by, you know, and  
9 there are timelines that people need to meet. But I  
10 think Cathy's definition of the timeline and that being  
11 when we deliberate the proposal is the right one and I  
12 think that's the best way to set a clear expectation  
13 and potentially increase our public engagement and meet  
14 some of our goals in Question No. 1 as well. So,  
15 thanks, Cathy.

16

17 MS. PHILLIPS: Mr. Chair, this is Patty  
18 Phillips.

19

20 CHAIRMAN HERNANDEZ: Go ahead, Patty.

21

22 MS. PHILLIPS: So we are a Federal  
23 Advisory Committee and one of the, you know, rights of  
24 our Constitution is the freedom of expression. And we  
25 are, you know, one of our duties is to be a forum for  
26 the public to bring forth their knowledge but we should  
27 also have, you know, like parameters. You know there  
28 shouldn't be -- you know, allowing, you know, putting  
29 other people down. What we're here about is the, you  
30 know, management of subsistence resources. So I also  
31 agree that we shouldn't -- we should allow public  
32 comment into the record. But I also agree, and, you  
33 know, I'm guilty of providing my comment more than once  
34 and I'm sorry for that. So -- but, you know, it should  
35 -- we should find a way to make it work because we're  
36 trying to develop -- we have developed trust and we  
37 need to continue to develop trust with members of the  
38 public who come forth to us.

39

40 So, thank you, Mr. Chair.

41

42 CHAIRMAN HERNANDEZ: Thank you, Patty.  
43 Is there anybody else.

44

45 MR. WRIGHT: Mr. Chairman.

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47 CHAIRMAN HERNANDEZ: Go ahead, Frank.

48

49 MR. WRIGHT: I don't think there's any

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1 difference in a person who comes and reads a testimony  
2 in front of us and someone who sends a letter and  
3 expect it to be put in, but when someone comes and sits  
4 in front of us, we deliberate on their comments and I  
5 mean we always need to encourage people to talk to us,  
6 or in a letter into the record. Otherwise we would  
7 say, no, time is up, you can't do it. I certainly would  
8 not do it. We have to be open to the public otherwise  
9 we don't exist. We are -- in our org -- there are  
10 organizations that say you can't do it, it's too late  
11 and that's not what we're about, we're about, okay, we  
12 received your comment so we'll put it into the record  
13 and when we deliberate I'll take your comment into  
14 consideration.

15

16 Thank you, Mr. Chair

17

18 CHAIRMAN HERNANDEZ: Okay, thank you,  
19 Frank. Is there anybody else.

20

21 (No comments)

22

23 CHAIRMAN HERNANDEZ: So I'm pretty much  
24 in agreement, you know, with most of what the Council  
25 members have said, I think they've made some really  
26 good points.

27

28 Just a couple observations from me,  
29 and, you know, in my 20 years or so on the Council I'd  
30 say it's most likely that written comments that come in  
31 before the deadline period, you know, the published  
32 deadline period tend to come from groups and  
33 organizations that, you know, are Staffed and have  
34 people to write comments, and the public tends to show  
35 up at the meetings. And, you know, I don't want to put  
36 any more weight on comments that come in from groups as  
37 opposed to individuals, I think Council members have  
38 made some pretty good points there. Just as a  
39 practical matter, you know, in this new modern age  
40 where we have a lot of email comments coming in, I do  
41 think I agree with the Council members that essentially  
42 email comments should be treated the same as oral  
43 comments and they should be read into the record,  
44 however, you know, we did have the situation where  
45 people would send in -- in this last meeting -- it  
46 probably happened elsewhere, people would send in an  
47 email comment and then also call in and then, you know,  
48 when it came time to read the email comment it was  
49 like, you know, we've already heard this, you know, it

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1 just wasted a lot of time basically. So I think there  
2 needs to be a little bit of a protocol there that  
3 people on the phone probably get first opportunity to  
4 testify and then, unfortunately, we probably need a  
5 little extra Staff time, I wouldn't want to put this on  
6 our Coordinator but somebody needs to be looking at  
7 these email comments and taking a quick note and seeing  
8 if that person has already called in on the phone and  
9 testified to -- not necessarily read their verbatim  
10 comments again. That was a problem last time. Third  
11 point, you know, when you're dealing with oral  
12 testimony sometimes you get personal attacks. You know  
13 as a Chair, and I've seen other Chairs do this, I  
14 learned from them, you definitely discourage that. If  
15 somebody is starting to launch into personal attacks,  
16 you cut them off, you shut them down, that's not what  
17 we want to hear, and if people are doing email  
18 comments, I think it's perfectly appropriate for Staff  
19 to also, you know, edit those comments as well, you  
20 know, if they get too personal.

21  
22 So those would just be my suggestions  
23 on that topic.

24  
25 So last chance, anybody else, Question  
26 No. 3.

27  
28 MR. SLATER: Mr. Chair, this is Jim.

29  
30 CHAIRMAN HERNANDEZ: Okay, Question No.  
31 -- Jim, go ahead.

32  
33 MR. SLATER: Yeah, thanks. Just a  
34 follow up, if I was going to take any lesson from the  
35 last meeting, what I would say is if I was either for  
36 or against a proposal, I would essentially, and I  
37 didn't have any scrupuls or whatever, I would basically  
38 do what -- some of the things that we heard about, that  
39 we -- that we heard in the last meeting. And while, I,  
40 and everyone else supports getting -- listening to as  
41 many comments as we can from the public, there needs to  
42 be a protocol, and you started to allude on that, but I  
43 think maybe even a little bit more, where things are  
44 identified if someone is making a secondary comment or  
45 a tertiary comment, so that we don't hear it all over  
46 again and they don't essentially outweigh people who've  
47 just made a comment just as bad, only one time, but we  
48 only heard it one time, whereas the same -- an opposing  
49 person has the chance to do multiple comments. So  
50



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1 there needs to be a fairly structured protocol to avoid  
2 that situation in my view.

3  
4                   Anyway, thank you, that's all I had.

5  
6                   CHAIRMAN HERNANDEZ: Okay, thanks, Jim.  
7 Let's move on to Question No. 4. : Is it better for the  
8 Councils if received public comments are read verbatim  
9 into the record or summarized. And I know we've kind  
10 of touched on this already but any further comments.

11  
12                   They be read verbatim or summarized.  
13 And maybe we've already covered this enough but any  
14 further thoughts.

15  
16                   (No comments)

17  
18                   CHAIRMAN HERNANDEZ: Okay. Let's move  
19 on to Question No. 5, the last question, and that is:  
20 Do you have any other suggestions regarding the ways of  
21 improving written or oral public testimony procedures  
22 during the Council meetings. And we've already touched  
23 on this a little bit but any other suggestions here.

24  
25                   (No comments)

26  
27                   CHAIRMAN HERNANDEZ: Ways of improving  
28 written or oral public testimony procedure during the  
29 Council meetings. And I know I kind of just talked  
30 about that, but any other comments.

31  
32                   MS. NEEDHAM: Mr. Chair, this is Cathy.

33  
34                   CHAIRMAN HERNANDEZ: Go ahead, Cathy.

35  
36                   MS. NEEDHAM: I think that some of the  
37 things that we have already said in this discussion  
38 apply to this as well in terms of, you know, Harvey  
39 weighed in and talked about -- I had mentioned  
40 education campaign, outreach campaigns, Harvey talked  
41 about Heather Bauscher's work with the school students  
42 and things and I think just finding plugging just a  
43 little bit of money in putting a brochure together and  
44 letting people know how our process works and that, I  
45 think that -- one thing I noticed at the Board of Fish  
46 and I'm not trying to use them as an example, but they  
47 did have a session before the meeting about how to  
48 navigate the actual Board of Fish meeting including how  
49 do you give written -- or how do you give oral public  
50

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1 testimony, I guess, and the procedure behind that  
2 because they have time limits. So even potentially  
3 doing something like that, it's all education and  
4 outreach. I think there are a number of different ways  
5 that you could do it but you're going to probably going  
6 to have to get some funding behind it in order to do it  
7 right because we have a lot of communities in our  
8 region. So doing a little something pre-meeting at the  
9 meeting and then also just providing or having  
10 supporting programs, like Heather Bauscher's program,  
11 through the university would go a long way, I think.

12

13 Thank you, Mr. Chair.

14

15 CHAIRMAN HERNANDEZ: Okay. Thank you,  
16 Cathy. Anybody else.

17

18 (No comments)

19

20 CHAIRMAN HERNANDEZ: Okay.

21

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

23

24 CHAIRMAN HERNANDEZ: Oh, go ahead, Ian.

25

26 MR. JOHNSON: Oh, I just -- I mean you  
27 alluded to it, too, and I think this question does a  
28 pretty good job of capturing a bunch of different  
29 topics but the sort of model that we're proposing to  
30 essentially allow comments coming in from emails and  
31 flying in and from letters and public testimony, up to  
32 the point of deliberation is going to be a bit of a  
33 logistical nightmare. And I think we should  
34 acknowledge that, especially for like the Coordinator,  
35 like you mentioned, extra Staff. I just think we need  
36 to be looking at the capacity to handle a little bit of  
37 a paradigm shift on how we do this.

38

39 Thank you.

40

41 CHAIRMAN HERNANDEZ: Okay, thank you,  
42 Ian.

43

44 MR. SMITH: Chairman. Mr. Chairman.

45

46 CHAIRMAN HERNANDEZ: Yeah, is that  
47 John.

48

49 MR. SMITH: Yeah.

50

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1 CHAIRMAN HERNANDEZ: Go ahead, John.

2

3 MR. SMITH: I see it -- I'm not sure,  
4 and make note that I'm the new guy so I know you guys  
5 have different sites that are sharing lots of access, I  
6 see like a Google drive rollover where the team has  
7 access and if there's new updates and new this and that  
8 that that's put on there and we see it right away, that  
9 the team has access, and just the team, of course, I  
10 don't know legally how that's worked out. And I really  
11 liked the -- like No. 4, the verbatim, we want to see  
12 their words and their feelings but also having it  
13 summarized also, that somebody might read it and  
14 summarize it so just in case that we're in a hurry that  
15 we can visually look at their own personal words  
16 because everybody writes in a different way and you can  
17 feel their feelings, that we feel what they feel, so  
18 it's their words but then also for quick and business  
19 we summarize. But I see some type of rollover or maybe  
20 the Forest Service or somebody has a site for those  
21 places. And maybe that's already there, I'm not sure.

22

23 Hey, thank you Team. Thank you.

24

25 CHAIRMAN HERNANDEZ: Okay, thank you,  
26 John. Anybody else.

27

28 (No comments)

29

30 CHAIRMAN HERNANDEZ: Okay. I think we  
31 can wrap up this topic and Tom Kron, I'm sure you got a  
32 lot to work with there so I think that was a good  
33 discussion.

34

35 MR. DOUVILLE: Mr. Chairman, Mike  
36 Douville.

37

38 CHAIRMAN HERNANDEZ: Go ahead, Mike.

39

40 MR. DOUVILLE: Did we get to 5, I  
41 thought we were still on 4.

42

43 CHAIRMAN HERNANDEZ: Yeah, we did get  
44 to 5, like I said we covered a lot of topics in No. 5  
45 earlier, right, so -- but we did get to it, do you have  
46 anything else to add.

47

48 MR. DOUVILLE: No -- well, yes, I do, I  
49 guess. You know.....

50

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1 CHAIRMAN HERNANDEZ: Go ahead.

2

3

4 MR. DOUVILLE: .....one of the  
5 highlights of -- okay. One of the highlights of being  
6 on this RAC was a meeting we had in Sitka that was  
7 really great to see the youth come and testify before  
8 us and I would strongly urge that we pursue more of the  
9 same. I mean it was great, and I think it was a good  
10 experience for them also. But written -- oral or  
11 written testimony in the meetings, just speaking as a  
12 RAC member that's been to a lot of meetings, it's  
13 really -- when you have to listen to repetition and  
14 going off the subject like it's great, I encourage  
15 people to come and speak before us, it's really helpful  
16 in many ways but Big Bill, Chairman Bill Thomas would  
17 promptly redirect anybody, even the RAC members if they  
18 ventured off the subject or started repeating  
19 themselves. And I think it's important that we do  
20 that. It's difficult to sit in a three day meeting and  
21 stay focused but it's even more difficult when we have  
22 testimony that repeats itself or goes on without any --  
23 anything more productive being said. But what Big Bill  
24 would do is he would stop you promptly and say, do you  
25 have anything new to add, and that applied to  
26 everybody, including the RAC members. But that would  
27 be one way I think would be helpful to everybody  
28 involved.

28

29

Thank you.

30

31

32 CHAIRMAN HERNANDEZ: Yeah, thank you  
33 for that Mike. yeah, that's always -- that's a  
34 difficult thing, a lot of people also get, you know,  
35 off topic, branch out into other things. I know it's  
36 difficult as a Chair person to try and control that. I  
37 never had the privilege of being in a meeting conducted  
38 by Bill Thomas, Big Bill as you say, but I'm sure I  
39 could have learned a lot. And just to have say right  
40 up front I don't think I have the stature of Big Bill,  
41 he was kind of a commanding presence so that helps.

41

42

But duly noted.

43

44

Okay, anybody else.

45

46

47

MS. PHILLIPS: Mr. Chair, this is Patty  
Phillips.

48

49

CHAIRMAN HERNANDEZ: Go ahead, Patty.

50

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1 MS. PHILLIPS: Yeah, I sat through some  
2 leadership training with Mr. Dennis Demmert from  
3 Sheldon Jackson College and he said, you know, one of  
4 the key pieces of equipment that the Chair has is the  
5 gavel and don't be afraid to use it. And I don't know  
6 where the gavel went from Mike but, you know, I think  
7 you need a new one and I think you should use it and  
8 exercise it more.

9  
10 Thank you, Mr. Chair.

11  
12 CHAIRMAN HERNANDEZ: Okay, thank you,  
13 Patty.

14  
15 Anybody else.

16  
17 (No comments)

18  
19 CHAIRMAN HERNANDEZ: Well, we'll look  
20 for that gavel when we get back into meeting in person.  
21 Things are different when you meet in person I do have  
22 to say so, yeah. Can that conclude our comments on  
23 public testimony.

24  
25 (No comments)

26  
27 CHAIRMAN HERNANDEZ: Okay, I think it  
28 does.

29  
30 MR. CASIPIT: Mr. Chair, this is Cal.

31  
32 CHAIRMAN HERNANDEZ: Go ahead, Cal.

33  
34 MR. CASIPIT: I just wanted to thank  
35 you for being a Chair and for taking the gavel. I've  
36 been in that -- you know I was Mayor in my little  
37 community for awhile and I was the one that rapped on  
38 the gavel and it's hard. And it's hard to cut off  
39 people sometimes. And I just want to make sure that  
40 you don't -- that, you know, we appreciate you and  
41 anyway, I just want -- I don't want you to feel bad  
42 about the input or whatever, anyway.

43  
44 CHAIRMAN HERNANDEZ: Thank you, Cal.  
45 Yeah, it's a tough job.

46  
47 MR. WRIGHT: Mr. Chairman.

48  
49 CHAIRMAN HERNANDEZ: Frank.

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1 MR. WRIGHT: I want to thank you for  
2 being the Chair, too, but it's also up to the Council  
3 to say point of order and, you know, you can state  
4 point of order.

5  
6 Thank you, Mr. Chair.

7  
8 CHAIRMAN HERNANDEZ: Yeah, good point  
9 Frank, I'm glad you brought that up, that helps. Okay.  
10 I think I would like to take a little break here if we  
11 could, come back at 11:00 o'clock. I hope to finish up  
12 new business before lunch, I think we can do that. So  
13 that when we come back up after lunch we'll go straight  
14 to agency reports and the first up would be Tlingit and  
15 Haida Central Council, but we still do have a couple  
16 more briefing topics, and then I'll check and see how  
17 things are going with the proposal process, if we can  
18 close that out under new business this morning, great,  
19 if not, we'll come back to it. So let's take a short  
20 recess and come back at 11:00 o'clock.

21  
22 (Off record)

23  
24 (On record)

25  
26 CHAIRMAN HERNANDEZ: Okay, everybody  
27 it's 11:00 o'clock, hopefully people are getting back  
28 to their phones and we'll get started again. I'll  
29 check first and see if Frank is back and ask Frank to  
30 run through the roll one more time and make sure we've  
31 got a quorum.

32  
33 MR. WRIGHT: Okay, ready.

34  
35 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
36 Frank.

37  
38 MR. WRIGHT: Cathy Needham.

39  
40 MS. NEEDHAM: Present. I'm here.

41  
42 MR. WRIGHT: John Smith.

43  
44 (No comments)

45  
46 MR. WRIGHT: John Smith.

47  
48 MR. SMITH: Here.

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MR. WRIGHT: Thanks, John. Harvey,  
Harvey Kitka.

MR. KITKA: Here.

MR. WRIGHT: Thank you, Harvey.

Louie Wagner.

MR. WAGNER: Thank you.

MR. WRIGHT: Thank you.

Patty Phillips.

MS. PHILLIPS: Here.

MR. WRIGHT: Thank you, Patty.

Mr. Don Hernandez is here.

Albert Howard.

(No comments)

MR. WRIGHT: Albert Howard.

MR. HOWARD: Here.

MR. WRIGHT: Thank you, Howard --  
Albert.

Mr. Schroeder.

MR. SCHROEDER: Bob Schroeder's here,  
thank you, Frank.

MR. WRIGHT: Thank you, Bob.

Jim Slater.

(No comments)

MR. WRIGHT: Jim Slater.

(No comments)

MR. WRIGHT: Michael Douville.

0369

1 MR. DOUVILLE: Michael Douville's here.

2

3 MR. WRIGHT: Thank you, Mike.

4

5 Cal Casipit.

6

7 MR. CASIPIT: I'm here.

8

9 MR. WRIGHT: Thank you.

10

11 Ian Johnson.

12

13 MR. JOHNSON: I'm here.

14

15 MR. WRIGHT: Thank you, Ian.

16

17 Mr. Chair, we have a quorum.

18

19 CHAIRMAN HERNANDEZ: Thank you, Frank.

20 Okay, before we move on to the last couple items on the

21 agenda, new business part of the agenda, I did want to

22 ask of the folks that were working on proposals, have

23 you had enough time to finish those and can we get to

24 those this morning or do we need to wait until this

25 afternoon.

26

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

28 I believe we have the work that we were set out to do

29 done.....

30

31 CHAIRMAN HERNANDEZ: Okay, very good.

32

33 MS. NEEDHAM: .....so we can get to

34 that whenever it's time.

35

36 CHAIRMAN HERNANDEZ: Okay. Let's

37 continue on with Tom Kron from OSM. He has a briefing

38 on proposed actions to automate Federal subsistence

39 permits.

40

41 MR. KRON: Mr. Chair, again, Tom Kron.

42 Thank you, Mr. Chair. I'll just start off:

43

44 The law requires all Federal

45 departments and agencies to gain approval through the

46 Office of Management and Budget prior to collection of

47 information from the public.

48

49 This law was designed to protect you,

50



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1 the public, from unreasonable requirements to provide  
2 data and/or personal information without justification.  
3 The process to gain approval to collect information  
4 from Office of Management and Budget generally takes a  
5 year, but can be as long as 18 months. After the most  
6 recent Office of Management and Budget to collect  
7 information from the public, the Office of Management  
8 and Budget contacted OSM and tasked us with exploring  
9 the use of automated permits within our Program.

10

11 OSM is asking the Councils and the  
12 public for ideas on how to issue permits into the  
13 future. And we've already heard, for example, in some  
14 of the villages they just don't have the capability --  
15 don't have the connectivity to do electronic permits,  
16 for example, but we want to hear from you as well.

17

18 Some of the issues we need -- we're  
19 just asking questions, we're looking for feedback, this  
20 isn't an action item but we do want to hear from the  
21 Council to hear what your perspectives are. And I'll  
22 just go through some of the questions.

23

24 How can we verify a person is a  
25 Federally-qualified user.

26

27 How do we address the lack of  
28 substantial [sic] infrastructure in rural communities  
29 if internet permits are used.

30

31 How will managers address quotas,  
32 and/or limits to the amount of permits issued in the  
33 cases where there are conservation concerns.

34

35 How will managers deal with the lack of  
36 reporting of harvest resulting in the cases of power  
37 failures or lack of the internet. Especially when  
38 reporting requirements are listed as 48 or 72 hours due  
39 to conservation concerns.

40

41 How would this possible change affect  
42 subsistence users.

43

44 And what methods of issuing permits  
45 would be preferred by subsistence users.

46

47 So, again, we're being asked to look at  
48 the possibility of doing automated permits through the  
49 internet and we want to hear from all the Councils.

50

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1 These questions have gone to all the other nine  
2 Councils across the state, we want to hear from  
3 Southeast as well. How do you think we should handle  
4 things, what do you recommend, we're looking for  
5 comments prior to next fall, November 15th, but if you  
6 would, we would appreciate hearing any input from the  
7 Southeast Council.

8

9 Thank you, Mr. Chair.

10

11 CHAIRMAN HERNANDEZ: Okay, thank you,  
12 Tom. There's a lot of complicated questions there. I  
13 don't know, I don't really see getting a whole lot of  
14 information to you here right off the -- right now. I  
15 don't know, I'll ask if any Council members have any  
16 questions or comments.

17

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

19

20 CHAIRMAN HERNANDEZ: Go ahead, John.

21

22 MR. SMITH: Yeah, I -- I echo some of  
23 the committee members earlier talking about technology  
24 and, of course, some of our villages have issues with  
25 that, even in Hoonah, Angoon and others. But, you  
26 know, a lot of our families don't have computers  
27 either, that they just have a phone, so I just  
28 encourage, you know, us making sure that, you know,  
29 envelopes and mailing and the old school system still  
30 in place would be awesome. I echo a rep from Hoonah,  
31 Mr. Johnson, you know, talking about, you know, I  
32 really like the community -- you know, when I was a  
33 young man that's the way it was done in Hoonah, where  
34 you went down to pick it up and you saw someone's face  
35 and, you know, you were greeted with a cup of coffee  
36 and some donuts and, of course, later on they would  
37 encourage you to come back the next time and when you  
38 did, if you didn't report, they would encourage that.  
39 And not to mention, to get oral information from them,  
40 you know, they like to share their history and stories  
41 of their event and maybe you encourage them to share  
42 that, and that way you can take notes for observation  
43 but also for data.

44

45 I really think the partnerships that we  
46 were talking about in each village with the tribe  
47 should be looked at and I did -- the other day, get a  
48 connection with -- with some families in Angoon that  
49 were tribal members there and is actually a clan

50

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1 brother of mine, (In Tlingit), Gilbert Fred, and he  
2 likes those ideas. So, of course, just getting the  
3 community and our team build relationships with all.

4  
5 You know -- you know that's a few  
6 things that I heard anyway in my -- is my  
7 encouragement.

8  
9 Thank you.

10  
11 CHAIRMAN HERNANDEZ: Okay, thank you,  
12 John. Any other Council members got some thoughts on  
13 this.

14  
15 MR. KITKA: This is Harvey.

16  
17 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

18  
19 MR. KITKA: I kind of echo what John  
20 was talking about. I think with the partnerships with  
21 the tribes, I think that part of thing, like the  
22 direction for co-management would really help in  
23 starting in that direction. Ask the tribes to do the  
24 permits for the communities and most of the tribes know  
25 everybody so I'm pretty sure that we would handle it  
26 properly if we were approached on that point.

27  
28 Thank you.

29  
30 CHAIRMAN HERNANDEZ: Okay, thank you,  
31 Harvey. Other thoughts on automating Federal permit  
32 system.

33  
34 MS. PHILLIPS: Chairman Hernandez, this  
35 is Patty.

36  
37 CHAIRMAN HERNANDEZ: Go ahead, Patty.

38  
39 MS. PHILLIPS: Thank you. I mentioned  
40 this yesterday about the subsistence -- halibut  
41 subsistence program that NOAA, National Marine  
42 Fisheries has, and it provides for either tribal  
43 citizens or rural residents to apply for a subsistence  
44 halibut card. And this program was put forth by the  
45 Central Council Tlingit and Haida Indian Tribes of  
46 Alaska, their subsistence department, and Harold  
47 Martin, who also served on the RAC in previous years,  
48 he was really, you know, the advocate for subsistence  
49 halibut. But what you do is, you know, the first time  
50

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1 you get a card you either fill out subsistence rural  
2 application, or subsistence tribal application. At the  
3 time that I applied I wasn't a tribal member, I have  
4 since applied to Afognak Native Village for -- and I'm  
5 now a member of that tribal village and so now -- I  
6 originally applied as a rural resident but now I can  
7 apply as a tribal member. And when you renew, you can  
8 either renew paper card or you can renew online and so  
9 I renewed online under rural, but I'm going to change  
10 mine to tribal, and it seems like a -- it's a very  
11 simple process. In fact my sons have asked me to print  
12 up their application and they filled them out, and it  
13 asks, you know, verify where your residency, it asks  
14 you to click that you are, you know, this -- you know,  
15 you meet the qualifications for the SHARC card, it's  
16 called. So I just think that it's doable.

17

18 Anyways, thank you, Mr. Chair.

19

20 CHAIRMAN HERNANDEZ: Okay, thank you,  
21 Patty. Anybody else have anything.

22

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

24

25 CHAIRMAN HERNANDEZ: Go ahead, Ian.

26

27 MR. JOHNSON: Yeah, Tom, I do have a  
28 clarifying question. Is the intent -- is kind of the  
29 ask to develop a digital system that would completely  
30 replace what we have or is it just another mechanism  
31 for subsistence users to apply for a permit. Because I  
32 think the answer to that would definitely change how  
33 other folks answer or think about this.

34

35 MR. KRON: Mr. Chair. Ian, the ask is  
36 just that we explore the internet option. They didn't  
37 specify whether this would be the only option but they  
38 want us to explore this. Because, again, as I think  
39 people know, the Federal subsistence permit system has  
40 been paper in the past. So, again, we're asking for  
41 comments at this point from the Councils. We realize  
42 already that there are villages that don't have good  
43 internet connections and the internet may not work for  
44 everyone, but the hope is to be able to implement it,  
45 but, again, we want to hear from the Councils first.

46

47 Thank you, Mr. Chair.

48

49 CHAIRMAN HERNANDEZ: Thank you, Tom.

50

0374

1 Follow up, Ian.

2

3

4 MR. JOHNSON: Yes, thanks for the  
5 clarifying. I mean I definitely -- I don't have any  
6 response to the specific questions but definitely in  
7 favor of increasing mechanisms and ways for users to  
8 engage but have very real reservations about  
9 eliminating any kind of paper option for all the  
10 reasons stated by the members.

10

11

CHAIRMAN HERNANDEZ: Okay.

12

13

MR. WAGNER: Mr. Chair, Louie.

14

15

CHAIRMAN HERNANDEZ: Yeah, Louie, go  
16 ahead.

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MR. WAGNER: The experience we've had  
with permitting. We have to make a special trip to  
Ketchikan and if the lady that is usually sitting there  
to help us, you know, she fills out the form for us,  
you know, we prove where we live and that worked good  
while she was there with the paper permit. And then  
they switched to the electronic ones and, oh, it would  
take an hour or sometimes longer waiting there and --  
and the person would be on vacation who was supposed to  
be handling it so it made it really difficult for  
someone to have to come in and figure out the system  
where if they had the paper, for us, it would have  
worked a lot better and it would save us a special trip  
to Ketchikan if they would send it to our town  
secretary to handle. She knows everyone. And we have  
our personal IDs for Metlakatla from the community with  
our picture. So the paper back up, is, I think quite  
necessary.

Thank you, Mr. Chair.

CHAIRMAN HERNANDEZ: Thank you, Louie.

MR. CASIPIT: Mr. Chair, this is Cal.  
Can I break in here.

CHAIRMAN HERNANDEZ: Sure, go ahead,  
Cal.

MR. CASIPIT: I want to -- you know, I  
agree with everybody what they've said so far, you  
know, I think paper needs to be available for folks.

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1 But I, personally, would love to be able to get on the  
2 internet and get my own permit. The way it is now, for  
3 me, I live here in Gustavus, there isn't a Federal  
4 office in my town where I can go to to get a paper  
5 permit. Glacier Bay National Park headquarters are  
6 here but they're outside of Title VIII so they don't  
7 have permits. I don't even think they're into the  
8 Federal -- I don't even know if they're in the Federal  
9 permit system. So my other choice is, either, one,  
10 jump in my skiff and go over to Hoonah to get one in  
11 person, or wait to -- or wait until I have a trip into  
12 Juneau and go into the Juneau Ranger District and get a  
13 permit there, or what's happened here recently, I've  
14 been calling the Juneau Ranger District and getting a  
15 permit issued over the phone. They send me the permit  
16 in the mail. But I personally would love to be able to  
17 get on to a website and get my permits that I need.

18

19 CHAIRMAN HERNANDEZ: Okay, thank you,  
20 Cal. Anybody else.

21

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

24

25 CHAIRMAN HERNANDEZ: Go ahead, Albert.

26

27 MR. HOWARD: Thank you, Mr. Chairman.  
28 I think the internet works here fine in Angoon. We  
29 have a -- GCI actually ran a fiber optic cable from  
30 here -- from Juneau to here to Sitka so we have pretty  
31 good internet and I agree with Cal, to have the ability  
32 to get online and print off what you need works for me  
33 because at times I've been so busy, that last minute  
34 I'm, oh, jeez, I need this permit and I got to go  
35 tomorrow and you can't get anything like that out here  
36 in the middle of the night. And having the ability to  
37 print it off works for me whenever I'm in a last minute  
38 deal.

39

40 And the topic of conservation concern,  
41 how to approach it when there's a conservation concern  
42 but there's the need in the rural communities for  
43 Federally-qualified subsistence users, I've always --  
44 you know, and I've come across this in different  
45 aspects of work at the city and the tribe, I've always  
46 had the mind set if there's six people in the household  
47 and there are, because there's a family here, four  
48 children and husband and wife, I always thought they  
49 should divvy up the resource by person because, as an  
50

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1 example, a household of six needs more than just Albert  
2 Howard needs by himself. So maybe that's something we  
3 can look at in the future, when there's a conservation  
4 concern, how do we divvy up the resource.

5

6 So that's just kind of my opinion on  
7 that.

8

9 Thank you, Mr. Chair.

10

11 CHAIRMAN HERNANDEZ: Okay, thanks,  
12 Albert. anybody else.

13

14 MR. SMITH: Mr. Chairman.

15

16 CHAIRMAN HERNANDEZ: Go ahead.

17

18 MR. SMITH: I find that hearing all  
19 this and listening to it kind of relates to the data  
20 issue too, and I believe this is an important, very  
21 important and would like to move on it some how -- is  
22 there funds, I really like the idea of being able to do  
23 paper, digital, people coming in to visit and making  
24 sure that it's open for all people, even disabled or  
25 elders, to go knock on the door and opening it to all  
26 venues because everybody has a different way of  
27 connecting to those resources so that we have more data  
28 and more information.

29

30 Gunalcheesh. Ah.

31

32 Thank you.

33

34 CHAIRMAN HERNANDEZ: Okay, thank you,  
35 John. Anybody else, comments on virtual subsistence  
36 permits, I guess.

37

38 (No comments)

39

40 CHAIRMAN HERNANDEZ: Okay, maybe we're  
41 done with that topic. I hope you got enough there,  
42 Tom, to work with. It sounds like there'll be another  
43 opportunity in the fall meetings if people think of  
44 some new ideas. So we have it just kind of on our  
45 radar, give people a chance to think about it.  
46 Anything else to add.

47

48 (No comments)

49

50

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1                   CHAIRMAN HERNANDEZ: Okay. Tom Kron,  
2 you're up again for another item on our new business.

3  
4                   MR. KRON: Yes.

5  
6                   CHAIRMAN HERNANDEZ: Briefing on the  
7 Secretarial regulations proposing the inclusion of  
8 identified submerged lands in the Tongass National  
9 Forest. It's a topic that's already come up in some of  
10 our discussions here, submerged lands. So what do you  
11 have on that for us.

12  
13                   MR. KRON: Okay, Mr. Chair, I'll start,  
14 this is not an action item but, again, we wanted to  
15 provide it to you for information. And I will ask --  
16 when I get to the end I'll ask both DeAnna and Greg  
17 Risdahl to join in if they have additional input.

18  
19                   I'll just lead off here, this is an  
20 informational briefing only and no action required on  
21 the part of the Council.

22  
23                   The first taking place with the  
24 publication of a proposed rule in June 2016 with the  
25 final in May 2018.

26  
27                   The Secretaries were directed to  
28 initiate regulatory proceedings to identify those  
29 submerged lands within the Tongass National Forest that  
30 did not pass to the state at statehood, and, therefore,  
31 remain Federal public lands subject to Federal  
32 subsistence provisions. The purpose of this proposed  
33 rule is to complete regulatory proceedings addressing  
34 submerged public lands within the Tongass National  
35 Forest, as directed by the court.

36  
37                   The majority of these submerged lands  
38 are low-water lines, reefs, rocks, very small islands,  
39 100 yards to a half a mile in length.

40  
41                   This document is expected to be  
42 published in the Federal Register shortly and will have  
43 about a 60 day comment period.

44  
45                   As a Council if you desire to comment  
46 on the proposed rule you may submit your comments to  
47 your Coordinator.

48  
49                   I think one of the questions that we've  
50



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1 gotten before, that we know is going to be there, is,  
2 do we have maps. And I've seen maps and but they are  
3 not at all helpful to me. I lived in Southeast for 10  
4 years, again, I've seen and camped on some of the areas  
5 that are mentioned here but, again, the maps that we  
6 have are not satisfying at this point. But I wanted to  
7 open it up to DeAnna to Greg, if they have additional  
8 comments on this issue.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN HERNANDEZ: Okay, thanks Tom.  
13 I'll turn it over to DeAnna and Greg then.

14

15 MR. RISDAHL: Mr. Chairman and members  
16 of the Council. This is Greg Risdahl. Yeah, I'll just  
17 add a couple things to Tom's briefing there.

18

19 This is kind of a long time in coming.  
20 It dates back to about 2011 when there was a court  
21 order regarding the Peratrovich, et al., versus the  
22 United State and the state of Alaska. And essentially  
23 people wanted to see that any Federal lands remained  
24 within Federal management authority for subsistence,  
25 for instance, and so the court ordered DOI and USDA to  
26 come up with a list of all these different submerged  
27 lands. And I did go back and count them because we've  
28 had to give briefings recently to new Washington office  
29 Staff, there's 162 of these parcels. They're very  
30 small. As I think Tom mentioned, you know, some of  
31 them are just not -- basically they're like log landing  
32 sites and many of them have basically disappeared, you  
33 can't find them anymore, they're under water or the  
34 land forms have -- there's been erosion -- or, you  
35 know, things have changed.

36

37 Anyway, so the first ruling was done in  
38 2018 and basically what happened was people were saying  
39 -- you know it was really hard to read and understand  
40 this proposed rule because it was all in narrative  
41 form, so the court asked USDA and DOI to go back and  
42 create a table of all the submerged lands, which they  
43 did. So this second proposed rule, it has been sitting  
44 out there for quite awhile, like I said, it's kind of  
45 been a long time coming, and it has worked its way up  
46 the signatory process, to Washington D.C., and, of  
47 course, people have had to be reformed about what  
48 it's all about and it's working its way back now to  
49 Alaska and it will eventually be signed by the Regional  
50

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1 Forester, Dave Schmid, and we're hoping it happens  
2 sometime very soon. But basically all of the lands  
3 that were in the first proposed rule are the same lands  
4 that are in the second proposed rule, it's just that  
5 they're now viewed in a table form. And that is  
6 available for anybody that wants to see it.

7  
8 Let's see, what else. Oh, Tom  
9 mentioned maps. Theo Matuskowitz, the Regulations  
10 Specialist at OSM, did find maps as Tom was alluded to.  
11 I looked at them and, in fact, I printed them all off  
12 just to see -- there's a variety of different kinds of  
13 maps, you know, some of them are seven and a half unit  
14 quad maps, others are a larger scale, and some of them  
15 show very distinct boundaries, they almost look  
16 surveyed, other ones are just dots on maps but the  
17 bottom line, there is no overall map for people to view  
18 that shows all of these 162 sites. Now, if there's a  
19 real interest in building one of those maps that would  
20 be something that the Forest Service, and the  
21 Department of Interior would probably work on together  
22 because there are these maps to show where they are,  
23 but they're not really easily viewable so they're not  
24 of great value. And I'm not sure that, honestly, from  
25 a Federal subsistence standpoint they're that valuable,  
26 because they are very small areas and they're difficult  
27 to find in many instances.

28  
29 So that's about all I can tell you  
30 right now as far as an update goes.

31  
32 But certainly as soon as we get that  
33 document back here to Alaska and Dave Schmid signs off  
34 on it we will let everybody know.

35  
36 So with that I'll take any questions,  
37 thank you.

38  
39 CHAIRMAN HERNANDEZ: Okay, Council  
40 members, any questions.

41  
42 MS. PHILLIPS: Chairman Hernandez, this  
43 is Patty Phillips.

44  
45 CHAIRMAN HERNANDEZ: Go ahead, Patty.

46  
47 MS. PHILLIPS: Thank you, Mr. Chair.  
48 So I was bringing this up yesterday. Well, No. 1., can  
49 we see the maps or the lists of those areas that you  
50

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1 mentioned prior to it being noticed, you know, on the  
2 Federal Register; that's one question, and then I have  
3 another one.

4

5 Thank you.

6

7 CHAIRMAN HERNANDEZ: Okay.

8

9 MR. RISDAHL: Yes, Patty, through the  
10 Chair. Yes, those parcels you can see those maps, the  
11 parcels, it's a really big file. And I know OSM tried  
12 to send it to me in a couple of different formats and  
13 finally we got it and I had to forward it to DeAnna as  
14 well because she was not able to get it but I do have  
15 it. It has all 81 maps and you could certainly look at  
16 those and, of course, the proposed rule is also  
17 available if people want to see it. And it has a table  
18 that describes township, range, section, et cetera, for  
19 all of those parcels.

20

21 Thank you, Mr. Chair. Thank you,  
22 Patty.

23

24 MR. SMITH: Mr. Chair.

25

26 CHAIRMAN HERNANDEZ: Patty had a follow  
27 up question, go ahead, Patty.

28

29 MS. PHILLIPS: Thank you, Mr. Chair.  
30 And, thank you, yes, I would like also to see the  
31 proposed rule. So yesterday I brought up the Alaska  
32 Maritime National Wildlife Refuge in ANILCA Section  
33 .303, talks about, you know, the submerged lands in the  
34 Alaska Maritime National Wildlife Refuge, and included  
35 in that in the Gulf of Alaska Unit is Forester Island,  
36 Hazy Island, and St. Lisaria, are those -- are those  
37 considered Federal public lands for subsistence  
38 purposes?

39

40 MR. RISDAHL: Patty, through the Chair.  
41 That's a really good question. I am not familiar with  
42 those areas. Maybe DeAnna would have some information  
43 on that, she did work on the actual location of these  
44 parcels when she was doing a different job but I'm not  
45 sure, DeAnna, I hate to put you on the spot, but do you  
46 know anything about those areas. We could certainly do  
47 it, Patty, we could find that information for you. It  
48 looks like somebody -- oh, yeah, Pippa's looking it up  
49 right now to see if she could find those islands. You  
50

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1 said it was Forest Island, Hazy Island and what was the  
2 third one Patty.

3  
4 MS. PHILLIPS: Forester Island, Hazy  
5 Islands, and St. Lisaria.

6  
7 MR. RISDAHL: St. Lisaria, well, thank  
8 you. Maybe Pippa can come up with something really  
9 quick to find out if those are Federal lands or what  
10 they are.

11  
12 MS. STEINBERGER: This is Wendy  
13 Steinberger with the State of Alaska. And I would say,  
14 yes, those are Federal areas. I actually have a long-  
15 term project here in my group where I am to be  
16 delineated the GIS, all of these areas.

17  
18 MR. RISDAHL: Thank you, Wendy.

19  
20 CHAIRMAN HERNANDEZ: Okay, that was  
21 helpful.

22  
23 MR. SMITH: Mr. Chairman.

24  
25 CHAIRMAN HERNANDEZ: Yeah, is that  
26 Louie?

27  
28 MR. SMITH: John Smith.

29  
30 CHAIRMAN HERNANDEZ: John. Okay, go  
31 ahead, John.

32  
33 MR. SMITH: Yeah, just some questions.  
34 The 162 parcels of, of course, you just mentioned that,  
35 of course they're Federal, is any of those pieces, like  
36 if you did do a map to put traditional or cultural  
37 locations, that type of outline on it, just curious  
38 unless that's already on there -- thoughts of that.

39  
40 Thank you.

41  
42 MR. RISDAHL: Mr. Smith, through the  
43 Chair. I can tell you on the maps that I have seen, I  
44 haven't looked really carefully at all 81 maps but I've  
45 kind of skimmed through them, I don't notice any  
46 cultural or artifact type information on the maps,  
47 you'd have to get that information from somewhere else  
48 and overlay those on those if you wanted to know for  
49 sure if there were any kind of cultural significance to  
50

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1 those same sites.

2

3 Thank you.

4

5 CHAIRMAN HERNANDEZ: Thanks, Greg. Any  
6 other Council members.

7

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

9

10 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

11

12 MS. NEEDHAM: Thank you, Mr. Chair. I  
13 -- in Patty's comments she named the Alaska Maritime  
14 Refuges and the three islands and when I heard her ask  
15 the question, I think she asked about, you know, are  
16 these Federal lands and the State DNR person, Wendy,  
17 came on and said yes they are, I guess my follow up  
18 question to that would be, does that include the  
19 submerged tide lands around those islands, is that  
20 going to be part of this -- are those submerged tide  
21 lands going to be part of this proposed rule. And at  
22 the same time, I'm wondering if the list, the 162 list,  
23 I want to make sure that those three islands are on  
24 that list that had 162 locations.

25

26 Thank you, Mr. Chair.

27

28 CHAIRMAN HERNANDEZ: Okay. Could  
29 somebody answer that question.

30

31 (No comments)

32

33 CHAIRMAN HERNANDEZ: Yeah, I don't know  
34 who's best to answer that and if anybody can, or get  
35 back to Cathy.

36

37 MR. RISDAHL: Yeah, Mr. Chair, this is  
38 Greg Risdahl. I don't know the answer to that. Maybe,  
39 Wendy, if she's actually putting the information  
40 together on that she would be better able to answer it,  
41 I don't know.

42

43 MS. STEINBERGER: Hi, I'm back, I hit  
44 the wrong button and dropped off, this is Wendy. I  
45 have to go back to the original withdrawals and then  
46 everything that took place up to the date of statehood  
47 to give you that answer. I'm sorry I don't have that  
48 information at my fingertips right now. But whatever  
49 those descriptions are in their original withdrawals  
50

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1 and any changes up to the date of statehood is what  
2 should be part of those.

3

4 CHAIRMAN HERNANDEZ: Okay.

5

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

7

8 CHAIRMAN HERNANDEZ: Go ahead, Cal.

9

10 MR. CASIPIT: I don't have the actual  
11 CFRs in front of me but I'm looking through the  
12 HandyDandy fish reg book and on Page 6 under general  
13 information, applicability and scope, it talks about  
14 the Alaska Maritime National -- Alaska Maritime  
15 National Wildlife Refuge subunits being included in the  
16 program and they're all -- from what I recognized here,  
17 they're all up north, they're not down here Afognak,  
18 Womens Bay, Karluk and others, so I'm not sure, I think  
19 it has to do with when the public land order was signed  
20 that went through it. I notice all these places in the  
21 regs, they were withdrawn before statehood so the  
22 subunit that Patty was talking about, if they were  
23 withdrawn after statehood, the submerged lands don't go  
24 with them.

25

26 CHAIRMAN HERNANDEZ: Okay.

27

28 MS. PHILLIPS: Mr. Chair, this is Patty  
29 Phillips again.

30

31 CHAIRMAN HERNANDEZ: Go ahead, Patty.

32

33 MS. PHILLIPS: Thank you. I really  
34 appreciate this discussion. I mean I would like, you  
35 know, the Federal agency to give us a definitive  
36 answer, not necessarily at this meeting.

37

38 Thank you, Mr. Chair.

39

40 CHAIRMAN HERNANDEZ: Sure. Thanks,  
41 Patty. That might require a little research but I'm  
42 sure that information can be provided eventually.  
43 anybody else with a question.

44

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

46

47 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

48

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

50

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1 Chair, I know we had -- I believe we were in Petersburg  
2 when the original rule came out and we talked at length  
3 about this subject and there was a lot of confusion in  
4 the beginning because of this lack of maps and  
5 understanding, being able to see, because they're such  
6 small parcels, we had maps in front of us that were  
7 sort of at a larger scale and the smaller scale wasn't  
8 really presented very well. It doesn't sound like that  
9 has necessarily been resolved.

10

11 But I think if we're going to comment  
12 on this during -- if we need to provide comments for  
13 the proposed rule, which would be a 60 day comment  
14 period, I would like to have somebody like give us our  
15 discussion. Because we have a lot of work that we did  
16 on the record on this when it came around the first  
17 time and so it seems like we definitely have -- I don't  
18 know if we had the exact questions that Patty is  
19 asking, which I think are extremely important  
20 questions, because they are additional Federal lands  
21 that could potentially put into it but I'd like to.....

22

23 MS. KENNER: Mr. Chair.

24

25 MS. NEEDHAM: .....I'd like a refresher  
26 for myself but I would also like, you know, our  
27 new.....

28

29 MS. KENNER: Mr. Chair, this is.....

30

31 MS. NEEDHAM: .....folks need to know  
32 sort of the work that we've done on this subject as  
33 well.

34

35 Thank you, Mr. Chair.

36

37 CHAIRMAN HERNANDEZ: Okay, thanks.....

38

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

41

42 CHAIRMAN HERNANDEZ: .....Cathy. I --  
43 go ahead, Pippa.

44

45 MS. KENNER: Yeah, so although our  
46 regulations without maps don't provide all the answers  
47 there is some interpretation that has to go on. The  
48 regulations do point out what marine waters are Federal  
49 public waters. So in general the Federal public waters  
50

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1 are inland waters that are within and adjacent to  
2 Federal conservation units such as National Forests.  
3 There are a few areas in Southeast and now we're going  
4 to add a few more that the regulations actually point  
5 out will be Federal public waters that are marine  
6 waters for the purpose of the management of fish. And  
7 they include -- and it begins with the Mahknati Island  
8 area and has reference to about 20 other very small  
9 submerged lands where the Board has authority to manage  
10 fish in marine waters.

11

12                   And it's hard to explain what those  
13 waters are but I can tell you where they're by, where  
14 they're near. They're near Kupreanof Island. There's  
15 a very small area. Bushy Island and Snow Passage.  
16 Inland Waters -- or excuse me, there's a small chunk of  
17 Federal waters there in marine waters. Sumner Strait  
18 there's one. Banik Island (ph), Stikine Strait there's  
19 one. High Point and Wronkofski Island. Kreef and  
20 Clarence Strait. Low Point and Zorembo Island. Mc --  
21 Macnamara Point Zorembo Island. Mountain Point in  
22 Wrangell Narrows. Angle Point in Revillagigedo  
23 Channel. Cape (indiscernible) in the Dixon Entrance,  
24 Prince of Wales Island area. Lewis Reef (ph) Limon  
25 Point, Narrow Point, Niblack Point, Rosa Reef, Ship  
26 Island, Spire Island -- almost done -- Surprise Point,  
27 (Indiscernible) Meyers Chuck, Round Island, Barry  
28 Island (ph) and Three Point -- and Three Point.

29

30                   So I just ran through those quickly to  
31 give you an example of what those regulations look  
32 like. Behind each of those names that I read off is a  
33 detailed description of how to identify what lands  
34 these are. The description goes on for many  
35 paragraphs, it's a very detailed description. And what  
36 I have learned in studying this is that each of these  
37 areas, except for Mahknati Island area that have been  
38 identified as marine waters that are under the purview  
39 of the Federal Subsistence Board, these are very small  
40 areas, like I have heard from, you know, square meters  
41 to maybe a little bit more.

42

43                   So, thank you, Mr. Chair.

44

45                   CHAIRMAN HERNANDEZ: Okay, thanks,  
46 Pippa.

47

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

49

50



0386

1 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

2

3 MS. NEEDHAM: All right, I guess -- the  
4 point I was trying to make is that we've done some work  
5 on this and I'm trying to recall what it was so maybe  
6 Pippa or DeAnna or someone can clarify, my  
7 understanding were these small sort of postage stamp  
8 areas were directly related to U.S. Coast Guard  
9 navigational aides and I just want clarification on  
10 that.

11

12 MS. KENNER: Mr. Chair, this is Pippa  
13 Kenner.

14

15 CHAIRMAN HERNANDEZ: Go ahead, Pippa.

16

17 MS. KENNER: Yeah, that's what I'm  
18 reading. They all begin with like Beacon Point and  
19 then it says shown on the U.S. Coast Geosurvey Chart  
20 No. 8210, sheet No. 16. It doesn't say exactly on that  
21 chart what the lands are but it has the way points so,  
22 you know, references and X on a rock, where this one is  
23 marked as 15,7 south, 79 east talking about latitude  
24 and longitude, that sort of thing.

25

26 CHAIRMAN HERNANDEZ: Okay.

27

28 MS. KENNER: Was that clear?

29

30 CHAIRMAN HERNANDEZ: I've heard a lot  
31 of navigation points there. Go ahead.

32

33 (No comments)

34

35 CHAIRMAN HERNANDEZ: Okay, anybody  
36 else.

37

38 MR. DOUVILLE: Mr. Chairman, Mike  
39 Douville.

40

41 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
42 Mike.

43

44 MR. DOUVILLE: Okay. I was just  
45 looking for information, perhaps maybe the people  
46 online could give us. The Southeast Canoe Route on  
47 Prince of Wales Island is the next State navigable  
48 waters challenge to the Feds, that's the Snakey Lakes  
49 area that the State apparently is suing the Federal  
50

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1 government for. It's a bit frightening for us living  
2 here but is there any information available on that?

3

4 CHAIRMAN HERNANDEZ: What were those  
5 locations again, Mike, Canoe Pass and did you say  
6 Snakey Lakes?

7

8 MR. DOUVILLE: It is the -- well, let's  
9 see let me -- I'm looking for -- anyway it's Sarkar  
10 River and several lakes connecting waterways inside the  
11 Tongass National Forest. It's a -- what's used as a  
12 canoe route through Sarkar and you can come out in the  
13 Thorne River or somewhere. But it's the -- it's kind  
14 of a portion of the middle of Prince of Wales or upper  
15 middle Prince of Wales that hasn't been exploited and  
16 it's pretty pristine. I don't understand why the State  
17 wants the water. In any case I just learned of it a  
18 week or two ago. So I just wondered if any -- if maybe  
19 Tom or Pippa or somebody knows anything about it.

20

21 CHAIRMAN HERNANDEZ: Okay. Any  
22 response.....

23

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

25

26 CHAIRMAN HERNANDEZ: .....there on that  
27 one. Go ahead, Pippa.

28

29 MS. PIPPA: Yeah, I'm -- I'm just  
30 looking in the regulations and that's about all I can  
31 provide right now. I'm not aware of the challenge to  
32 the State for Federal jurisdictions over certain lands.  
33 Maybe Greg Risdahl might have more information.

34

35 MR. RISDAHL: No, Pippa, through the  
36 Chair, I don't. I'm not familiar with this area. And  
37 I have not heard anything about that so I'm sorry I  
38 can't help you. We could look into it and possibly  
39 someone else could give us the information thought.  
40 Where did you say you saw that Mike?

41

42 (No comments)

43

44 CHAIRMAN HERNANDEZ: Are you still  
45 there Mike.

46

47 MR. DOUVILLE: Yeah, I'm here but  
48 muted.

49

50

0388

1

(Laughter)

2

3

4 MR. DOUVILLE: It says in a letter to  
5 the U.S. Interior Secretary Deb Haaland, Attorney  
6 General Taylor gave the required 100 day notice -- 180  
7 day notice of the State's intent to file a quiet title  
8 action to eliminate any Federal cloud on titled lands  
9 beneath the Sarkar Canoe route. So anyway it looks  
10 like the State is moving towards trying to take over  
11 the water there so. I can't -- you know, I don't know  
12 it was sent to me by a friend. So it looks authentic  
13 to me. It was written by somebody named Ben Downing  
14 (ph).

14

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MR. RISDAHL: Mr. Douville, through  
the.....

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

MR. RISDAHL: ..... Chair. This was  
going -- since this letter went to Secretary Haaland,  
she's the director of the Department of Interior --  
Secretary of Interior, I would definitely check with  
OSM, maybe through Theo Matuskowitz or Sue Detwiler, if  
anybody would have that information, they probably  
would, or would be able to get it for you.

Thank you.

CHAIRMAN HERNANDEZ: Okay, thank you  
Greg. Was somebody else chiming in.

(No comments)

CHAIRMAN HERNANDEZ: Okay, well maybe  
somebody will have some new information for you there  
Mike. So back to the other submerged lands, I don't  
know if there's any other questions or comments on  
that.

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

CHAIRMAN HERNANDEZ: Go ahead, Cathy.

MS. NEEDHAM: What I understand from  
the agenda that this is just a briefing but then I  
thought I heard in Mr. Kron's presentation that there  
will be a comment period and I'm just wondering how  
that falls within our meeting cycle or whether or not

0389

1 it does.

2

3

Thank you, Mr. Chair.

4

5

CHAIRMAN HERNANDEZ: Okay, thanks,

6 Cathy. Tom.

7

8

(No comments)

9

10

CHAIRMAN HERNANDEZ: Can you answer

11

the question about the comment period on this.

12

13

MR. KRON: Yeah, Mr. Chair, this is

14

Tom. And I think maybe Greg would be a better one to  
15 answer this question. My understanding is that there's  
16 going to be a document published in the Federal  
17 Register shortly and I think Greg talked about that a  
18 little bit, but following that there will be a public  
19 comment period. So maybe, Greg, if you could jump in  
20 here, please. Thanks.

21

22

MR. RISDAHL: Yeah, you bet, thank you,

23

Tom. And through the Chair, basically what Tom said is  
24 accurate. We're still waiting to have that rulemaking  
25 -- that proposed rule sent back to Alaska. It is still  
26 going through the review process. I am not exactly  
27 sure where it is. It's way up at the Washington office  
28 level through the Secretary's office with the USDA, but  
29 it will eventually make its way back to our Regional  
30 Forester here, Dave Schmid, and he will be the signator  
31 on that document. After that takes place it would  
32 quickly be published in the Federal Register and once  
33 that happens the 60 day comment period would begin.  
34 And that's why I said, as soon as we find that out we  
35 will let you know. As soon as that happens.

36

37

Thank you.

38

39

CHAIRMAN HERNANDEZ: Okay, well, I'm

40

just going to take it that this was kind of a brief of  
41 what is upcoming and as far as comment periods go, we  
42 have already kind of made it clear that if a comment  
43 period is announced that affects -- if it's something  
44 that affects subsistence users, if it doesn't  
45 necessarily fall within the time period when the  
46 Council can meet and discuss it and make comments, that  
47 we would probably make comments outside of that comment  
48 period and would expect that those comments would be  
49 accepted. So if this comes back to us in time to make  
50

0390

1 comments at our fall meeting, I guess we'll do so. But  
2 hopefully we'll have more information by then. So I'll  
3 just take this as a good head's up briefing and I think  
4 we know a lot more about what we're talking about now  
5 and maybe folks might want to do a little research on  
6 their own on some of these more specific places but,  
7 yeah, I think that kind of serves the purpose of this  
8 briefing.

9

10 So unless there's anything else we'll  
11 move on.

12

13 (No comments)

14

15 CHAIRMAN HERNANDEZ: Okay. That went a  
16 little longer than I anticipated. We didn't get back to  
17 our proposals and that's going to take a little bit of  
18 time. That's kind of a regulatory process action item.  
19 So let's recess for lunch. When we come back at 1:00  
20 o'clock we'll go right to the proposal process and then  
21 after that we'll -- we'll hear a presentation from  
22 Tlingit and Haida Central Council, and then after that  
23 we'll probably go back to our indigenous management  
24 work group final report, or letter. And, yeah, I think  
25 that'll -- and then we'll finish out any other agency  
26 reports, I believe, is what's left on the agenda.

27

28 MS. PERRY: Mr. Chair.

29

30 CHAIRMAN HERNANDEZ: DeAnna, go ahead.

31

32 MS. PERRY: Yeah, I just wanted to  
33 remind you that we do have a time specific for the  
34 folks from ADF&G, 2:00 o'clock today, so if we can keep  
35 that in mind. And I wanted to let the Council know  
36 that I did send out their presentation. We were able  
37 to get that up on our website so I sent that out by  
38 email maybe an hour or so ago. So as you have your  
39 lunch if you want to make sure you have that available  
40 in front of you on your screen, if you're on the  
41 computer. We'll have it on the Teams, but for those  
42 folks who aren't on the videoconference, I just wanted  
43 to let them know that it's -- that presentation is  
44 waiting in your inbox.

45

46 CHAIRMAN HERNANDEZ: Okay.

47

48 MS. PERRY: And we will also have a  
49 draft of the C&T proposal ready to go after lunch to  
50

0391

1 show on the screen as well and that's also been sent to  
2 folks last night.

3

4 CHAIRMAN HERNANDEZ: Okay, very good,  
5 thank you, DeAnna. Yeah, we should be able to work in  
6 that 2:00 o'clock time certain, that shouldn't be a  
7 problem. Okay, recess until 1:00 o'clock.

8

9 MR. WRIGHT: Mr. Chairman, this is  
10 Frank.

11

12 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
13 Frank.

14

15 MR. WRIGHT: I have to excuse myself.  
16 I've been in Colorado visiting my granddaughters and  
17 I've been two days on this and I only got a day and a  
18 half left to go so, okay. Okay, I'm off.

19

20 CHAIRMAN HERNANDEZ: Okay, so you won't  
21 be with us after lunch?

22

23 MR. WRIGHT: No.

24

25 CHAIRMAN HERNANDEZ: Okay, thanks for  
26 letting me know.

27

28 MR. WRIGHT: Okay, thank you, bye.

29

30 CHAIRMAN HERNANDEZ: Thank you, Frank.  
31 Okay, we'll recess until 1:00 o'clock.

32

33 (Off record)

34

35 (On record)

36

37 CHAIRMAN HERNANDEZ: DeAnna, Frank has  
38 to leave us maybe you could run through the roll call  
39 and make sure we've got a quorum present.

40

41 MS. PERRY: Certainly I can do that.

42

43 Jim Slater.

44

45 MR. SLATER: Jim is here.

46

47 MS. PERRY: Bob Schroeder.

48

49 MR. SCHROEDER: DeAnna, I am here,

50

0392

1 thank you.

2

3

MS. PERRY: Albert Howard.

4

5

(No comments)

6

7

MS. PERRY: Patty Phillips.

8

9

MS. PHILLIPS: Patty Phillips is here.

10

11

MS. PERRY: Louie Wagner, Jr.

12

13

MR. WAGNER: Here.

14

15

MS. PERRY: Harvey Kitka.

16

17

(No comments)

18

19

MS. PERRY: John Smith, III.

20

21

MR. SMITH: I'm here.

22

23

MR. KITKA: Here.

24

25

MS. PERRY: Okay, Harvey, I heard both  
you and John, thank you.

26

27

Cathy Needham.

28

29

30

MS. NEEDHAM: I'm here.

31

32

MS. PERRY: Ian Johnson.

33

34

MR. JOHNSON: I am here.

35

36

MS. PERRY: Cal Casipit.

37

38

MR. CASIPIT: I'm here.

39

40

MS. PERRY: Mike Douville.

41

42

MR. DOUVILLE: I am here.

43

44

MS. PERRY: And Albert Howard, did you  
join us.

45

46

47

(No comments)

48

49

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

50

0393

1 like you have 11 of your 13 members online, you do have  
2 a quorum.

3

4 CHAIRMAN HERNANDEZ: Okay, thank you,  
5 DeAnna. So I was wondering if somebody could tell me  
6 how many proposals do we have before us here.  
7 Fisheries proposals.

8

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

10

11 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

12

13 MS. NEEDHAM: You'll have one.

14

15 CHAIRMAN HERNANDEZ: Okay. So that's  
16 where we're going to start. Let's go right to that. I  
17 do want to remind everybody that we do -- we did tell  
18 the Alaska Department of Fish and Game that we will  
19 hear from them at 2:00 p.m., so if we're in the middle  
20 of something we may have to break away to hear from  
21 them but let's look at this proposal. I believe DeAnna  
22 said it was sent out as an email to folks and are you  
23 also going to be able to put it up on the Teams meeting  
24 screen, DeAnna.

25

26 MS. PERRY: Yes, Mr. Chair, we'll have  
27 that up in just a moment.

28

29 CHAIRMAN HERNANDEZ: Okay. So whoever  
30 needs to introduce this topic, this proposal, go ahead  
31 and it will require a motion and then deliberation. So  
32 go ahead.

33

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

35

36 MS. PERRY: Okay. I know that we.....

37

38 MS. NEEDHAM: Mr. Chair.

39

40 CHAIRMAN HERNANDEZ: I heard both Cathy  
41 and DeAnna. Cathy.

42

43 MS. NEEDHAM: I didn't mean to  
44 interrupt DeAnna, because if it was about procedural  
45 things, but I did volunteer being a Council member that  
46 was at last night's work group to give feedback that  
47 the group did last night to the rest of the Council.

48

49 CHAIRMAN HERNANDEZ: Okay, Cathy. So I

50



0394

1 think we're still waiting for DeAnna to get that up on  
2 Teams. And hopefully everybody can -- who doesn't have  
3 Teams can find the email for that proposal.

4  
5 (Pause)

6  
7 CHAIRMAN HERNANDEZ: Okay, there it is,  
8 it's up on the screen so go ahead -- oh, it went away.  
9 Yeah, go ahead and get us started, Cathy.

10  
11 MS. NEEDHAM: All right, thank you, Mr.  
12 Chair. So yesterday there were a number of proposals  
13 that were suggested for the Federal fisheries  
14 regulations cycle. And Staff really was much better  
15 than I was at keeping track of the different concepts.  
16 So I believe we ended up discussing seven or nine, I  
17 can't quite remember. But last night we did meet and  
18 it was Patty, and Ian Johnson and myself from the  
19 Council, and I also did a follow up with Harvey because  
20 he couldn't make it just after our Council meeting and  
21 then we had Staff members such as DeAnna, Pippa, Rob,  
22 and Justin on there to help us with going through each  
23 of the concepts.

24  
25 Without getting into or going through  
26 the full list of proposal ideas, we did spend time  
27 going through each thing that Council brought up --  
28 each topic that Council members brought up in that list  
29 of seven to nine proposals and talked about each one  
30 and by and large most of them would make really good  
31 proposals to -- for the next Board of Fish cycle.....

32  
33 (Teleconference interference -  
34 participants not muted)

35  
36 MS. NEEDHAM: .....but they were not  
37 under the purview of the Federal regulations. They  
38 were not necessarily regulations that could be  
39 presented through the Federal system.

40  
41 So I believe that Staff kept really  
42 good notes -- oh, Susan Oehlers was also there and she  
43 was like an amazing note keeper. So Staff kept really  
44 good notes and I think that those proposals will come  
45 back up as we talk about call -- the next round of call  
46 for Board of Fish proposals. So I wanted people who  
47 brought up those ideas to know that that has not been  
48 lost and we did spend some time on it.

49  
50

0395

1                   That being said the one proposal that  
2 we did come up with that Staff helped craft for us was  
3 the proposal that you see before you. And it's on  
4 Teams, and again it was sent last night by email.

5  
6                   The proposal would be to change the  
7 existing C&T -- customary and traditional use  
8 determinations and in the top half of -- you can see  
9 what the existing regulation says, it's for Southeast  
10 Alaska, the Yakutat area, and then there's some  
11 specific areas -- also some specific species, and then  
12 for residents of Southeast Alaska. But it's not very  
13 inclusive, it's just for those areas -- like Section  
14 1E, of the latitude Grant Island, Section 1F, Section  
15 3A and 3B, and District 13. So that is what is  
16 currently in regulation.

17  
18                   In our proposal, our proposed  
19 regulation would be to basically follow in line with  
20 what the Council has done for wildlife-based customary  
21 and traditional use determinations and that is to  
22 broaden out the C&T determination for shell -- all  
23 shellfish in our region in all districts for rural  
24 residents, for all rural residents in Southeast Alaska.

25  
26                   So that is the proposed regulatory  
27 change that you see up on the screen now, or on the  
28 second half of the first page. It strikes out the  
29 individual sort of C&T determinations and it makes it  
30 broader for all shellfish.

31  
32                   When we put in regulatory proposals, we  
33 always need to provide a justification for the proposal  
34 and if you'd like I can read that into the record and  
35 then we can play with it or what would you prefer Mr.  
36 Chair.

37  
38                   CHAIRMAN HERNANDEZ: Go ahead and read  
39 that into the record so that everybody knows what we're  
40 talking about and then we'll probably need a motion to  
41 adopt.

42  
43                   MS. NEEDHAM: Okay, great. So the  
44 justification for this proposal is that in 2010 the  
45 Secretary of.....

46  
47                   (Teleconference interference -  
48 participants not muted - coughing by participant)

49  
50

1 MS. NEEDHAM: .....the Interior asked  
2 the Board to review and with Regional Advisory Council  
3 input, the customary and traditional use determination  
4 process and present recommendations for regulatory  
5 changes. During the Southeast Alaska Council's review  
6 in 2016 it requested, among other things, that the  
7 Board adopt customary and traditional use  
8 determinations broadly. The Council requested the  
9 Board to, in the future, recognize customary and  
10 traditional uses of all fish and wildlife in Southeast  
11 Alaska that have been taken for food or other purposes,  
12 including handicrafts, ceremonies and customary trade.  
13 The Council said its recommendation to the Board in the  
14 future would lead -- would tend to include residents of  
15 all rural Southeast communities and areas and the three  
16 criteria in Section .804 of ANILCA was the regulatory  
17 process the Board should use to allocate resources when  
18 necessary and not customary and traditional use  
19 determinations. The Council intended to submit  
20 regulatory proposals to the Board requesting to broaden  
21 the complex web of customary and tradition use  
22 determinations that currently exist in Southeast  
23 Alaska. The Board responded that the Southeast  
24 Alaska's recommendation regarding customary and  
25 traditional use determination aligned well with the  
26 current process followed statewide in the Federal  
27 Subsistence Management Program.

28  
29 Since then, the Council has requested  
30 and the Board has adopted customary and traditional use  
31 determinations for all fish, deer, moose, brown bear  
32 and black bear that include all rural residents of  
33 Southeast Alaska. This has greatly simplified these  
34 determinations that were originally adopted when State  
35 regulations as a formation of the Federal Subsistence  
36 Management Program in 1992.

37  
38 These customary and traditional use  
39 determinations were adopted by the Federal Subsistence  
40 Board directly from the State of Alaska regulations at  
41 the beginning of the program in 1990, they are  
42 restrictive and do not include shellfish species that  
43 are the target of commercial fish.

44  
45 All residents of Southeast Alaska  
46 should be Federally-qualified subsistence users of  
47 shellfish in Federal public waters.

48  
49 So that's the justification that we --  
50

0397

1 that's the part that we got through last night that the  
2 work group worked with Staff on and I do want to add  
3 that I did follow up and talked with Harvey Kitka  
4 afterwards last night just to let him know what our  
5 work group did because he was, you know, specifically  
6 wanting to make sure that Mahknati Island specific  
7 invertebrate species like gumboots and abalone would  
8 have a customary and traditional use determination  
9 around Mahknati Island since they do have Federal  
10 waters there. And I believe this proposal that we  
11 crafted does include that but when we get to  
12 deliberations I think it would be appropriate to make  
13 sure that he feels we captured his intent as well.

14

15 Thank you, Mr. Chair.

16

17 CHAIRMAN HERNANDEZ: Okay, thank you,  
18 Cathy. Before we proceed any further with this  
19 proposal I think we need to have a motion to put it on  
20 the floor for discussion.

21

22 (Pause)

23

24 MR. CASIPIT: Mr. Chair, this is Cal.  
25 I move that we adopt this proposed -- this proposal.

26

27 CHAIRMAN HERNANDEZ: Thank you, Cal.

28

29 MS. PHILLIPS: This is Patty, I'll  
30 second it Mr. Chair.

31

32 CHAIRMAN HERNANDEZ: Okay, thank you,  
33 Patty. Okay. It's open for discussion. Cathy, yeah,  
34 I don't know, it sounds like you still wanted to check  
35 with Harvey on this to see if it satisfied his concern.  
36 So Harvey are you there.

37

38 MR. KITKA: Mr. Chair, this is Harvey  
39 Kitka.

40

41 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

42

43 MR. KITKA: Yeah, I'm pretty much  
44 satisfied with it. I think it's -- it's a good deal,  
45 it covers all of Southeast and all the rural  
46 communities and all qualified users. I think that is  
47 very important to all the communities concerned, I  
48 think it's important that they have a say in this if  
49 they could -- if we could put it in the books maybe

50

0398

1 then they could check in.

2

3 And then I have one other thing, I have  
4 to leave at 1:30 today.

5

6 CHAIRMAN HERNANDEZ: Okay. Yeah,  
7 that'll probably give you time to let us know your  
8 other issue there before you go, so go ahead.

9

10 (No comments)

11

12 CHAIRMAN HERNANDEZ: Was there another  
13 thing you wanted to bring up, Harvey before you left.

14

15 MR. KITKA: Mr. Chair, Harvey.

16

17 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

18

19 MR. KITKA: I don't really have  
20 anything else to bring up at this time.

21

22 CHAIRMAN HERNANDEZ: Okay.

23

24 MR. KITKA: Hopefully I can make it  
25 back by 3:00 o'clock, if you guys are still going.

26

27 CHAIRMAN HERNANDEZ: Oh, okay, very  
28 good. Thank you, Harvey. So other Council members,  
29 either support or do you see some problem with this  
30 proposal go ahead and speak up.

31

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

33

34 CHAIRMAN HERNANDEZ: Go ahead, Cal.

35

36 MR. CASIPIT: I support this proposal  
37 as well. There's some minor edits here that I think is  
38 needed. Basically for the Southeast Alaska -- it reads  
39 Southeastern Alaska Yakutat areas, so that's two  
40 separate areas in both State and Federal regulations,  
41 so where we go -- where it says residents of the  
42 Southeast Alaska region, we probably should say  
43 residents of the Southeast Alaska and Yakutat areas.  
44 So I think this is a both -- it should say Southeastern  
45 Alaska and the Yakutat management areas, and hopefully  
46 Staff can just fix that up before it goes in on that  
47 one.

48

49 And then the only other little minor

50

0399

1 change would be the last one that says all rural  
2 residents of Southeast Alaska be Federally-qualified  
3 subsistence users, I think that's what we want to say  
4 not just -- because there are residents of Southeast  
5 Alaska that are non-rural, or are we saying all -- are  
6 we saying that, and that's it.

7  
8 CHAIRMAN HERNANDEZ: Yeah, I think  
9 those are a couple little details that can certainly be  
10 amended before this proposal is submitted. Good catch,  
11 Cal.

12  
13 MR. CASIPIT: Mr. Chair, I was hoping  
14 we wouldn't have to go through the formal process of  
15 amending all those little changes, I would hope that  
16 Staff would fix that up before it's sent in is all.  
17 I'm not proposing we go through the formal amendment  
18 process.

19  
20 CHAIRMAN HERNANDEZ: Sure. I think  
21 that's the way the process works, just get it on the  
22 record. Yeah, by the time these proposals get  
23 submitted they should be polished up and all the  
24 wording made correct so just get it on the record.

25  
26 Anybody else.

27  
28 MR. CASIPIT: Mr. Chair, I propose.....

29  
30 MS. PHILLIPS: Mr. Chair, this is Patty  
31 Phillips.

32  
33 CHAIRMAN HERNANDEZ: Patty, go ahead.

34  
35 MS. PHILLIPS: Yeah, so, you know,  
36 under the justification it talks about how the Federal  
37 process, like adopted, what was written in State -- you  
38 know the State rules for subsistence and customary and  
39 traditional, and, you know, I know we're under dual  
40 management now, Federal and State, and that in order to  
41 submit.....

42  
43 (Teleconference interference -  
44 participants not muted - coughing by participant)

45  
46 MS. PHILLIPS: .....proposals under --  
47 for much of the shellfish for our Southeast region that  
48 we have to go to the Board of Fish but one of the  
49 justifications that we could provide in our -- when we  
50

0400

1 do submit proposals for shellfish, you know, is that we  
2 do recognize it is a customary and traditional resource  
3 for rural residents of Southeast. If there ever comes  
4 a time when the State -- if the State takes over  
5 subsistence, which I doubt will be, but maybe they  
6 would take over all the regulations that we put into  
7 place.

8

9                   Anyways, thank you, Mr. Chair.

10

11                   CHAIRMAN HERNANDEZ: Yeah, thank you,  
12 Patty. I agree it's important to have that on the  
13 books. And just kind of essentially an oversight on  
14 our part when we were changing all our customary and  
15 traditional use determinations to make them broader  
16 that we -- I guess we overlooked the shellfish and it's  
17 certainly justifiable that we are following our same  
18 strategy with shellfish that we do with the rest of the  
19 fish so. So other comments on the proposal.

20

21                   MR. CASIPIT: Mr. Chair, this is Cal.  
22 That discussion just brought to mind something else  
23 that we probably could include in the justification is  
24 that there are small areas of marine waters -- or  
25 submerged lands under our juris -- under the Federal  
26 jurisdiction and even though those are small areas they  
27 may be important to people. Probably important to  
28 people in the past, and maybe into the future, you  
29 know, it's -- it's important that we at least have the  
30 C&T in place that allows it.

31

32                   CHAIRMAN HERNANDEZ: Yep. Good point,  
33 Cal, I would agree with that. I think it's important  
34 that even these small areas are involved.

35

36                   (Teleconference interference -  
37 participants not muted)

38

39                   CHAIRMAN HERNANDEZ: Anybody else.

40

41                   REPORTER: I'm going to request that  
42 everybody try to make sure that their phones are muted  
43 if they're not speaking because I'm getting a lot of  
44 background noise. Thank you.

45

46                   CHAIRMAN HERNANDEZ: Okay. And at some  
47 point here when the Council is ready we'll have to have  
48 a vote to -- not adopt this proposal, but to submit  
49 this proposal I guess would be the proper term.

50

0401

1 MS. PHILLIPS: Call for the question  
2 Mr. Chair, this is Patty.

3  
4 CHAIRMAN HERNANDEZ: Okay, thank you,  
5 Patty. So the motion is to submit this proposal to the  
6 Subsistence Board changing the customary and  
7 traditional use determination for shellfish in all  
8 waters of Southeast Alaska and Yakutat area.

9  
10 So, DeAnna, could you do a roll call  
11 vote on this, I think that's probably the best way to  
12 go.

13  
14 MS. PERRY: Sure. That way we can have  
15 a clear record and make sure we still have a quorum.

16  
17 Robert Schroeder.

18  
19 MR. SCHROEDER: Yes.

20  
21 MS. PERRY: Albert Howard.

22  
23 MR. HOWARD: Yes.

24  
25 MS. PERRY: Patty Phillips.

26  
27 MS. PHILLIPS: Yes.

28  
29 MS. PERRY: Albert was that you?

30  
31 MR. HOWARD: It's Albert voting yes.

32  
33 MS. PERRY: Okay, thank you, Albert.  
34 And, Patty, I did hear you as well, a yea vote.

35  
36 Louie Wagner, Jr.

37  
38 MR. WAGNER: Yes. Here.

39  
40 MS. PERRY: Thank you.

41  
42 John Smith, III.

43  
44 MR. SMITH: Yes.

45  
46 MS. PERRY: Cathy Needham.

47  
48 MS. NEEDHAM: Yes.

49  
50



0402

1 MS. PERRY: Ian Johnson.

2

3 MR. JOHNSON: Yes.

4

5 MS. PERRY: Cal Casipit.

6

7 MR. CASIPIT: Yes.

8

9 MS. PERRY: Mike Douville.

10

11 MR. DOUVILLE: Yes.

12

13 MS. PERRY: Jim Slater.

14

15 MR. SLATER: Yes.

16

17 MS. PERRY: Harvey and Frank are out at  
18 the moment.

19

20 Don Hernandez.

21

22 CHAIRMAN HERNANDEZ: Yes.

23

24 MS. PERRY: Thank you, Mr. Chair. This  
25 motion passes 11 to 0 with two absent.

26

27 CHAIRMAN HERNANDEZ: Okay, thank you,  
28 DeAnna. And that concludes our new business on the  
29 agenda. Next up is agency reports and first agency  
30 we'd like to hear from is tribal governments.....

31

32 (Teleconference interference -  
33 participants not muted)

34

35 CHAIRMAN HERNANDEZ: .....and I was  
36 hoping that Ray Paddock and Marco Banda from  
37 Central.....

38

39 MS. PERRY: Mr. Chair.

40

41 CHAIRMAN HERNANDEZ: .....Council of  
42 Tlingit and Haida will be available.

43

44 MS. PERRY: Mr. Chair.

45

46 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
47 DeAnna.

48

49 MS. PERRY: I'm sorry. I was trying to

50

0403

1 get your attention. There was some discussion last  
2 night as the work group was moving through the fish  
3 proposals and there was further discussion during the  
4 day to day regarding Neva Lake. I don't know if the  
5 Council would like to entertain a brief presentation on  
6 that information from Jake, but since we are in a  
7 fisheries cycle I just wanted to make sure that that  
8 offer was out there. We've just been exchanging  
9 information last night and up until just recently so I  
10 would like to offer that before you move on to agency  
11 reports and apology to Central Council for getting in  
12 there too quick.

13

14 CHAIRMAN HERNANDEZ: Okay. Are Ray  
15 Paddock and Marco Banda, are they available now?

16

17 MR. PADDOCK: Hi, Mr. Chair, we are  
18 here.

19

20 MS. PERRY: Yes, Mr. Chair.

21

22 MR. PADDOCK: And have no problem  
23 waiting.

24

25 CHAIRMAN HERNANDEZ: Okay, thank you,  
26 Ray. So, yeah, we'll get to you very shortly, go ahead,  
27 Jake, I guess, has something for us.

28

29 MR. MUSSLEWHITE: Yeah, thank you, Mr.  
30 Chair, can you hear me okay, am I unmuted.

31

32 CHAIRMAN HERNANDEZ: Yes, you are, go  
33 ahead.

34

35 MR. MUSSLEWHITE: Okay, great, thanks.  
36 Yeah, hey, I just wanted to share with the Council some  
37 things that have just been happening this morning that  
38 -- I've been going back and forth with Staff at Fish  
39 and Game about. It kind of came from -- you know, as  
40 we know I discussed yesterday the fact that the reduced  
41 harvest limits at Neva Lake have been pretty  
42 discouraging to subsistence use there and that as we've  
43 seen through our monitoring project there that  
44 escapements, returns to, you know, in that stock have  
45 improved that perhaps it would be appropriate to, you  
46 know, increase subsistence use by increasing those  
47 limits.

48

49 My understanding had been that Fish and  
50

50

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1 Game could do that administratively so -- and without  
2 having to go through the entire Board of Fish process  
3 and so I contacted Dave Harris, he's the area  
4 management biologist here in Juneau who would have, you  
5 know, management over that system and asked him about  
6 the possibility of that and he -- he replied, no, it  
7 would take a Board of Fish process and, which of course  
8 just wrapped up so, you know, it'd be -- we'd have to  
9 go through a whole 'nother cycle to do that. However,  
10 I was reasonably sure that there had been delegation of  
11 authority by the Board so the Department could do that  
12 without having to go through the Board process. So I  
13 did some digging and I did find, in fact, a memo from  
14 the Board of Fish to the Department delegating  
15 authority to set subsistence harvest limits in the  
16 Southeast Alaska area. So, in fact, they can change  
17 those without having to go through the entire Board of  
18 Fish process since that authority was delegated.

19

20 And he was unaware of that actually and  
21 had to.....

22

23 (Teleconference interference -  
24 participants not muted)

25

26 MR. MUSSLEWHITE: .....check with his  
27 higher ups and so we went back and forth and back and  
28 forth all morning and basically ended up hammering out  
29 a process, and I think it's actually a pretty exciting  
30 development honestly because it means that we have --  
31 we, being the Council and the general public, in fact,  
32 have a fairly quick fast track way to ask for changes  
33 to the State harvest limits in all the various  
34 subsistence fisheries, so, Neva, for example.

35

36 (Teleconference interference -  
37 participants not muted)

38

39 MS. KENNER: Hey.

40

41 MR. MUSSLEWHITE: .....And then.....

42

43 MS. KENNER: Hey, Jake.....

44

45 MR. MUSSLEWHITE: Yeah.

46

47 MS. KENNER: .....this is Pippa.

48

49 MR. MUSSLEWHITE: Yeah.

50

0405

1 MS. KENNER: Yeah, well, you might not  
2 be aware of this, but, yes, the -- the Department of  
3 Fish and Game used to.....

4  
5 CHAIRMAN HERNANDEZ: Excuse me.

6  
7 MS. KENNER: .....this.....

8  
9 CHAIRMAN HERNANDEZ: Is that -- is that  
10 Pippa talking now?

11  
12 MS. KENNER: .....regularly. Yeah.

13  
14 CHAIRMAN HERNANDEZ: Yeah, okay, Pippa,  
15 go ahead.

16  
17 MS. KENNER: The Department -- the  
18 Department of Fish and Game used to do harvest limits  
19 for fish administratively and you might not be aware of  
20 this or maybe the people you were talking to weren't  
21 but there was a court case and, of course, the court  
22 told the Alaska Department of Fish and Game that these  
23 regulations had to go through a regulatory process.  
24 They couldn't keep changing them on the books.  
25 However, now that I'm saying it, I realize that the  
26 exception to that is if they change it once. So it  
27 must be that they can change it in-season but then it  
28 has to go through the regulatory process.

29  
30 I'm sorry for interrupting, go ahead.

31  
32 MR. MUSSLEWHITE: Yeah, you're --  
33 you're exactly right, Pippa, that was the Estrada case,  
34 I think, is what you're referring to. So the Board of  
35 Fish, in response to that, basically delegated  
36 authority, issued a memo delegating authority to the  
37 Department and they basically had to follow the  
38 Administrative Procedures Act in doing so, and I think  
39 that's what the Estrada case was about, is that they  
40 had -- by leaving it up to the managers, they had not  
41 followed their own administrative procedures.

42  
43 MS. KENNER: Uh-huh.

44  
45 MR. MUSSLEWHITE: So it was  
46 housekeeping for them to issue this memo delegating  
47 authority. So now it's sort of back to where it was,  
48 kind of, in that, the Commissioner and the Department  
49 have the ability in a list.....

50

0406

1 (Teleconference interference -  
2 participants not muted)

3  
4 MR. MUSSLEWHITE: .....fisheries that  
5 they, you know, delegated to set permits. Which, you  
6 know, honestly the area management biologist wasn't  
7 even aware that that was the case. So I think they've  
8 just been kind of on autopilot ever since. So I  
9 brought that to their attention and then we basically  
10 hammered out a potential process for doing so. Which  
11 -- and I'll just kind of summarize it and kind of read  
12 this email.

13  
14 He says it sounds like you can make a  
15 mana -- a request -- this is an email from Dave Harris,  
16 sort of back to me, as we were discussing this -- it  
17 sounds like you can make a request to the management  
18 staff and if we're fine with it we then pass it along  
19 to the regulation folks who set up public notice and  
20 comment. So what he's referring to there is they would  
21 need like a 45 day public notice and comment period  
22 under the Administrative Procedures Act, so quite a bit  
23 easier than the entire Board of Fish cycle.

24  
25 If you're unhappy with our response,  
26 like we said no for some reason you could then go to  
27 the Commissioner and ask him, or her. Having not gone  
28 down this road before I'm not sure exactly how it will  
29 play out. I think the best way, in my opinion, would  
30 be to send us, the area managers, a request of whatever  
31 you think the limit should be, with justification, we  
32 can review it, if it seems reasonable move it along to  
33 the next step. We would have to spend some time  
34 looking at the data and such.

35  
36 So just to summarize the process, I  
37 guess, that we, you know, kind of hammered out, is  
38 since the -- you know the Council or, you know, anybody  
39 would send a request in, support it with data, kind of  
40 hammer out something with the area managers based on  
41 that data or appeal it to the Commissioner if they  
42 didn't like it and we still believed in it, come to  
43 some sort of agreement there, it would go through that  
44 public comment process and then get included in  
45 regulations. So that is an incredibly smoother fast-  
46 tracked to -- than the Board of Fish process and I  
47 think represents an extremely significant opportunity  
48 for the Council to have a very direct input into  
49 harvest limits. And the nice thing is since the  
50

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1 Federal harvest limits are mirror the State harvest  
2 limits it would be sort of a two-'fer in that we could  
3 change the Federal regs by de facto at the same time.

4

5 So I thought -- I think that's very  
6 promising.

7

8 I guess I would make just a couple of  
9 suggestions to the Council. Is that, perhaps if folks  
10 think that Neva is a good test case for this, then we  
11 could work through that process with Neva to increase  
12 the harvest limits there and sort of test the waters so  
13 to speak and, you know, hammer that out, see how it  
14 went because I'm sure, since it's sort of a novel  
15 process at this point, you know, there would be some  
16 bugs to work out so I think that would perhaps consist  
17 of a letter written by the Council with the assistance  
18 of Staff requesting that and we could provide  
19 supporting data and such. And then I would suggest  
20 that perhaps the Council would make a review of all the  
21 State permit harvest limits a part of the fisheries  
22 cycle for the Council so that then the Council could  
23 kind of have a regular cycle for providing input to all  
24 -- you know all of those harvest limits and such.

25

26 So that's considerably a much faster  
27 track than the Board of Fish cycle and I think it's an  
28 incredible opportunity to manage adaptively and for the  
29 Council to have like way more input into those harvest  
30 limits which are probably the biggest thing affecting  
31 subsistence fishermen right now, way more input than  
32 perhaps they do under the Board of Fish cycle.

33

34 Yeah, so I think that's where I am  
35 right now. I'd be happy to take any questions. I hope  
36 all of that was clear.

37

38 Yeah.

39

40 CHAIRMAN HERNANDEZ: Okay. I don't  
41 want to get into that right now. I'll let Council  
42 think about that. Jake, if you could come back to us  
43 maybe at the end of agency reports. It sounds like if  
44 the Council is going to make a request we need to know  
45 what we're requesting. If you could maybe put  
46 something together and come back, like I say, at the  
47 end of agency reports before we adjourn here and you  
48 can answer questions then. Does that sound good?

49

50

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1 MR. MUSSLEWHITE: Yes, Mr. Chair, that  
2 sounds good to me. I can try to put together a quick  
3 draft letter of request, perhaps with some supporting  
4 information.

5  
6 CHAIRMAN HERNANDEZ: Okay.  
7 Otherwise.....

8  
9 MR. SMITH: Mr. Chair.

10  
11 CHAIRMAN HERNANDEZ: .....we will.....

12  
13 MR. SMITH: Mr. Chair, I have a  
14 question.

15  
16 CHAIRMAN HERNANDEZ: Could we hold --  
17 we're going to hold all those questions. Jake will be  
18 back with us, keep them in mind, you know, I have  
19 somebody waiting here so I want to move on with our  
20 tribal reports here. So I don't want to keep them  
21 waiting any longer. So Ray Paddock and Mark Banda from  
22 Central Council of Tlingit and Haida, you're up, go  
23 ahead.

24  
25 MR. PADDOCK: Thank you, Mr. Chair, and  
26 thank you to the Southeast Subsistence RAC for giving  
27 us some time to talk to you all about our Guardians  
28 Program. It's a really exciting project we've got  
29 going on in concept that we're working to develop here  
30 and we're really happy that you guys invited us to chat  
31 about this. With that I'll introduce myself very  
32 quickly and then let Marco introduce himself.

33  
34 My name is Raymond Paddock. I'm the  
35 Environmental Manager for the Central Council Tlingit  
36 and Haida in the Natives Lands and Resources Division.  
37 Essentially that's just a fancy term for writing and  
38 managing environmental grants.

39  
40 With that, Marco.

41  
42 MR. BANDA: Hi, good afternoon. Thank  
43 you, Mr. Chair. Thank you Council for having us on.  
44 My name is Marco Banda. I am the Regional Resource  
45 Specialist here at Central Council Tlingit in the  
46 Native Lands and Resources Department. I'm  
47 specifically working on the developing of the Guardians  
48 Network.

49  
50

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1 MR. PADDOCK: And really quickly we do  
2 have a powerpoint but we're not going to be presenting  
3 it right now so sometime after or sometime during this  
4 presentation we'll send out the powerpoint either to  
5 DeAnna -- or -- and have that sent out to you guys or  
6 if you guys are on the email list we'll be able to get  
7 that to you as well.

8  
9 And so just to start off really  
10 quickly, this Guardians concept -- this Guardians  
11 Program that we're working to develop is it's a concept  
12 that's being modeled after First Nations in Canada. We  
13 first saw it in British Columbia where First Nations  
14 essentially working on co-management and co-governance  
15 of their environmental and natural resources in their  
16 home areas, their traditional lands. And this is  
17 something we're looking to do here.

18  
19 As we know Alaska is different in  
20 regards to policy-wise for tribal lands and it's not  
21 recognized here versus say the rest of the United  
22 States or even in Canada so we have a different battle  
23 -- I don't want to say battle, a different approach to  
24 developing this concept, if you will.

25  
26 So with that I can let Marco kind of go  
27 on with it as well.

28  
29 MR. BANDA: Thank you, Ray. Yeah, as  
30 Ray was saying this developing network, you know, at  
31 the heart of it is aimed at the co-management, co-  
32 governance aspect of -- of the rights here of -- Alaska  
33 Native rights and subsistence and beyond in resources.  
34 So just to give you kind of, in a nutshell of what  
35 we're doing and what we're doing and what our vision is  
36 and our mission here is at the heart of it, the  
37 Indigenous Guardian Network is a collaboration of  
38 Southeast Alaska Native tribes, communities, tribal  
39 governments, Federal government agencies as well as  
40 environmental NGOs all working in collaboration of --  
41 and this is really based on the acknowledgement for the  
42 need for the incorporation of traditional knowledge by  
43 the scientific community and we see this -- and we have  
44 been seeing this in a lot of other portions of this  
45 country and in the world, that call and that need for  
46 the traditional knowledge to be incorporated.

47  
48 So our purpose here for the Indigenous  
49 Guardian Network is to support the Alaska Native  
50



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1 communities and expressing that inherent sovereignty by  
2 applying that traditional knowledge to the sustainable  
3 ways of life in order to protect, restore, manage the  
4 homelands and waters. In this support we look to  
5 enhance tribal capacity. And like I said before in the  
6 co-management and co-governance Alaska Native homelands  
7 and waters. The way we do this is we.....

8

9 (Teleconference interference -  
10 participants not muted)

11

12 MR. BANDA: .....traditional knowledge  
13 by enriching intertribal collaborations as well as  
14 other partnerships with Forest Service and other  
15 environmental groups. Our phases in this work have  
16 been divided into three separate phases that we're  
17 going to tackle this with.

18

19

20 (Teleconference interference -  
21 participants not muted)

22

23 MR. BANDA: First phase is going to be  
24 -- is the phase that we're now coming -- we're now  
25 coming in to the second phase and that is building of  
26 -- of coalitions and we are building these coalitions  
27 to identify these shared priorities that each one of  
28 the communities has but in the same regard  
29 understanding how each of the communities is going to  
30 highlight and be specific about a certain -- a certain  
31 need, the priorities will be different. So this  
32 network aims to gather all that information to bring  
33 everybody to the table as one so they can express their  
34 needs individually as communities so we can then  
35 address those in a collaborative way.

36

37

38 The second phase of this operation is  
39 the phase that we're in now. We're beginning to do the  
40 organization of Guardians teams so that we can  
41 implement a strategy to take care of those individual  
42 properties as identified.

42

43

44 And further on in the third phase of  
45 our work, it's going to be kind of a bringing back in,  
46 let's get back around together, collaborate once again,  
47 come back to the table, determine the properties that  
48 have been addressed, where are the gaps, where can we  
49 further, you know, work to enrich tribal communities.  
50 And so we're kind of taking most of these phases -- you

50

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1 know we'll take four areas of focus within those  
2 phases.

3  
4                   Within those phases we're going to be  
5 looking at adaptation planning, shared stewardship,  
6 heritage and subsistence.

7  
8                   That, kind of in a nutshell, is what we  
9 have and our overarching vision is very, very simple.

10  
11                   (Teleconference interference -  
12 participants not muted)

13  
14                   MR. BANDA: It's simply to restore  
15 balance.

16  
17                   MR. PADDOCK: And to add to that, too.  
18 So as Marco mentioned, you know, we -- the tribes,  
19 ourselves, are developing our scientific capacity to be  
20 able to ensure that we're also implementing that  
21 traditional knowledge as well. And by no means does  
22 this program take away the sovereignty of any tribe or  
23 municipality or government that partakes in the  
24 Guardians Program, but we believe it's there to enhance  
25 partnership and share resources.

26  
27                   Shoot, I'm trying to think of what else  
28 I wanted to say in that regard, I kind of just lost  
29 that.

30  
31                   But.....

32  
33                   MR. BANDA: Yeah, I just -- if I could  
34 just kind of further that a little bit. I feel like  
35 when we first -- when I was first brought in on this  
36 network, it was very -- it was very clear and I was in  
37 total 100 percent agreement that this Indigenous  
38 Guardians Network be the voice of all communities, from  
39 the tribal government level down to the -- to the  
40 community member, to the person out on the boat, to the  
41 person picking berries, the person that's been on the  
42 land all this time. So that is at the core of what the  
43 Network wishes to accomplish here.

44  
45                   You know having this platform here, you  
46 know, we'd like to extend an open invitation to those  
47 who want to come together, you know, in a collaborative  
48 strength but, you know, more so in healing. It does  
49 begin with coming back to the land and understanding  
50

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1 and re -- just kind of going forward with maintaining,  
2 you know, and restoring and being on the land. So,  
3 yeah.

4  
5 MR. PADDOCK: So this concept, for  
6 those who may not be grasping this just yet, a thought  
7 -- you know, I can kind of give you guys an idea of  
8 what, you know, something that it may look like, or  
9 something that's happening.

10  
11 I'll just say right now the Hoonah  
12 Forest Partnership, or -- and the Kake Forest  
13 Partnership are examples of Guardian Programs where  
14 they're actually doing co-management on Forest Service  
15 lands. We want to extend this out not just on Forest  
16 Service, but we'd love to see this in other Federal  
17 government agencies, you know, and one idea is, of  
18 course, the Hoonah Indian Association being able to  
19 manage -- co-management and co-governance, let's say,  
20 Glacier Bay, which is ran by the National Park system  
21 -- National Park Service, you know, these are just  
22 ideas of what this concept looks like. And then, of  
23 course, some day we hope to get the State involved.  
24 But as we're developing our capacity on the scientific  
25 aspect, whenever governments don't want to essentially  
26 knowledge the work that's being done, we may not even  
27 be able to give -- we'll have that -- we'll have that  
28 capacity to do so. And, hopefully, you know, as -- as  
29 we're pushing this program through it still gives them  
30 an opportunity to join in.

31  
32 And for those who are wondering how  
33 this is going to work, you know, one thing I can say  
34 tribes are only as sovereign in how much money they  
35 have and so while many tribes in Alaska operate off  
36 dollars, grant funding through, be it, the Federal  
37 government, the State or foundational grants, we are  
38 creating where we can put dollars in -- an endowment  
39 where we have dollars to essentially have our own  
40 sovereign projects to do this right now. Right now  
41 we're in collaboration with a group called the SeaCoast  
42 Group, which consists of Sealaska, the Nature  
43 Conservancy, the Forest Service, the Southeast  
44 Sustainable Partnership and several other NGOs  
45 throughout Southeast Alaska and tribes. And this  
46 group, the SeaCoast Group, right now we have \$20  
47 million in this endowment and thanks to Sealaska for  
48 their portion in giving 10 million and thanks to the  
49 Nature Conservancy for adding 7 million and then  
50

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1 another 3 million from other foundations. But we want  
2 to get this up to 40 million, and then up to 100  
3 million and into perpetuity, if you will. So we're not  
4 necessarily relying on the soft dollars of grants from  
5 the Feds, the State or foundations, but it actually  
6 allows us to empower ourselves in that regard.

7

8 So, you know, one project we'll be  
9 looking at, of course, again, is subsistence, fish and  
10 moving into these realms and, of course, that kind of  
11 gives the power back to the communities as Marco.....

12

13 (Teleconference interference -  
14 participants not muted)

15

16 MR. PADDOCK: .....was saying. So  
17 Marco, is there anything else to add?

18

19 MR. BANDA: I can't think of anything  
20 at the moment, but, thank you.

21

22 MR. PADDOCK: So with that, I guess,  
23 you know, we'd love to open it up for questions,  
24 comments. I know there might be some comments out  
25 there like how in the heck is this going to work but we  
26 have a lot of people that are helping really push this  
27 together so.

28

29 CHAIRMAN HERNANDEZ: Yeah, you  
30 certainly have generated a lot of questions and I'll  
31 give the Council members a chance to formulate some  
32 questions. Whenever anybody's ready, a lot to think  
33 about here.

34

35 MR. PADDOCK: While you guys are  
36 thinking right now, we're -- as Marco mentioned, these  
37 phases we're in, Covid's kind of held us back a little  
38 bit in being able to do our -- finish our Phase I  
39 essentially in a proper manner. Our Phase I was  
40 supposed to consist of being able to go to each  
41 community in Southeast Alaska and invite these tribes  
42 to essentially be a part of this Guardian development  
43 and so we're -- while we are, again, in this  
44 developmental piece part, nothing's laid out, priority-  
45 wise, we're not sending actionable items just yet to  
46 address these goals but we're looking to support this  
47 developmental piece so we're still going to be  
48 continuing -- part of this Phase I aspect of inviting,  
49 we've talked to several tribes via Zoom, Teams, and  
50

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1 phone, but the real connection is going to be made when  
2 we are able to get back into traveling and being able  
3 to go to these -- we still want these communities to be  
4 involved in this planning.....

5

6 (Teleconference interference -  
7 participants not muted)

8

9 MR. PADDOCK: .....participating phase  
10 and this developmental piece, if you will.

11

12 (Teleconference interference -  
13 participants not muted)

14

15 CHAIRMAN HERNANDEZ: Do we have  
16 questions yet or comments.

17

18 (Teleconference interference -  
19 participants not muted)

20

21 MR. SCHROEDER: Yeah, Don, can you read  
22 me.

23

24 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
25 Bob.

26

27 MR. SCHROEDER: Yeah, well, thanks very  
28 much for the two of you coming and presenting to us and  
29 also for inviting us, some of the SERAC indigenous  
30 management working group to attend Guardian meetings.  
31 That's been very.....

32

33 (Teleconference interference -  
34 participants not muted)

35

36 MR. SCHROEDER: .....useful. And I  
37 really appreciate Ray and sometimes Marco attended some  
38 of our working meetings on this concept of indigenous  
39 management and co-management. And later on in our  
40 meeting we are preparing and working on a state -- a  
41 policy statement for SERAC on this issue and with some  
42 recommendations that may go to the Federal agencies  
43 under our purview.

44

45 So that's a -- so that's a fairly  
46 positive thing there.

47

48 I would like if you could stay on for  
49 some of that discussion that would be useful to us.

50

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1                   Also, before you finish up, I'd like to  
2 know if there are particular supports that the Council  
3 could provide to you guys.....

4  
5                   (Teleconference interference -  
6 participants not muted)

7  
8                   MR. SCHROEDER: .....in your work and  
9 if there's something that you'd like us to consider  
10 doing, this would be a good opportunity to find out  
11 what it is before you close up today. But, anyways, I  
12 am very excited about this stuff.

13  
14                   And I'd just second, just from my  
15 readings, just what Ray and Marco were saying about how  
16 this may be kind of new territory in Alaska but it's  
17 become something of almost a standard operating  
18 procedure in many other parts of the world, where  
19 incorporation of Native entities and land and resource  
20 management.....

21  
22                   (Teleconference interference -  
23 participants not muted)

24  
25                   MR. SCHROEDER: .....activities are way  
26 further along, specifically in much of Canada and also  
27 interestingly enough I know there are very similar  
28 projects in Australia and elsewhere. So those are some  
29 comments at this moment.

30  
31                   Thank you.

32  
33                   MR. PADDOCK: Thank you, Bob. Yeah,  
34 and to add to that really quickly. Thank you for  
35 bringing up the First Nations in Canada and, of course,  
36 the Australians and New Zealand for their Ranger  
37 Programs, which is essentially kind of the same model.  
38 But this is something, again, that the First Nations  
39 have been looking to build, and have been building,  
40 actually, over the past 20-plus years or so and it's so  
41 successful that actually the Canadian Federal  
42 government has given First Nations in Canada over 500-  
43 plus million dollars to continue doing their Guardians  
44 Program. So, yeah, seeing the success over there  
45 really really inspires us to be able to do something in  
46 a similar fashion. Again, though, we want to be able  
47 to do on a sovereign aspect but having that Federal  
48 partnership would be huge, not just the Federal part,  
49 but the State part and we're really hoping that that  
50

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1 can happen. We also see beyond the Federal and State,  
2 we also see this as, you know, municipalities,  
3 communities really being a part of this program and so  
4 with -- with that said, Bob, you know, how to be a part  
5 of this, I think -- we -- we hold these monthly get  
6 together and we're creating these -- right now we have  
7 an interim core group and this core group is kind of  
8 just pushing the priorities forward right now. But  
9 with that said, again, this interim core group, once we  
10 get a bigger, larger group established consisting of  
11 the tribes and other participants, we start seeing a  
12 governance structure -- we don't know what that  
13 governance structure will look like yet, that's the fun  
14 part of the developing piece of it, but we could see a  
15 governance structure where, you know, it takes, you  
16 know, say Tlingit and Haida or someone else out in the  
17 interim core group out to allow a board to be developed  
18 or not such a colonized aspect of it but we can  
19 envisionize it -- essentially just -- just that thought  
20 of, man, having a governance structure where we could  
21 have a board, if you will, to push these priorities  
22 forward into the Guardians Program.

23

24 So it's really still -- again, that  
25 elemental piece, but this is what it's going to take to  
26 really push those things forward so having -- having  
27 someone from the Southeast RAC sit in on these monthly  
28 calls or getting in touch with us and meeting with the  
29 core group is a great place to start and -- and  
30 participation for you guys.

31

32 CHAIRMAN HERNANDEZ: Thank you, Ray.  
33 Thank you, Bob. Any other Council members want to ask  
34 a question or make a comment.

35

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

38

39 CHAIRMAN HERNANDEZ: Go ahead, Albert.

40

41 MR. HOWARD: Thank you, Mr. Chairman.  
42 I think this is a great idea and I have a lot of ideas  
43 that you guys could consider doing but that could lead  
44 to a conversation of talking the rest of the afternoon.

45

46 MR. PADDOCK: For sure.

47

48 MR. HOWARD: But I'm available whenever  
49 if you guys need anything from Angoon even if it's just  
50

0417

1 brainstorming.

2

3

MR. PADDOCK: We will Albert, for sure.

4

5

MR. HOWARD: One of the ideas.....

6

7

MR. PADDOCK: For sure.

8

9

MR. HOWARD: One of the ideas I had was  
10 needing DNA sampling of all the king salmon caught  
11 within the Angoon area to see if we are, in fact,  
12 catching British Columbia king salmon and if not we can  
13 tell them to kick rocks and quit closing kings on us.  
14 So that's one idea. I have several.

15

16

17

But I'm sure when you come to Angoon,  
I'll be a part of that.

18

19

Thank you, Mr. Chairman.

20

21

22

CHAIRMAN HERNANDEZ: Thank you, Albert.  
Anybody else on the Council want to make a question or  
a comment.

23

24

25

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

26

27

28

CHAIRMAN HERNANDEZ: Go ahead, Patty.

29

30

31

MS. PHILLIPS: Thank you, Mr. Chair.  
And, thank you Ray and Marco. So have you -- has the  
tribe consulted or met with the Regional Forester about  
this Guardians Program and will it take a change in  
regulations in order -- are you far enough along to be  
able to have a proposal to submit for regulation change  
if you have to and do you have a strategic plan in  
place. I mean how -- I know you say that this is  
successfully going on in Canada so, you know, you don't  
have to reinvent the wheel it sounds like, but we have  
within.....

32

33

34

35

36

37

38

39

40

41

42

UNIDENTIFIED VOICE: Right.

43

44

45

MS. PHILLIPS: .....our region is U.S.  
Forest Service, Alaska Department of Fish and Game,  
U.S. Coast Guard, so what -- what are you looking at  
here? Thank you.

46

47

48

49

MR. PADDOCK: Hi, Patty. So right now

50



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1 the Regional Forester is on board and is supporting  
2 this. And so with that support it has allowed us to  
3 get this grant that Marco is talking about with -- I  
4 won't even call it a grant, a cooperative agreement, if  
5 you will, and to essentially build this program out.  
6 So the Forest Service is essentially a part of this  
7 core group and working directly with Marco and myself,  
8 and the Tlingit and Haida in this developmental piece.  
9 And Regional Forester Dave Schmid is 100 percent behind  
10 this with having some Staff from his office working  
11 with us. It used to be Melinda Burke-Hernandez.....

12

13 (Teleconference interference -  
14 participants not muted - participant coughing)

15

16 MR. PADDOCK: .....and now it's Kevin  
17 Hood and Michael Goldstein (ph) on that side and then  
18 on the other side, the Tongass, I believe it's the  
19 Tongass, Jennifer Handlin, who is new to the Forest  
20 Service is going to be working with us as well.

21

22 As far as dealing with policy and  
23 regulations at this point, nothing solid yet, but this  
24 is why we have that Federal government partnership and  
25 we want to extend it out, not to just the other land  
26 owners, like the Forest Service, but we want to extend  
27 this out to, you know, the National Park Service and  
28 other entities within the region that have, if you  
29 will, and I hate saying this word, a stakeholdership,  
30 if you will. So nothing solid on that ground yet but  
31 we're moving forward with that and I hope that, you  
32 know, that it leads to that and that's why we have that  
33 Federal government partner involved in this  
34 developmental piece.

35

36 MS. PHILLIPS: Very good, thank you.

37

38 MR. PADDOCK: Of course, tribal --  
39 yeah, of course with tribal leadership really pushing  
40 the priorities along, if you will.

41

42 CHAIRMAN HERNANDEZ: Okay, thank you,  
43 Patty. Any other Council members with a question or  
44 comment.

45

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

47

48 CHAIRMAN HERNANDEZ: Go ahead, John.

49

50

0419

1 MR. SMITH: Thank you, Ray, Marco.  
2 It's good to hear your voice. (In Tlingit)

3  
4 MR. PADDOCK: Thank you, brother.

5  
6 MR. SMITH: Friend. Family. Yeah, a  
7 question on the -- I really like the partnership and  
8 definitely want to connect on visiting with your team.  
9 I've come to your house with Darren Snyder, University  
10 of Fairbanks, you know, we're all in on supporting the  
11 team and diving in, even to the supporting of the --  
12 the Headstart Program right next to your house, too,  
13 see the new boxes and the new.....

14  
15 MR. PADDOCK: Right.

16  
17 MR. SMITH: .....planters there and the  
18 greenhouse. I just love it. And I really thank -- I  
19 know you guys were reaching out to Angoon also this --  
20 you know, and other things with supporting the  
21 communities, other communities with greenhouses and  
22 other resources to be sustainable.....

23  
24 MR. PADDOCK: Right.

25  
26 MR. SMITH: .....and do things on their  
27 own. I really appreciate that. A lot of good things  
28 are going very well with partnerships. And it's --  
29 makes it a lot stronger and so I really appreciate you  
30 doing that.

31  
32 MR. PADDOCK: Gunalcheesh.

33  
34 MR. SMITH: I know that one of the big  
35 things is encouraging the push like you guys are doing,  
36 is I encourage.....

37  
38 (Teleconference interference -  
39 participants not muted)

40  
41 MR. SMITH: .....a climate type energy  
42 plan, I don't know.....

43  
44 (Teleconference interference -  
45 participants not muted)

46  
47 UNIDENTIFIED VOICE: You come back in  
48 the house.

49  
50

0420

1 (Teleconference interference -  
2 participants not muted)

3  
4 REPORTER: I'm sorry to interrupt.  
5 We're going to need everybody to put their phones on  
6 mute because I can't hear him speaking. Thank you.

7  
8 MR. PADDOCK: Go ahead, John, please.

9  
10 MR. SMITH: So just -- yeah.....

11  
12 CHAIRMAN HERNANDEZ: Somebody needs to  
13 mute their phone with all this background noise.

14  
15 MR. SMITH: Thank you. Thank you.

16  
17 MR. PADDOCK: Yeah, I think -- yeah,  
18 thank you, I think I got most of that.

19  
20 MR. SMITH: I'm still speaking, if I  
21 can finish.

22  
23 CHAIRMAN HERNANDEZ: Yes, go ahead,  
24 John.

25  
26 (Teleconference interference -  
27 participants not muted)

28  
29 MR. SMITH: Okay. It's just checking  
30 in to see if the team -- your team has pushed to  
31 climate energy plan and setting a goal for the next few  
32 years and even advocating to connect with the Juneau  
33 Commission of Sustainability, and -- and visiting in on  
34 their meetings. There are a lot of good things going  
35 there, too. I know I seen your reps when I was part of  
36 the team that came to visit, I see a real need for  
37 visiting each other very often and knowing what's going  
38 on and knowing that we all don't have money and these  
39 resources that each entity can support and help each  
40 other. I really like that.

41  
42 (In Tlingit) All hands on.

43  
44 I appreciate that.

45  
46 Thank you. Thank you.

47  
48 MR. PADDOCK: Gunalcheesh John. So,  
49 yes, we are implementing a climate aspect of things  
50

0421

1 and, of course, the tribe right now, you may have not  
2 known, the tribe is looking to move into somewhat of a  
3 green energy sector, if you will, and essentially  
4 working across the region with entities that are making  
5 that push. Our department at Tlingit and Haida has  
6 developed a climate change adaptation plan based off of  
7 cultural issues but we are now expanding on that  
8 adaptation plan to add social and economic impacts and  
9 of course when you talk about social and economic  
10 impacts, you're talking about how climate can affect  
11 our economy here, or social aspect. And we, of course,  
12 you know, the tribe's going to be looking to enhance  
13 that, if you will, with -- through the adaptation plan.  
14 And we've actually been able to share the adaptation  
15 plan with several tribes around Southeast. We've  
16 created a template that the tribes have been able to  
17 use and that template, of course, is based -- you know,  
18 they could use it for their -- they could use it for  
19 their community-based, the issues that they see within  
20 their community. Right now the current plan we have is  
21 based off of regional issues. But we've given that  
22 template to essentially empower the tribes around us  
23 and hopefully use that aspect of it to hopefully  
24 collaborate some more, if you will.

25

26                   And as far as the food security stuff,  
27 and thank you for pointing it out, you know, this is  
28 something also we want to add in the Guardians Program.  
29 It's something we're doing already, are individual  
30 aspect of the tribe is developing out our food  
31 sovereignty program. And, yeah, we have a greenhouse  
32 that we've just -- we got established last summer and  
33 we're using this current greenhouse right now as a  
34 learning tool for ourselves, to train ourselves and  
35 hopefully use that to start training the other tribes  
36 and we hope to do this through the Guardians as well as  
37 tribal -- tribal conservation district through the USDA  
38 as well.

39

40                   CHAIRMAN HERNANDEZ: Okay, thank you,  
41 Ray. I'm going to ask for maybe one more opportunity  
42 for a Council member who hasn't had a chance to ask a  
43 question or a comment, but I do want to allow the Fish  
44 and Game Department to give their presentation here.  
45 They're scheduled for 2:00 o'clock. So any other  
46 Council member who hasn't already been able to ask a  
47 question or a comment.

48

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

50

0422

1                   CHAIRMAN HERNANDEZ: Ian, go ahead.

2

3                   MR. JOHNSON: Yeah, hey, Ray and Marco,  
4 thanks for the presentation. One of the things we've  
5 been discussing in the background a little bit is the  
6 -- just the co-management, more for communities that  
7 don't have tribal entities and so I would -- to me, can  
8 you talk a little bit about what has been done from  
9 indigenous perspective to approach communities without  
10 tribes, if anything, I'm not sure.

11

12                   MR. PADDOCK: Well, I think that's  
13 something we're looking to design upon right now, of  
14 course, through the, you know, participating -- we want  
15 to be able to, again, I think I've mentioned that we  
16 want to bring in municipalities and other communities  
17 especially where tribal members are. I think Marco may  
18 have mentioned this, too, but we want essentially the  
19 power to lie within the voices of the community, the  
20 residents of Southeast Alaska to bring forward those  
21 issues. And so we still really haven't gotten that far  
22 yet but of course, you know, that's something we're  
23 hoping to build on.

24

25                   And with you guys at Hoonah Indian  
26 Association, I think it's a big step in helping us push  
27 that forward too. So it's still in development, if you  
28 will.

29

30                   I hope that answers your question, Ian.

31

32                   MR. JOHNSON: Yeah, no, thanks Ray,  
33 that's perfect.

34

35                   CHAIRMAN HERNANDEZ: Okay. Any.....

36

37                   MR. PADDOCK: One more thing -- one  
38 more thing really quickly, I'm sorry, Mr. Chair.

39

40                   CHAIRMAN HERNANDEZ: Go ahead, Ray.

41

42                   MR. PADDOCK: I just wanted to give  
43 acknowledgement also to Cathy Needham, who is one of  
44 the forefronts of putting -- you know getting this  
45 conversation piece started on Guardians. Her and Bob  
46 Christensen were big parts of it at first, you know.  
47 And, you know, I was really skeptical hearing it at  
48 first and I didn't think it could happen in Alaska,  
49 especially based on the policy aspect of things but,  
50

0423

1 you know, over the last couple of years things have  
2 really come to fruition and, yeah, I just wanted to  
3 give that acknowledgement to Cathy.

4  
5 CHAIRMAN HERNANDEZ: Very good, glad to  
6 hear that. Anybody else on the Council with a question  
7 or a comment.

8  
9 MR. CASIPIT: Mr. Chair, this is Cal.

10  
11 CHAIRMAN HERNANDEZ: Well, Ray and  
12 Marco -- I hear one other person.

13  
14 MR. CASIPIT: This is me, I was just  
15 going to thank Ray and Marco for their presentation, it  
16 was really great and I hope to see Ray out here  
17 sometime halibut fishing.

18  
19 MR. PADDOCK: Cal, I'm looking forward  
20 to it, I miss you buddy.

21  
22 (Laughter)

23  
24 MR. PADDOCK: It's been awhile.

25  
26 MR. BANDA: Thanks for having us on.

27  
28 CHAIRMAN HERNANDEZ: Yeah, Ray and  
29 Marco, really interesting presentation. It sounds like  
30 there is a lot going on there. I'm glad to hear the  
31 Forest Service is actively involved. If we were going  
32 to write a letter of support that's who it would go to  
33 but it sounds like they're already pretty well  
34 involved. I'm glad to hear that.

35  
36 I think the Council will be following  
37 your efforts here closely. We are, as a Council,  
38 talking about, you know, supporting this indigenous  
39 management concept and it sounds to me like we're going  
40 to be engaging with the Guardians Network a fair amount  
41 as we move forward. So we'll definitely have to stay  
42 connected and keep track of what you're doing. And  
43 like I say we may be in a support role but the tribal  
44 organizations are going to be the work so it sounds  
45 like you're well underway. So thank.....

46  
47 MR. PADDOCK: Appreciate that, Mr.  
48 Chair.

49  
50

0424

1 CHAIRMAN HERNANDEZ: .....again for  
2 your presentation.

3  
4 MR. PADDOCK: Yeah, I appreciate that.  
5 And we look forward to your guys' participation in the  
6 Guardian's development and for those that are guests on  
7 this call, too, we look forward to you guys joining.  
8 And thank you, again, for giving us the time to talk.

9  
10 Gunalcheesh.

11  
12 CHAIRMAN HERNANDEZ: You're welcome.

13  
14 MR. BANDA: Thank you all.

15  
16 CHAIRMAN HERNANDEZ: Okay. We're  
17 looking for Alaska Department of Fish and Game has an  
18 agency report for us. So we'll do that and then we'll  
19 move to our working group report on indigenous  
20 management and, Marco and Ray, if you're still by the  
21 phones there you might want to listen in on that as  
22 well. That will be right after we hear from Alaska  
23 Department of Fish and Game.

24  
25 (No comments)

26  
27 CHAIRMAN HERNANDEZ: Hopefully they're  
28 there.

29  
30 MS. SILL: Hi, Mr. Chair. This is  
31 Lauren Sill. I'm with Fish and Game. I know that Flip  
32 Pryor also has a presentation for you so I don't know  
33 which one of us you want to hear from first.

34  
35 CHAIRMAN HERNANDEZ: Why don't you go  
36 ahead, Lauren.

37  
38 MS. SILL: Okay. Mine is very short.  
39 So I -- for the record my name is Lauren Sill, I work  
40 with the Division of Subsistence in Fish and Game. I  
41 submitted -- I did a one page update, kind of what our  
42 activities are in Southeast so I won't spend a lot of  
43 time on it because hopefully you guys all have that and  
44 can flip through it for yourselves. I just, I guess,  
45 wanted to highlight some of our research projects.

46  
47 We're a part of the Keex'Kwaan  
48 Community Forest Partnership. We're trying to do  
49 household harvest surveys as a part of that about use  
50

0425

1 of wild resources in Kake. And Covid has been  
2 challenging, we've been trying to do this for a couple  
3 of years now and it just hasn't worked out yet. We  
4 were trying to this spring, and there's still a chance  
5 that maybe that's going to happen within the next month  
6 but it's looking a little bit more unlikely and we'll  
7 probably be pushing that off until next year but after  
8 listening to President Jackson this morning, pretty  
9 excited about the timing for doing these surveys and  
10 hopefully we will have some current data to inform  
11 whatever proposal they come out with for the Board of  
12 Fish or to help them with their proposal writing.  
13 Those surveys are going to be about all resources that  
14 people use and probably a little bit about gardening  
15 and some other -- some other food security issues.

16  
17 We're also -- we do an annual program  
18 with the Sitka Tribe of Alaska to estimate the harvest  
19 of herring eggs out of Sitka Sound. We try to talk to  
20 all the harvesters in Sitka Sound, whether they live in  
21 Sitka or live in the rural surrounding communities.  
22 That should be getting under way relatively soon, as  
23 soon as the herring spawn and the harvest begins, we'll  
24 take that up and try to get a report published this  
25 winter about that.

26  
27 And on the update that I had sent in to  
28 the Council I have proposed research but since I sent  
29 in this update we found out that we have gotten --  
30 successfully gotten funding for these two projects  
31 through the OSM Fisheries Resource Monitoring Program  
32 so we're very excited about this.

33  
34 We've got two projects. One is going  
35 to be to update the harvest and use of wild resources  
36 by residents of Pelican, Gustavus and Tenakee Springs.  
37 And the last time we were able to do harvest surveys in  
38 those communities was in the late '90 -- in the late  
39 '80s so it's, you know, over 30 years old, very out of  
40 date and very much in need of an update. So we're  
41 planning on going to those communities in 2024,  
42 hopefully Covid will not be problematic at that point,  
43 and, again, we'll be trying -- we'll be producing  
44 reliable estimates of harvest and use of all wild  
45 resources. We'll do some spacial mapping to look at  
46 the geographic search and harvest areas for wild  
47 resources and then we'll also do some key respondent  
48 interviews with local experts, long time harvesters,  
49 knowledgeable individuals to document observations of  
50



0426

1 changes over time and harvesting practices, harvest  
2 trends, areas used, concerns -- local concerns in the  
3 communities, those sort of things.

4

5                   And then the second project that we got  
6 funded is a collaboration with Klawock Heenya and Kai  
7 Environmental and we'll be estimating in-season harvest  
8 of the Klawock River subsistence salmon fishery. And  
9 we've been trying for a couple of years to get  
10 something like this funded so I'm pretty excited that  
11 it finally did get funding for it. It's going to be  
12 over -- it's starting next month and it will occur over  
13 three summers and we'll be doing in-season subsistence  
14 salmon harvest estimates for the Klawock Lake system.  
15 And we'll also be doing -- we're doing -- part of it is  
16 to look at a user survey to kind of measure fisher's  
17 experience on the new online permit system, which I  
18 know you guys were talking about a little bit earlier  
19 today, about online permits. And Fish and Game  
20 recently switched to an online system, I think, in 2018  
21 and we haven't done a whole lot of outreach to figure  
22 out how that's working or how it's not working and so  
23 I'm hoping to start a little bit of that, it's not  
24 going to be as wide-scale as -- as it probably needs to  
25 be but it will be a start with just looking at users of  
26 the Klawock River system.

27

28                   And I think that's all that I have for  
29 updates for our activities but I would be happy to take  
30 any questions. My contact info is at the bottom of the  
31 sheet of paper that had our update on there.

32

33                   Thank you, Mr. Chair.

34

35                   CHAIRMAN HERNANDEZ: Thank you, Lauren.  
36 Are there any questions from the Council.

37

38                   (No comments)

39

40                   CHAIRMAN HERNANDEZ: Okay, thank you,  
41 Lauren. I sure hope that.....

42

43                   MS. PERRY: Mr. Chair.

44

45                   CHAIRMAN HERNANDEZ: .....you can go  
46 out and get those surveys done after the Covid slows  
47 down. Who was that, go ahead.

48

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

50

0427

1 CHAIRMAN HERNANDEZ: Yeah, hi, DeAnna.

2

3 MS. PERRY: I just wanted to recognize  
4 Lauren's help at the Board of Fish meeting. Folks may  
5 not know, Cathy, when she was in Anchorage was kind of  
6 on her own. The agencies, DOI and USDA would not allow  
7 Staff to travel so Cathy was able to get some support  
8 from Lauren at the meeting there in Anchorage and I  
9 just wanted to recognize and let her know it was much  
10 appreciated, so, thank you, Lauren.

11

12 Thank you, Mr. Chair.

13

14 CHAIRMAN HERNANDEZ: Yeah, thank.....

15

16 MS. SILL: Thanks again, I was happy  
17 to.

18

19 CHAIRMAN HERNANDEZ: Yeah, thanks for  
20 letting the rest of the Council know that, DeAnna.  
21 Yeah, much appreciated Lauren. Let's see as part of  
22 the Fish and Game report was a report on kelp farming  
23 included in that from Flip Pryor.

24

25 MR. PRYOR: Yeah, Mr. Chair, can you  
26 hear me.

27

28 CHAIRMAN HERNANDEZ: Yeah. Yeah, good  
29 afternoon.

30

31 MR. PRYOR: Okay.

32

33 CHAIRMAN HERNANDEZ: I know this is a  
34 topic.....

35

36 MR. PRYOR: Yeah, I got.....

37

38 CHAIRMAN HERNANDEZ: .....the Council  
39 has been interested in and it sounds like we finally  
40 get a chance to hear it so go ahead.

41

42 MR. PRYOR: Okay. I see we have the  
43 presentation up, I wasn't sure it was going to be up.  
44 Anyway, I'm Flip Pryor, I'm the statewide Aquaculture  
45 Section Chief with the Alaska Department of Fish and  
46 Game out of the Juneau office here. And I'm going to  
47 do a presentation on kelp farming. The presentation is  
48 also available on the website where there's additional  
49 information there as well. The one thing that's not  
50

0428

1 intuitive about the website is Aquatic Farming is under  
2 the fisheries tab and that's because it's -- the  
3 oversight is Commercial Fisheries. Aquatic Farming is  
4 not a fishery but that's the way it is. But anyway  
5 that presentation could be found under operational  
6 details.

7

8 Go to the next slide.

9

10 Basically the presentation will break  
11 down into the role -- ADF&G's role of aquatic farming,  
12 the permitting process, the description of how kelp  
13 farming works, examples of design and then lastly the  
14 status of where aquatic farming is.

15

16 Next slide please.

17

18 Start off with the Fish and Game  
19 mission statement which is, in short, we're supposed to  
20 manage the resources of the state in the best interest  
21 of the economy and well-being of the people of the  
22 state consistent with a sustainable yield principle.  
23 The important takeaway there is our job is to try to  
24 get people the availability to use the resource, we're  
25 not here to get in the way of people. And so aquatic  
26 farming, that began in 1988 with the Alaska Legislature  
27 passing the Aquatic Farm Act, which established the  
28 regulatory authority to permit aquatic farming and is  
29 found in Alaska Statute 16.40.100 through 199,  
30 Department of Fish and Game regulates aquatic farming  
31 under 5 AAC 41.200 through 41.400.

32

33 Next slide please.

34

35 The permitting process is kind of  
36 complicated. It starts with we have a multi-agency  
37 State permit that involves DNR, Fish and Game and DEC.  
38 It also has at the Federal level where the Corps of  
39 Engineers is involved with -- and that's mainly  
40 floating structures on the water have to be compliant  
41 with navigation, et cetera. NOAA, NMF gets involved  
42 with marine mammals and ESA but there could also be  
43 local ordinances, city and borough, that sort of thing.  
44 The Alaska Department of Fish and Game has three  
45 permits that we issue, which is an operation permit,  
46 stock transportation permit and a stock acquisition  
47 permit.

48

49 And those are on the next slide.

50

0429

1                   Breaking this down, the operation  
2 permit allows the permit holder to operate the aquatic  
3 farming or hatchery, and that's a 10 year permit. And  
4 then there's a stock transport permit which is  
5 basically to haul critters from one farm to the next or  
6 between operations or get a stock acquisition permit.  
7 The stock acquisition permit is collecting wild stock  
8 for transfer to a hatchery or a farm so that would be,  
9 say, collecting kelp, wild kelp that you're going to  
10 take to the farm site or take to a hatchery site.

11

12                   Next slide.

13

14                   So this is a simple diagram of our  
15 complicated process. Basically the takeaway here,  
16 there's a joint application with, again, Fish and Game,  
17 DEC, DNR. Once that has been thoroughly reviewed and  
18 vetted, within the Department Fish and Game will do a  
19 preliminary review of the permit. If we see an issue,  
20 at that point we'll stop the process and Fish and Game  
21 will try to mitigate that, try to make it work. We're  
22 here to try to make things work for people. After  
23 we've done that, the process starts back up again and  
24 gets a DNR review, which includes the public comment  
25 period. If DNR issues a lease Fish and Game has 30  
26 days to issue an aquatic farm permit.

27

28                   Next slide please.

29

30                   Okay, the applications are reviewed on  
31 a case by case basis and we have a statutory criteria  
32 for issuing our permits and we basically look at five  
33 things. Is the site suitable for the proposed  
34 (indiscernible) -- is the proposed farm site -- or if  
35 the proposed farm, site cannot significantly conflict  
36 with existing uses. The proposed farm operation may  
37 not negatively impact existing fish, wildlife or their  
38 habitat. The proposed farm plan must demonstrate  
39 technical and operational feasibility. And the last  
40 one pertains to, on the bottom, or clam culture and not  
41 really kelp farming. But the site can't contain a  
42 significant population of the wild stock.

43

44                   Next slide.

45

46                   Okay, when Fish and Game reviewers are  
47 looking at these various criteria, when you look at  
48 site suitability, things we look for, is, is the site  
49 suitable for the species being cultured, so is the site  
50

0430

1 protected, does the site have proper needs for the  
2 species being cultured, is the site in deep enough  
3 water so it won't drown out at low tide. So those are  
4 the sorts of things we look at Federal Subsistence  
5 Board water temperatures, currents, salinity, those  
6 sorts of things are being reviewed under that criteria.

7

8 Next slide.

9

10 The proposed operation cannot  
11 significantly alter established uses and this is one we  
12 deal with quite a bit and it's -- we -- there can't be  
13 a conflict with a significant complex with existing  
14 fisheries which is commercial, sport or subsistence  
15 fisheries and does not limit access to beaches, trail  
16 heads, just basically a navigational hazard. This is  
17 one that quite frequently comes up and we get into  
18 mitigation with these things and try to come up with  
19 solutions when they arise.

20

21 Next slide.

22

23 The operations have to be compatible  
24 with the fish and wildlife resources, they can't  
25 negatively impact the wildlife or the area. Things  
26 such as the predator control methods can't endanger  
27 wildlife for like entanglement for like birds, sea  
28 lions and seals and that sort of thing. They can't be  
29 within a certain distance of rookeries. And they can't  
30 be within 300 feet of a fish stream.

31

32 Next slide.

33

34 And then the other, the last one I'm  
35 going to cover is the proposed aquatic farm operation  
36 demonstrates technical and operational feasibility.  
37 It's basically does the applicant sound like they know  
38 what they're doing and do they have a good sound plan.

39

40 Next slide, please.

41

42 (Teleconference interference -  
43 participants not muted)

44

45 MR. PRYOR: There are two ways to  
46 operate an aquatic farm. One is natural set and the  
47 other is cultured. Natural set is things like if  
48 you're raising oysters and you have kelp growing on  
49 your lines that can be sold you can put that on your  
50

0431

1 permit and sell that as a natural set stock, or you can  
2 do the culture which is intentionally growing a  
3 species, and this is what we're focusing on here  
4 really.

5

6 Next slide.

7

8 Okay. So the farm system works.

9

10 The kelp farmers use the natural  
11 reproductive cycle to produce feed line in a hatchery  
12 which utilizes local stocks. Sorus tissue, which is  
13 the little reproductive part of the kelp is collected  
14 and taken into a hatchery. These hatcheries, we're  
15 talking about here for kelp, are more of a laboratory  
16 sort of setting. They use short PVC pipes with strings  
17 spooled on, it's a braided, kind of like a fishing  
18 line. They put those spools, loaded with a string in a  
19 tub of water and then the sorus tissue is ground up and  
20 allowed to set on the string and it begins to grow.  
21 Then they transfer that to a farm site where they take  
22 those PVC pipes put it through -- put a rope through it  
23 and then string it out, and that will wrap the rope  
24 around the line as it's set out. It's actually kind of  
25 an ingenious little way of doing things. And then  
26 these lines are laid out in the water and allowed to  
27 grow. And as the kelp grows the lines are lowered down  
28 in the water so the kelp keeps going for the surface  
29 and that's how they grow the lines.

30

31 One thing to note here is kelp farming  
32 that is done is -- is this is a winter project. The  
33 kelp goes out in the fall, generally in October, and is  
34 harvested in the spring, in April. That's just the way  
35 they can grow the best farmable or saleable product  
36 rather than doing stuff in the summer. The winter  
37 growth does better.

38

39 Next slide.

40

41 Okay, this is a typical farm layout, or  
42 generic farm layout. Really it's -- the thing to take  
43 away here is the lease footprint is the outside -- or  
44 the outside figure there. All -- everything there  
45 including anchor lines and that has to be inside lease  
46 footprint so when you hear of a 100 acre lease, you're  
47 not going to see 100 acres worth of stuff on the water  
48 surface, you're generally going to see 30 to 40 percent  
49 of that at the water surface.

50

0432

1 Next slide, please.

2

3

4 So a side view, and this side view has  
5 the grow out lines on the surface but it's basically  
6 you have an anchor system and then you have a float  
7 system, and then you have your grow out lines in  
8 between.

8

9

9 Next slide.

10

11

11 Looking at the top view, they can be  
12 very simple arrays, or they can be a more complex  
13 layout.

14

15

15 Next slide.

16

17

17 And then this is a multi-line layout  
18 which is more complex and this is what the bigger farms  
19 have kind of gone to, is this sort of layout.

20

21

21 Next slide.

22

23

23 And this is an overhead shot of a farm  
24 up by Kodiak, it's Alf Pryor, no relation, and we've  
25 joked about that on the phone because we've never met  
26 each other so.

27

28

28 Next slide.

29

30

30 The current status of aquatic farms.  
31 We currently have 82 aquatic farm permits out. Five  
32 aquatic farm hatchery permits. The aquatic farm  
33 permits break down with 43 shellfish only, 22 kelp  
34 only, 17 is a combination so they have both shellfish  
35 and kelp. Total acreage right now 1,216 acres, and,  
36 again that's the lease footprint, so it's not surface  
37 footprint. Aquatic farm locations, the Southcentral is  
38 29 for 262 acres, and Southcentral is Prince William  
39 Sound and Cook Inlet. Southeast, which is our  
40 Southeast is 43 farms, or 641 acres. And Westward  
41 which is Kodiak, is 10 farms at 313 acres.

42

43

43 Next slide.

44

45

45 Currently in the process of being  
46 reviewed, there's 29 aquatic farm permits currently  
47 under review. Breakdown there is six shellfish only,  
48 18 kelp only, 5 combinations, total of 1,337 acres, and  
49 that's the lease footprint again. Location, 7 in  
50

50

0433

1 Southcentral, 14 in Southeast, and 8 in Western --  
2 Westward.

3

4 Next slide, please.

5

6 Oysters are still the highest value  
7 product. Kelp is being developed rapidly but it's the  
8 -- it hasn't generated into a big market value yet,  
9 it's still coming on, it's still in its infancy. The  
10 most popular species are ribbon kelp, sugar kelp and  
11 bull kelp.

12

13 Next slide.

14

15 This is some really good resources you  
16 might want to check out if you need further information  
17 here. The NOAA permitting portal kind of breaks down  
18 how you go about getting permits and just good advice  
19 on starting the farm up.

20

21 The Alaska Ocean Observing System,  
22 Mariculture Map is a tool for planning. It's also kind  
23 of a cool mapping tool that's fun to play on.

24

25 And then the last is a link to the  
26 Joint Agency.

27

28 And then the last slide, please.

29

30 And then if you have additional  
31 questions, I have myself and Michelle Morris, and she's  
32 the permit coordinator for the State so she does  
33 aquatic farming but she also does other permits with  
34 the State within the Aquaculture section.

35

36 And with that I can answer any  
37 questions or at least try to.

38

39 CHAIRMAN HERNANDEZ: Okay, thank you.  
40 Any questions from the Council.

41

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

43

44 MR. SLATER: Mr. Chair, this is Jim.

45

46 CHAIRMAN HERNANDEZ: I heard two  
47 people. Jim you were second, who was before Jim.

48

49 MR. JOHNSON: This is Ian.

50



0434

1 CHAIRMAN HERNANDEZ: Ian, go ahead.

2

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

4 Thank you for the presentation. I guess -- I wrote  
5 down three questions and I'll just ask them one at a  
6 time, I guess.

7

8 Is there a -- what is the way to  
9 determine competition with a subsistence fishery in  
10 that permit review kind of process, like what are the  
11 steps taken to do that?

12

13 MR. PRYOR: Well, we'll look at -- we  
14 send the permit out to several people within Fish and  
15 Game, one of which is Subsistence. Lauren sees a lot  
16 of these permits. And we get an idea of if it's -- if  
17 it's an area that has subsistence going in there but we  
18 also get some feedback in the public review process  
19 that DNR does and we will address it at that level as  
20 well. And, again, we're trying to make it work for  
21 both parties. We don't want to -- we're not just going  
22 to turn down a permit automatically if it's in a  
23 subsistence area. A lot of what we run into is access,  
24 access issues so we try to fix those if we can.

25

26 (Teleconference interference -  
27 participants not muted)

28

29 MR. PRYOR: Move the site, or, you  
30 know, something to make it work.

31

32 MR. JOHNSON: Okay, thank you. My  
33 second question was just what is like the mechanism for  
34 community and tribal review in the process for  
35 permitting. So it sounds like they're solicited for  
36 the permitting process?

37

38 MR. PRYOR: I'm actually not sure what  
39 the DNR, who they all contact when they have the  
40 permits up for review but I know they do the public  
41 notice on those. But short of that I'm not familiar  
42 with how they operate. The.....

43

44 MR. JOHNSON: And how -- oh, go ahead.

45

46 MR. PRYOR: Oh, I was just going to  
47 say, yeah, the process starts with the lease getting  
48 issued and then our permit gets issued after that.

49

50

0435

1 MR. JOHNSON: Okay. And, yeah, I'm  
2 curious, too, how are the lease areas chosen, is that  
3 -- there's -- is there like designated areas that  
4 people can apply for or people ask to apply for a  
5 certain area or how does that work?

6  
7 MR. PRYOR: It's kind -- it -- the  
8 applicant chooses the area and that's where when I  
9 brought up that mapping tool, that was designed just  
10 because so many people were having issues with --  
11 basically the situation where they had -- were plain  
12 wrong guess, they would say they want this site, they  
13 want this footprint and were being told, well, that's  
14 not going to work and because of these reasons. Well,  
15 that tool was put together to help mitigate that by  
16 showing here -- here's things we look at. So if they  
17 want on to that map it will show where the rookeries  
18 are and there'll be a circle drawn around that rookery  
19 where like well we're not going to issue a permit for  
20 anything that falls inside of that circle.

21  
22 Does that help?

23  
24 MR. JOHNSON: Yes. Yep, yep, thanks.  
25 Yeah, thank you, sir.

26  
27 CHAIRMAN HERNANDEZ: Okay, thank you,  
28 Ian.

29  
30 (Teleconference interference -  
31 participants not muted)

32  
33 CHAIRMAN HERNANDEZ: Jim, you had a  
34 question.

35  
36 MR. SLATER: Yeah, hi, thanks for the  
37 presentation, appreciate it. I'm curious, do you have  
38 any statistics on how big the kelp market is right now  
39 and the breakdown between wild harvested kelp and  
40 farmed kelp, and anything that kind of shows a history  
41 so we could see a trend. It's my understanding in  
42 talking to some kelp manufactures that the kelp farms  
43 are not producing as much as they had hoped and that  
44 they're running.....

45  
46 (Teleconference interference -  
47 participants not muted)

48  
49 MR. SLATER: .....into some  
50

0436

1 difficulties here in Southeast. Can you comment on  
2 that and do you have any data on the size of the market  
3 itself.

4  
5 MR. PRYOR: Overall the size of the  
6 market, no, I don't. With Alaska's production there's  
7 been some level of production for a number of years,  
8 like 15 years, there was some level but it was so small  
9 it was basically farmers, you know, raising kelp and  
10 selling it to someone in town that, you know, makes  
11 soap or something, so it was really, really small. The  
12 interest kicked in maybe five, six years ago and was on  
13 an upward trajectory and then Covid hit and that  
14 flattened the line quite a bit. And so the industry is  
15 developing. There's a lot of interest in it. But it's  
16 really, really in its infancy right now.

17  
18 MR. SLATER: Okay. So if that's the  
19 case, then the wild kelp products we see are probably  
20 harvested from wild kelp and I guess the -- what I'm  
21 curious is if the farmed kelp doesn't start increasing  
22 its capacity or its production, are we going into a  
23 resource constraint with harvesting wild kelp. I don't  
24 know how you anticipate or plan out when harvesters go  
25 out and harvest kelp, how much they can take, and where  
26 they can take it from, and in different areas, you  
27 know, to make sure that certain areas don't get  
28 depleted. Is there any place on the web that lets you  
29 find anything out like that about how to go through the  
30 permitting process for harvesting kelp, wild kelp?

31  
32 MR. PRYOR: Well, we have some -- some  
33 of that on -- we do have that on the Fish and Game  
34 website. So the farm -- I guess I'm speaking mostly  
35 for what was going on with the farmed product. The,  
36 like, wild harvest would fall under a Commissioner's  
37 permit and so those would be issued through local  
38 offices and unfortunately that makes it so we don't  
39 have really good reporting on that, but the local  
40 offices, locally, are looking at -- they don't want  
41 that depletion or, you know, taking all from one spot.  
42 For collecting for the farms, there's a genetic  
43 requirement that all the brood stock taking for seeding  
44 the farms be within -- taken within 50 kilometers of  
45 the farm site because they don't want genetically  
46 spreading kelp around the state. And so they have to  
47 do that. And then there is -- you have to spread the  
48 harvest out because you don't want to deplete the local  
49 stocks. But when they're taking for the brood stock,  
50

0437

1 they're not taking whole plants, they're taking just  
2 the sorus material off of the leaves. So if you ever  
3 looked at the kelp and you see these like round spots  
4 on them that look like something just -- another leaf  
5 growing on top of the leaf, that's the reproductive  
6 material and so they're just peeling that off. So when  
7 they're collecting these, the brood stocks for the  
8 farms, you're talking maybe 25, 30 grams worth of  
9 material so it's not like bushels.

10

11 MR. SLATER: Right.

12

13 MR. PRYOR: It's like.....

14

15 MR. SLATER: That has no impact on the  
16 plant itself, it can still reproduce.....

17

18 MR. PRYOR: Yeah.

19

20 MR. SLATER: .....and thereby also not  
21 destroying the plant. Okay, I get it.

22

23 MR. PRYOR: Right.

24

25 MR. SLATER: Just out of gut feel,  
26 would you say the market, the production rates have,  
27 you know, what percentage growth have you seen in the  
28 last five years as far as things, have they been  
29 growing 50 percent a year or do you know?

30

31 MR. PRYOR: Oh, yeah, yeah, the -- the  
32 interest in the kelp farming is -- it basically -- it's  
33 doubling every year sort of growth. It's really big.  
34 What's going to become out of there is a little harder  
35 to figure out because you have various -- you know,  
36 people get involved for it for different reasons and,  
37 you know, just to be blunt, you know, some people  
38 figure out, oh, like this is a lot of work and they  
39 lose interest in it. But it's growing rapidly and the  
40 market is going to be the -- how the market develops is  
41 going to control how this thing expands in the future.  
42 It's not a good answer for you but it's kind of where  
43 things are because everything is in its infancy.

44

45 MR. SLATER: Yeah, I think that's okay.  
46 I just -- one last follow up, are there several  
47 examples of very productive farms, or are there -- has  
48 anyone kind of got the formula down and they're making  
49 a lot of kelp, has anyone done that yet?

50

0438

1 MR. PRYOR: Yeah. Yeah. So that total  
2 that was in my presentation is Alf Pryor, who's up in  
3 Kodiak, he's got a very successful farm. There's a  
4 farm down in Prince of Wales, I'm blanking on the guy's  
5 name but, yeah, he's got -- he's got things dialed in.  
6 And I think you're going to see the dollar value and  
7 size of the kelp farms grow rapidly as we start getting  
8 back into normal life, post-Covid.

9  
10 MR. SLATER: Okay. Well, thank you  
11 very much, I appreciate that.

12  
13 MR. PRYOR: Oh, sure.

14  
15 CHAIRMAN HERNANDEZ: Okay. Anybody  
16 else.

17  
18 MR. DOUVILLE: Mr. Hernandez, Mike  
19 Douville.

20  
21 CHAIRMAN HERNANDEZ: Yeah, go ahead  
22 Mike. Go ahead, Mike.

23  
24 MR. DOUVILLE: We have a couple kelp  
25 farms here, or at least one, that was just permitted  
26 last year for a permit in Real Marina. And first I  
27 might say that with all the logging and everything else  
28 that happened around, on Prince of Wales, the four  
29 islands to the west of us are deer -- it produces most  
30 of our food, deer and all our-- a lot of fishing goes  
31 on in the channels between those islands and the tribe  
32 protested this company getting that permit in Real  
33 Marina. I know that permit was denied up in Prokaderia  
34 because it was too near a haulout, but in this case  
35 there was no less than 17 haulouts in Real Marina  
36 proper but the permit was issued. The tribe protested  
37 and it didn't do any good, so we appealed and that  
38 didn't do any good either. So while it's all great to  
39 have kelp farms, I think that there is not enough  
40 sensitivity to subsistence uses of -- just because it's  
41 a good green thing doesn't mean it's good for  
42 everybody. But, anyway, it fell on deaf ears, the  
43 permit was issued. There needs to be more sensitivity  
44 to well established uses such as subsistence hunting,  
45 fishing. There's a lot of area in Southeast that those  
46 permits could be issued that are less sensitive. But  
47 near Craig and islands to the west of us has been used  
48 for thousands of years and now we're having this big  
49 push for kelp farms and, of course, they want them in  
50

0439

1 the nicest places which is the place would compete with  
2 subsistence activities.

3

4 I just wanted to say that DNR was  
5 insensitive to our appeal.

6

7 Thank you.

8

9 CHAIRMAN HERNANDEZ: Thank you, Mike.  
10 Anybody else with a question or a comment.

11

12 (No comments)

13

14 CHAIRMAN HERNANDEZ: Okay. Thank you,  
15 Flip. It's been an.....

16

17 MR. SMITH: Mr. Chairman.

18

19 CHAIRMAN HERNANDEZ: Somebody else?

20

21 MR. SMITH: Yeah, John Smith.

22

23 CHAIRMAN HERNANDEZ: Go ahead, John.

24

25 MR. SMITH: The nutritional value of  
26 the -- of our seaweed is very high and I encourage as  
27 much support in -- in growing of the kelp and all of  
28 kelp because that is the biggest production -- producer  
29 of our oxygen but also the key to our carbon issue. So  
30 I really encourage more people to grow kelp to absorb  
31 that carbon.

32

33 Thank you.

34

35 CHAIRMAN HERNANDEZ: Okay, thanks,  
36 John. Yeah, thank you, Flip for your presentation. I  
37 think that was pretty helpful for folks to try and  
38 understand what's starting -- what's going on out in  
39 our waters here so I do appreciate that. Good  
40 presentation.

41

42 MR. PRYOR: All right, thank you.

43

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

46

47 MR. PRYOR: Thanks for having me.

48

49 CHAIRMAN HERNANDEZ: I think I heard  
50

0440

1 Albert.

2

3

4 MR. HOWARD: Yeah, I have a question as  
5 to why, even though there was objection to the kelp  
6 farm, why they're allowed to -- or why they were given  
7 a permit even though there was objection. This  
8 concerns me because it seems to be the case whenever  
9 there's a subsistence use area and it becomes  
10 commercialized without any regard for what the area's  
11 been used for. That -- that if we allow that type of  
12 behavior to continue pretty soon there really, really  
13 isn't going to be any subsistence priority to the  
14 resource of any kind.

14

15

16 You know, also I think, you know, at  
17 some point someone thought that fish farming was a  
18 great idea so I think we need to be mindful and  
19 cautiously go into this whole deal. I -- what I didn't  
20 hear in the presentation was, you know, if somebody  
21 decides, man, this is too much and just abandons it and  
22 you're leaving it within a subsistence area, what  
23 guidelines are there for making sure that the  
24 permit holder takes everything out of there and leaves  
25 it like it was. I didn't hear any baseline study  
26 information on what the area looked like before to  
27 allow the permit. Because there's going to be impacts,  
28 you know, and hopefully not negative impacts.

28

29

30 I suppose I could talk about this one  
31 for awhile as well, Mr. Chairman. Thank you.

31

32

33 CHAIRMAN HERNANDEZ: I don't know, you  
34 want to respond to that Mr. Pryor.

34

35

36 MR. PRYOR: Well, a lot of what you're  
37 talking about is part of the leasing -- leasing part of  
38 the application. It's not the Fish and Game end of the  
39 operations permit and I'm not familiar with that  
40 particular application out -- I mean I've heard the  
41 name and I know the area but I don't know what was  
42 reviewed. I don't know what was looked at for the  
43 appeal. This is all part of the leasing end of things,  
44 this isn't a Fish and Game operations issue on those  
45 things. The clean up of the farm site is part of the  
46 -- again, the lease, is there is a deposit put down or  
47 security on making sure the site is cleaned up if it's  
48 an abandoned site. But, again, this is all through the  
49 DNR end of things, it's not the Fish and Game end of  
50 things.

50

0441

1 MR. HOWARD: Follow up then, Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Follow up, Albert.

4

5 MR. HOWARD: Mr. Chair, maybe this  
6 needs to be a future agenda item and have DNR come in  
7 because this is starting to sound a lot like, you know,  
8 dealing with Greens Creek, the Forest Service is  
9 responsible for everything on land and the State's  
10 responsible for everything in the water and nobody took  
11 responsibility for any of it.

12

13 CHAIRMAN HERNANDEZ: Right.

14

15 MR. HOWARD: I think a baseline -- a  
16 baseline should be required before they're allowed to  
17 do anything within a certain area. I'm sure like  
18 anything else it'll come back and bite me when I want  
19 to try to do something but I think we're in a day and  
20 age where you need to start protecting the environment  
21 and what's in it before you start something else in  
22 that same area.

23

24 Thank you, Mr. Chair.

25

26 CHAIRMAN HERNANDEZ: Okay, duly noted,  
27 Albert. Okay, let's move on to another important item  
28 here, I want to bring back our recommendations from the  
29 working group on indigenous management and present what  
30 the working group has put together in the way of a  
31 proposed letter and talk about that with the Council  
32 and see what the Council wants to do. So there's been  
33 a lot of other discussions involving around indigenous  
34 management, co-management, cooperative projects,  
35 they're all tied together. So let's see if we can't  
36 get a Regional Advisory Council position paper on all  
37 of this together and move that forward.

38

39 So in order to do that I think I'm  
40 going to call on Bob Schroeder, if you could at least  
41 introduce the topic, get it started, and we have -- we  
42 have a document. I don't know if that's been  
43 distributed through email or if it can also be put up  
44 on the Team screen so people can -- okay, I see it up  
45 on the Team screen.

46

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

48

49 CHAIRMAN HERNANDEZ: Yeah, go ahead,

50



0442

1 DeAnna.

2

3 MS. PERRY: Yeah, I did send this out  
4 last night. It is also on the website for folks who  
5 are on the phone and not looking at it on Teams. And  
6 we also did have a Council member offer some opinions,  
7 and I sent that out just a few moments ago as well. So  
8 as we go through here, I don't know if Bob has that up  
9 but we could certainly hear from the Council members as  
10 we go through the document for any kind of edits or  
11 capturing the intent of the Council.

12

13 Thank you.

14

15 CHAIRMAN HERNANDEZ: Okay. Well, yeah,  
16 anything that was sent out very recently, yeah, we may  
17 have to deal with that through discussion but once we  
18 have a basic proposal for a document, it's -- it's  
19 bullet point, and it's kind of a guideline, I guess you  
20 would say for what we would put in a letter but it's  
21 kind of a range in a series of bullet points with  
22 issues. And we'll kind of get Council member's  
23 reactions to the bullet points and whatever the Council  
24 talks about and puts on the record, we can hopefully  
25 incorporate that into a final draft of a letter that's  
26 going to have to be drafted as a joint effort after the  
27 meeting adjourns but we want to make sure we.....

28

29 (Teleconference interference -  
30 participants not muted)

31

32 CHAIRMAN HERNANDEZ: .....get Council  
33 member's comments and get them on the record so that we  
34 can, you know, like I say incorporate all of that into  
35 a final letter.

36

37 So this is kind of a working document,  
38 sort of an outline of what we propose to put together.

39

40 I saw it up on the screen a little  
41 awhile ago. Council members that don't have Teams, if  
42 you want to check your emails, you should have it  
43 there, and maybe we could go through it sort of point  
44 by point and take comments.

45

46 (Teleconference interference -  
47 participants not muted)

48

49 CHAIRMAN HERNANDEZ: So okay it's up on

50

0443

1 the Teams screen again. And, Bob Schroeder, you've  
2 been working diligently with the work group and pretty  
3 well versed in what we have here if you want to kind of  
4 lead us through it, that might be helpful, and we will  
5 all assist as necessary.

6  
7 MR. SCHROEDER: Okay, am I coming  
8 through okay. I don't know if I've star, six'd enough  
9 here.

10  
11 CHAIRMAN HERNANDEZ: You're loud and  
12 clear.

13  
14 MR. SCHROEDER: Okay. This material is  
15 pretty -- very similar to what we talked about on the  
16 first day of our meeting when this topic came up. At  
17 the request of the Chair I was able to kind of  
18 reorganize things into bullets, and those of you who  
19 have this draft will see that there are now 11 bullets.  
20 I don't know how many bullets we had before. But  
21 probably you should have only a magazine of 10 bullets.

22  
23 But in any case, this was draft  
24 material that came out of working group meetings over  
25 the last month. DeAnna gave us the background of the  
26 time table for this. The Regional Advisory Council has  
27 been working on this for quite awhile, we hoped to get  
28 it done in our September meeting but weren't able to do  
29 that. The impetus, the reason why we're doing this,  
30 and that would be bullet 2 -- Bullet 1 is the  
31 background information that DeAnna provided on the  
32 number of times we met and who was a participant in  
33 that.

34  
35 Basically the essence of why we're  
36 doing this is that this is very hot stuff in the region  
37 and for that matter in our Native North America. We  
38 just heard the report the report from the Guardians  
39 Project which is moving in the direction of co-  
40 management, cooperative management. We've heard from  
41 WECAN, and we may hear from other organizations as we  
42 proceed. We've also -- are -- note -- major  
43 cooperative ventures through the Federal Subsistence  
44 Program on fisheries monitoring and on other research  
45 projects, and we'd also note that the standard  
46 operating procedures for subsistence resource that  
47 Lauren was talking about earlier is to work really  
48 closely with tribes and communities in study projects.  
49 So basically what we're doing -- what our task is here,  
50

0444

1 is to move on -- move along the discussion and to  
2 forward what we learn in our region about co-management  
3 and the impetus that way and to take a position, if the  
4 Council wishes, to support various aspects of this.

5

6 So that's Bullet 2.

7

8 Bullet 3 basically lays out in some  
9 detail, the authority for the Council to do this, like  
10 are we -- what are we charged to do. And all of us who  
11 have been around for awhile remember when we had  
12 trainings on ANILCA and what ANILCA did and didn't do.  
13 Quite a few newer members to the Council haven't had  
14 the opportunity for those trainings and it seemed to be  
15 useful to include a fair amount of detail there,  
16 particularly such that the Federal agencies who will  
17 review our letter, if we send something, will know what  
18 position we're speaking from, which is basically two  
19 things there. One, is our standing, the Federal  
20 Advisory Committee Act chartered under FACA to look at  
21 virtually all matters of things that affect  
22 subsistence. And, secondly, just what our experience  
23 has been and what we've heard from people over -- over  
24 the years, and, specifically in recent time the frank  
25 excitement that's going on in the region over co-  
26 management and indigenous management.

27

28 Bullet 4 just says, wait a minute, this  
29 Federal Subsistence Program's been around for 32 years,  
30 perhaps it's time to examine how we do business. And  
31 we'll note that in this 32 years time that our cultural  
32 landscape in Southeast Alaska and perhaps the state has  
33 changed quite a bit with respect to tribal capacity and  
34 tribal interest in doing hand's on management --  
35 interest and ability in doing hand's on management. A  
36 final draft of this would -- will include detail on the  
37 very successful projects that have taken place in  
38 Southeast Alaska, primarily under Fisheries Monitoring,  
39 but also other cooperative projects that have taken  
40 place in our region.

41

42 Bullet 5 discusses traditional land  
43 ownership under traditional law and notes that there is  
44 some differences with other ownership that may exist at  
45 this present time. But land ownership, under  
46 traditional law, according to what I've been told, is  
47 an (In Tlingit) for Tlingit, Haida and Tsimshian, are  
48 clans and kwaans. The point here is that we're not  
49 talking about something really vague in terms of  
50

0445

1 knowledge of what traditional ownership was and is, but  
2 that clans and kwaans have generally recognized  
3 territories. And so that's something that often is  
4 overlooked. We're not talking about just a general  
5 thing, but we're talking about the clans and kwaans in  
6 Southeast Alaska know what their territory is.

7

8                   Bullet 6 talks about the use of -- what  
9 my draft calls -- the use of tradition land through the  
10 colonial era and I just -- I'm putting it on the table  
11 there that this is something that I personally believe  
12 we should recognize. It's not a secret. It's no more  
13 of a secret in the United States, in our country, than  
14 slavery should be a secret that can't ever be talked  
15 about. How much the Federal government and the  
16 majority of society should address this historic  
17 injustice may be a matter of opinion.

18

19                   Let's see, Bullet 7, mentions the  
20 existing indigenous cooperative management activities  
21 that are taking place in the region. That needs to be  
22 fleshed out. The ones that are mentioned there are,  
23 again, the Guardians Project, the Southeast Sustainable  
24 -- Sustainable Southeast Partnership and WECAN, there  
25 are definitely other groups that are working on things  
26 and we've heard mention of cooperative projects  
27 between, I believe Kake and, Hoonah and Forest Service.  
28 There may be quite a bit more.

29

30                   Bullets 8 and 9 are asks. Okay. So  
31 our ask in 8 is within our -- very close to what we do,  
32 which is we spend a lot of our time on subsistence  
33 regulations and making proposals and evaluating  
34 regulations. This is saying that the Federal agencies  
35 that deal with subsistence in our region, which are the  
36 Office of Subsistence Management, which is under  
37 Interior, Forest Service and Park Service, that they  
38 way more actively engage the tribes -- the region's  
39 tribes in co-management agreements concerning  
40 subsistence research planning as well as active  
41 subsistence management.

42

43                   Cal pointed out that under the current  
44 scheme of things there may be legal things that need to  
45 be changed before some of these could be put into  
46 effect.

47

48                   Bullet 9 points to Forest Service and  
49 National Park Service, who are the main land management

50

0446

1 agencies for Southeast Alaska and it calls for a  
2 cooperative management agreements with our region's  
3 tribes on all matters concerning land management of  
4 traditional lands. Many of us have been involved in  
5 land management, commenting on land management plans,  
6 and what this point is talking about is a much more  
7 early and thorough involvement of tribal entities in  
8 all manners of planning activities. We will point out  
9 that even though Park Service and Forest Service are  
10 responsible for issuing management plans, that most  
11 frequently these plans are contracting out, there's no  
12 particular reason why the contracting agency, instead  
13 of being CHM2Hill could not be consortium or a Native  
14 group.

15  
16                   Bullet 10 talks about where this  
17 document would go. And the suggestion is that it would  
18 go to OSM, Forest Service Region 10, Forest Service  
19 Tongass, a copy to the District Rangers and also to  
20 other Federal Subsistence Program Regional Councils.  
21 The reason for the last is that -- that we'd like to  
22 let -- have other Regional Advisory Councils know the  
23 direction that Southeast is taking and they may have  
24 some interest in that.

25  
26                   And then the final one is a summary  
27 bullet. There are some comments that have been sent  
28 in, and thank you Don, Patty and Ian. I haven't -- my  
29 experience has been that editing on the fly just  
30 doesn't work. So I'm about to close out and have it  
31 open for discussion. And I, in no way consider this,  
32 even though I'm the drafter, I, in no way really  
33 consider this to be my document, I believe that this  
34 should be a Council document and something that comes  
35 out of the working group.

36  
37                   One matter I'd say is that you'll note  
38 that this document addresses indigenous management and  
39 it's geared to tribal organizations and that's mainly  
40 because that's what we've heard. What we hear from are  
41 tribal groups who are pressing for further involvement  
42 in subsistence co-management, both of natural resources  
43 and of land, so this is a slightly different direction  
44 from what we do under our regulatory obligations, in  
45 that, this is dealing with Native Alaskans, it's not  
46 dealing with non-Native Alaskans, and that's simply has  
47 to do with the activity is in our region and what we're  
48 able to address.

49  
50

0447

1                   So that's what I've got and that's a  
2 reasonably quick summary. And I'd love to hear from --  
3 oh, and one other thing -- my suggestion on a way for  
4 us to proceed with this is to have a good discussion,  
5 not to do editing on the fly, that's impossible at a  
6 live meeting, much less a phone-in meeting, and then  
7 there would be a drafting committee that would work  
8 with DeAnna to get something that really accurately  
9 reflects the sentiment of our Council and also the  
10 excellent work that so many people on our Council have  
11 done on this issue.

12

13                   That's what I've got for now.

14

15                   Thank you.

16

17                   CHAIRMAN HERNANDEZ: Okay, thank you,  
18 Bob. That was a really good job of kind of summarizing  
19 what we have here before us, really clear. As Bob  
20 says, this is not the letter we're going to send, this  
21 is a list of our positions and thoughts and kind of  
22 encapsulated and quite likely we might utilize some of  
23 the wording here but it's certainly not the document  
24 we're going to send. We're just looking for any other  
25 suggestions, topics that we may have overlooked, things  
26 to add, yeah, anything like that from the rest of the  
27 Council. And we'll just open this up as a general  
28 discussion. I don't think we're necessarily asking Bob  
29 questions, it's not his document, he was just  
30 presenting it. But, yeah, let's just -- we're just  
31 going to have a discussion on this and it's open to  
32 anybody with comments or suggestions and we'll talk  
33 about it.

34

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

36

37                   CHAIRMAN HERNANDEZ: Go ahead, Cal.

38

39                   MR. CASIPIT: Well, I have some  
40 comments here. I've got some general overall thoughts  
41 and I've got some specifics about the document itself.  
42 Maybe I'll do the specifics first.

43

44                   But on that second page near the bottom  
45 there's that stuff about -- it says 90C but it's  
46 actually supposed to be .805(c) deference. And as  
47 folks know the Board is only obligated to provide us  
48 deference for matters of take so the way that reads, it  
49 reads like, you know, the Board's got to do everything  
50

0448

1 we say, and, no, they don't -- they don't. So I'd like  
2 that -- whatever final form it comes out in, I'd like  
3 it to be correct in that term. Because I don't want to  
4 go in to the Board, or somebody, or whoever, you know,  
5 the Forest Service with something that's actually not  
6 quite right. So I think that needs to be cleaned up.

7

8                   You know, I still stand by my comments  
9 about law enforcement and some of that other stuff that  
10 -- the list of things that we would contract out or  
11 have agreements with. While that's a great idea, and I  
12 wish we could do it, I think it will require a change  
13 in laws, policies and stuff like that, and if that's  
14 what we really want we should be sending that part to  
15 the people that make the laws, like Congress.

16

17                   And then I guess -- and there's some  
18 other smaller stuff, and maybe I can just get myself  
19 assigned to this drafting committee and I can work  
20 through them, but my overall general thoughts on this,  
21 you know, we heard from the Guardian folks that, you  
22 know, the Forest Service has really been pushing  
23 forward on this and making things happen, maybe it  
24 could be better. I don't know but, you know, sending  
25 something to the Forest Service encouraging --  
26 encouraging them and thanking them, and encouraging  
27 along I think is a great idea. You know, and then at  
28 the same time I think something similar to this needs  
29 to be sent to the State, to DNR, to Fish and Game, to,  
30 you know, I heard about this quiet title thing on the  
31 Canoe Route on Prince of Wales, I mean, you know, I  
32 think something like this needs to be sent to the State  
33 as well. And I think they have to be full partners in  
34 co-management as well, and we need to encourage them,  
35 more so than we need to encourage the Forest Service as  
36 far as I'm concerned.

37

38                   I think for the most part, at the  
39 Federal level, I think all the tools are there, all the  
40 mechanisms we need are already in place in these  
41 agencies and all we got to do is get the right people  
42 to be our champions. You know the leadership of these  
43 Federal agencies to get behind us and move forward.  
44 You know somebody said funding, that's the other big  
45 thing. You know the funding for our Fisheries Resource  
46 Monitoring Program has been cut over the years and  
47 everybody on this phone knows that and we need to own  
48 up to that and say, hey, folks, we -- you know we need  
49 to start putting money back into this because then we  
50

0449

1 can support these co-management projects, because  
2 that's going to take money and funding. And Staff, as  
3 well, you know, we have to have the Staff available to  
4 help us. Somebody was talking about, you know, in the  
5 past, you know, we had Staff that worked on letters  
6 with us and all this kind of stuff and, yeah, I know we  
7 did and because of the budget cuts and the reductions  
8 in funding I think some of that Staff support has gone  
9 away and maybe we should focus on some of that too.

10

11 But, overall, those are some of my  
12 thoughts and I'd be happy to hear what other people  
13 think. I'd be like to help get a policy paper out from  
14 us and I'd be happy to help, you know, in the interim  
15 to make that happen. But, yeah, those are kind of my  
16 thoughts.

17

18 MR. SCHROEDER: Just if I can jump in,  
19 or not to -- I -- I really appreciate your comments  
20 Cal.....

21

22 CHAIRMAN HERNANDEZ: Go ahead, Bob.

23

24 MR. SCHROEDER: .....and -- and -- am I  
25 on?

26

27 CHAIRMAN HERNANDEZ: Yes, go ahead,  
28 Bob.

29

30 MR. SCHROEDER: Oh, just I heartedly  
31 agree with you on most of the things but, particularly,  
32 in recognizing and supporting the existing efforts that  
33 have gone with the Forest Service and to some extent  
34 with OSM. And that's just a lack -- because I didn't  
35 have a list of the projects. So I think we can be much  
36 more friendly on that -- on those grounds.

37

38 That's it.

39

40 CHAIRMAN HERNANDEZ: Okay. Anybody  
41 else.

42

43 MS. PHILLIPS: Chairman Hernandez, this  
44 is Patty.

45

46 CHAIRMAN HERNANDEZ: Go ahead, Patty.

47

48 MS. PHILLIPS: Yeah, I have to get my  
49 comment in before my phone battery dies. So I reviewed  
50



0450

1 the original draft and made some notes and then I  
2 incorporated into the document you have before you.

3

4

5 But there's certain terms that, to me,  
6 distract from the main issue of what we're trying to --  
7 of what the RAC is trying to do and so I've taken those  
8 terms out and put in more friendlier terms. Like  
9 unseated territories and I replaced that with; in their  
10 traditional areas of use. It's just too radical to me,  
11 you know, some of those terms, they -- instead of  
12 focusing on what we want to do it puts me more into a  
13 confrontational, you know, sort of mood and I'm not  
14 comfortable with that.

14

15 Can you hear me, everything okay?

16

17 CHAIRMAN HERNANDEZ: Yeah, you're  
18 coming in fine Patty.

19

20 MR. SLATER: We hear you.

21

22

23 MS. PHILLIPS: Okay. It sounds like  
24 somebody is trying to ask me something. And then like  
25 under Section 3 where, you know, it says, ANILCA calls  
26 for the Federal government to accept -- and I agree  
27 with Cal there, that's Section .805(c), you know,  
28 ANILCA actually says the Secretaries shall consider the  
29 reports and recommendations of the RAC and it's not --  
30 it's not that we, you know, demand that they -- well,  
31 of course we'd like that, we'd like them to defer to us  
32 in all things but ANILCA isn't specific to that, all  
33 things.

33

34

35 And then under the, like the terms,  
36 usurpation, that the Federal land designations under --  
37 well, it's No. 8 on the original one -- let's see, I'm  
38 sorry, let me get to my desktop. So it's under No. 5,  
39 Federal land designation to be traditional \*Haa'awnee,  
40 traditional and tribal clan territories and, you know,  
41 I was quickly inserting in wording so also known as  
42 Federal public lands in ANILCA.

42

43

44 And then under Bullet 6, you know, our  
45 region should address and engage tribal co-management  
46 in protecting the continued viability of fish and  
47 wildlife resources on -- on tribal traditional  
48 territories in the public lands of Southeast Alaska.

48

49

50

And then on Bullet 8, you know, that

0451

1 usurpation thing, I'm just not comfortable with that  
2 terminology, it's more confrontational and we're trying  
3 to be advisory, you know, let's -- let's -- we're  
4 trying to be problem solving so I changed it to,  
5 looming threats to conservation of fish and wildlife  
6 resources.

7  
8                   And then on No. 9, rather than -- let's  
9 see that would be delegating authority rather than --  
10 I'm not sure of the term he used because I took -- I  
11 took the terms out that I wasn't comfortable with.

12  
13                   And then under 11, providing  
14 opportunities for Alaska Natives residing within the  
15 region to contribute in a meaningful way the protection  
16 -- for the protection of subsistence resources on  
17 Federal public lands.

18  
19                   Well, you have my -- you know, DeAnna  
20 forwarded you, you know, where I wanted changes. And  
21 then also wanted to insert ANILCA, Title I, purposes,  
22 Section .1 to protect the resources related to  
23 subsistence needs.

24  
25                   And then -- well, let's see, so over --  
26 with over 30 years of Federal subsistence management,  
27 there has developed an element of trust in the Regional  
28 Advisory process, the Southeast RAC is comprised of  
29 members with personal knowledge of local conditions,  
30 whose knowledge is integrated into the Federal  
31 Subsistence Management process. The Southeast RAC  
32 aspires to expand and reform provisions and protections  
33 for subsistence. The Office of Subsistence Management  
34 is vital to the RAC process. The subsistence dual  
35 management, Federal/State process provisions needs  
36 greater clarity and understanding. The communications  
37 of the RAC models involvement in the State of Alaska  
38 Board of Fisheries and Board of Wildlife process, the  
39 weariness of the State process is being overcome as  
40 rural communities and the RAC engage in the State Board  
41 process for the advancement of local concerns and  
42 subsistence resources and our subsistence way of life.  
43 The RAC is much more proficient at providing -- at  
44 bringing forth its comments consistent with  
45 conservation of natural and healthy fish and wildlife  
46 resources necessary for the continued priority for  
47 subsistence. Disruptions to the regional food supply  
48 chain underscored the necessity of subsistence priority  
49 for fish and wildlife resource and the rural way of  
50

0452

1 life recognized in Title VIII of ANILCA.

2

3

Thank you.

4

5

CHAIRMAN HERNANDEZ: Okay. So, Patty,  
6 it sounds like you're wanting some of that language to  
7 be put into some of these different bullets, and I kind  
8 of lost track a little bit about which ones you were --  
9 I don't know if you were adding new ones or adding to  
10 existing ones, but, yeah, it sounds like, you know,  
11 what you're doing there is consistent with what we have  
12 before us we just have to put it in its proper context,  
13 I guess. And that's -- I'm hoping that you'll be  
14 working on the final draft to be able to do that.

15

16

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MS. PHILLIPS: Yeah, you already have  
in -- excuse me. Mr. Chair. DeAnna -- I emailed her  
my draft edits of Robert's draft document and you have  
those. And then my final statement was just something  
that I threw together. It got me thinking and so I  
just wanted to add that on as well. And that doesn't  
have to be included in the draft document, it's just my  
position.

Thank you, Mr. Chair.

CHAIRMAN HERNANDEZ: Okay, I  
understand. Yeah, so it's good to get your thoughts on  
the record. It may help inform our final letter so  
thank you, Patty.

Any other Council members want to add  
to the discussion here.

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

CHAIRMAN HERNANDEZ: Go ahead, Ian.

MR. JOHNSON: Yeah, I know Bob kind of  
hit on maybe how -- where we're looking at focusing  
this letter right now and around the discussion of  
tribal entities but I do think it's worth, like looking  
at the larger umbrella of co-management and just  
addressing the letter to that. I think it would still  
be relevant to the State and the Forest Service. Yeah,  
I just -- it's better, like addressing co-management  
and community and tribal engagement, and local  
engagement, I think would serve a few different needs.  
You know it would more directly meet our mission of

0453

1 serving subsistence -- rural subsistence users.  
2 There's a lot of communities that don't have tribal  
3 representation but certainly qualify as rural users and  
4 -- and trying to think about my other comments on this.

5  
6 Oh, and right now like this -- like the  
7 letter doesn't currently include like engagement of --  
8 of corporations, of ANCSA Corporations and I don't know  
9 exactly how to lead them in -- into this for sure but I  
10 just want to bring that up. We did hear from the  
11 presentation from Indigenous Guardians that, you know,  
12 Sealaska is invested in this SeaCoast Trust and, of  
13 course, they have a lot of other things going on and  
14 the corporations do too so, you know, I just -- yeah,  
15 this umbrella of co-management, I think, could be --  
16 and this letter could be effectively scaled out to meet  
17 the same message and tribal entities being a tribal  
18 focus -- a vital and primary focus but ensuring that we  
19 are not like, I guess, alienating communities that  
20 don't have tribal representation. And it does sound  
21 like Indigenous Guardians Program, you know, they are  
22 very inclusive for communities that don't have that  
23 representation.

24  
25 So I guess my recommendation when we go  
26 to the wordsmithing table would be to incorporate this  
27 larger umbrella of co-management and then just ensure  
28 that we very adequately address the need to --  
29 especially for tribes to develop these agreements.

30  
31 CHAIRMAN HERNANDEZ: Okay, thank you,  
32 Ian. Yeah, I mean we just heard from other groups,  
33 other than Native groups that are willing and prepared  
34 and already actively engaged in co-management projects.  
35 We could refer to them as community management  
36 projects, you know, community management definitely  
37 includes tribal. I guess you could say that -- if we  
38 just call it tribal management, it doesn't necessarily  
39 include all communities but community management would  
40 include all tribes. But like you say, we're -- at this  
41 point we are addressing who we have heard from, so  
42 that's important to acknowledge that. But I think it's  
43 also possible to leave the door open, I guess, would be  
44 the right term for other community oriented management  
45 cooperations.

46  
47 I guess until I heard the presentation  
48 by Ray Paddock and Marco Banda this afternoon, I guess  
49 I really hadn't been aware that, you know, they were  
50

0454

1 reaching out to, you know, other non-Native  
2 organizations as much as they are. So that's kind of  
3 new information for me that I didn't really have, you  
4 know, when we started this effort. So I don't think I  
5 would necessarily leave out the -- the opportunity to  
6 talk about other community management opportunities,  
7 they could be mentioned. But so far we don't really  
8 have a lot to work there with there so -- whereas we  
9 definitely do with the tribes.

10

11 So that's my feelings on that.

12

13 Anybody else.

14

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

17

18 CHAIRMAN HERNANDEZ: Go ahead, Albert.

19

20 MR. HOWARD: Thank you, Mr. Chairman.  
21 I know I mentioned earlier about using the ACs. If  
22 anybody had a handle on what's happening in local areas  
23 I believe the ACs do and it seems like they're growing  
24 and they're getting smarter about how they're  
25 approaching things. so in my mind if there's no tribal  
26 organization I think you should include the ACs in  
27 changing this document, from what it's called to,  
28 subsistence co-management organization, or something  
29 similar to that, then you don't leave anybody out. I  
30 think what I've learned in my lifetime from being is  
31 everybody has something to offer and when you start  
32 leaving out certain groups for whatever reason, that  
33 still qualify as subsistence users, you may be taking  
34 out a big piece of the puzzle, you know.

35

36 I don't know anything about biology but  
37 somebody does so I'm not going to say, hey, since  
38 you're not Native you can't be a part of this, that  
39 doesn't solve the problem, it creates another one so.

40

41 That's kind of my two cents.

42

43 Thank you, Mr. Chair.

44

45 CHAIRMAN HERNANDEZ: Okay, thank you,  
46 Albert. Anybody else.

47

48 (No comments)

49

50

0455

1                   CHAIRMAN HERNANDEZ: I guess my comment  
2 along those lines is, you know, I agree with everything  
3 Albert says and what Ian says but, you know, it's not  
4 up to us to go out and recruit advisory committees to  
5 start participating in the management decisions. You  
6 know, they got to -- if they -- if they see what's  
7 happening with co-management projects, it's up to them  
8 to kind of step up and take some initiative and, you  
9 know, we're just willing to work with anybody who wants  
10 to have a more localized input into what's going on in,  
11 you know, their areas. So I think that's where we need  
12 to come from. We're here to work with people, we're  
13 not here to organize people as to what to do so.

14  
15                   Anybody else.

16  
17                   MR. PADDOCK: Mr. Chair, this is Ray  
18 Paddock. And, I'm sorry, I'm not on the Board but may  
19 I say something to that.

20  
21                   CHAIRMAN HERNANDEZ: Yeah, no, welcome  
22 your input Ray, go ahead.

23  
24                   MR. PADDOCK: Thank you. Yeah, so, you  
25 know, I understand that you guys aren't that -- that  
26 body to do that but, you know, being a part of our  
27 platform can help drive that invitation to others while  
28 we do it so seeing that some -- you know, that  
29 participants from the RAC are involved in the Guardian  
30 developmental piece, you know, we can use our platform  
31 essentially to do the invite and say, hey, here's a  
32 part of -- you know, here's who's a part of the group  
33 and these are stuff that can easily be brought back to,  
34 you know, to the RAC as we're developing these pieces  
35 and things like that. So I just wanted to put it out  
36 there that, you know, that that's there. We'd be happy  
37 to help in that regard, too.

38  
39                   CHAIRMAN HERNANDEZ: Okay, thank you,  
40 Ray.

41  
42                   MR. PADDOCK: Yeah.

43  
44                   CHAIRMAN HERNANDEZ: Anybody else who  
45 wants to get some input in here.

46  
47                   MR. JOHNSON: Mr. Chair, this is Ian,  
48 can I just do a follow up.

49  
50

0456

1                   CHAIRMAN HERNANDEZ: Sure, go ahead,  
2 Ian. This is just a discussion we're having here.

3  
4                   MR. JOHNSON: Okay. Yeah, so I took to  
5 Albert's point about just inclusivity and, you know,  
6 making sure that no one's voices are left, you know, I  
7 mean this, so far, has been a six month -- or more than  
8 six month process I guess to get the letter to this  
9 point and I guess any future letter would be the same.  
10 So I guess I'm also kind of thinking from a case of  
11 efficiency that it'd just be good to make sure that  
12 this letter is as inclusive as it can be to, you know,  
13 to kick this process off and try to make change happen  
14 as fast as it can.

15  
16                   So that's just another thought on my  
17 mind, that these things do take time, so the more that  
18 we can get into it this time, you know, the better.

19  
20                   CHAIRMAN HERNANDEZ: Okay. Good  
21 thoughts, Ian. And like I say, you know, we have this  
22 kind of letter -- it's not a letter, it's just kind of  
23 a position paper, suggested -- suggested topics, I  
24 guess that we would need to cover. So, I mean, you  
25 know, what we need to do is we need to, you know, get  
26 these thoughts on the record. It sounds like we're  
27 having, you know, some agreement among the Council  
28 that, yeah, you know, these things should be included  
29 so when we go back and actually put together a letter  
30 we can look back at our record here and see what kind  
31 of thoughts were, you know, generally agreed upon by  
32 the Council and we can incorporate those.

33  
34                   MR. SCHROEDER: Don, can I get back in.

35  
36                   CHAIRMAN HERNANDEZ: Yeah, go ahead,  
37 Bob.

38  
39                   MR. SCHROEDER: Yeah, I think we're --  
40 we're pretty close and I really appreciate, you know,  
41 some of the -- some of the things like what Patty was  
42 saying, you know, was, you know, kind of like sanding  
43 off some rough edges. That's -- so that -- there  
44 doesn't seem to be any real problem there.

45  
46                   I really agree with getting our  
47 citation concerning our authority correct. I don't see  
48 that that's a problem in that -- in that area.

49  
50

0457

1 I really think we -- it's completely  
2 appropriate to put in some mention of ANCSA  
3 Corporations because basically increasingly the ANCSA  
4 Corporations are on board of wanting co-management  
5 agreements and supporting subsistence now that the  
6 (indiscernible) programs are basically over.

7  
8 And I don't see any problem in  
9 including something that recognizes, one, that mainly  
10 we're dealing with this phenomena of a lot of activity  
11 on the tribal co-management and indigenous co-  
12 management but that we're in no way closed to the idea  
13 of working with non-Native communities or  
14 organizations.

15  
16 So I think with the right writing  
17 committee I think we've got a go here and I'd like to  
18 hear what the -- if there are other Council comments,  
19 but otherwise move this to a vote and then set up a  
20 writing committee which hopefully would include Ian,  
21 Cal, and Patty and others who have spoken.

22  
23 Thank you.

24  
25 CHAIRMAN HERNANDEZ: Yeah, thank you,  
26 Bob. I think we're coming to a good consensus here. I  
27 think it's becoming clearer what our main points should  
28 be. I just want to make sure we get all the Council  
29 member input that we can here so I think we're pretty  
30 much in general agreement of what we've already talked  
31 about. Is there anybody else with other points they  
32 want to bring out.

33  
34 MR. SMITH: Mr. Chairman, maybe more of  
35 a comment. It's John Smith.

36  
37 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
38 John, comments are what we're looking for.

39  
40 MR. SMITH: Just to echo. I really  
41 appreciate the -- the partnership. I think that's very  
42 key and very important. I know from hearing from the  
43 community in different areas already, and even hearing  
44 from Ray Paddock that I hear a good concern of putting  
45 that in place so I really like the document.

46  
47 Thank you.

48  
49 CHAIRMAN HERNANDEZ: Thank you, John.

50



0458

1 Anybody else.

2

3 MS. PHILLIPS: Chairman Hernandez.

4

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

7

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

9 You know I think what we're trying to do is try to get  
10 some more -- some co-management into this process.

11 We've seen some of it, in a way, in our FIS and, you  
12 know, -- no, Fisheries Monitoring projects where we've  
13 seen tribes working with, you know, Federal and tribes  
14 working with State in resource monitoring projects.  
15 We'd like to see some more of that and, you know, what  
16 this -- you know, we're not seeing enough of it because  
17 there's a lack of funding. And we're seeing good  
18 results from, you know, involving tribes into those  
19 sort of activities. If there's an opportunity for  
20 those sort of activities similar to that where tribes  
21 can work with, you know, the Subsistence Management  
22 Program, you know, that's what we'd like to see.

23

24 And in terms of -- you know, I haven't  
25 sat in on the, you know, the Women in Earth and Climate  
26 Action Network, I haven't sat through that so I don't  
27 know what they're asking. And I'm familiar with the  
28 Guardian Project and I can see that there's an  
29 opportunity to address what rural communities are  
30 saying, is that, you know, we need greater oversight of  
31 our resources out in the rural areas where, you know,  
32 we're not -- you know we see that locally but what can  
33 we do, you know, so there's opportunity here but, you  
34 know, I'm not sure exactly how far this draft is --  
35 what it's asking. So we're in sort of a -- it's sort  
36 of an introductory document, in my opinion. It's not  
37 -- it's a baby step, I think, but we would like to see  
38 some sort of end result, or, you know, some progress in  
39 the right direction, at least. So is that what this  
40 document's about or what?

41

42 Thank you.

43

44 CHAIRMAN HERNANDEZ: Okay, thank you,  
45 Patty. Well, we do have a short-term ask, you know, in  
46 Bullet 8 and that's asking the Forest Service and Park  
47 Service, Office of Subsistence Management, as our  
48 region's lead Federal agencies to actively engage.....

49

50

0459

1 (Teleconference interference -  
2 participants not muted)

3

4 CHAIRMAN HERNANDEZ: .....in our  
5 region's tribes and co-management agreements concerning  
6 subsistence research planning as well as active  
7 subsistence management. So, you know, we call on OSM  
8 to enter into co-management agreements with our  
9 region's tribes to monitor the status of fish and  
10 wildlife populations and analyze regulatory proposals  
11 that may be submitted and to issue licenses and permits  
12 that may be required, engage in management issues and  
13 also provide enforcement -- but as pointed out, that  
14 may be getting a little ahead of ourselves, legally,  
15 but I would certainly say that we need to monitor  
16 harvesting as well.

17

18 And, yeah, so we have -- so we do have  
19 some short-term asks. They're included. But this is  
20 also just kind of like a policy statement, you know,  
21 things that we believe to be true and that's part of it  
22 as well, look at it as a policy statement, I think.

23

24 MS. PHILLIPS: Well, Mr. Chair, I mean  
25 -- I'm sorry.

26

27 CHAIRMAN HERNANDEZ: Yeah, go ahead.

28

29 MS. PHILLIPS: Thank you, Mr. Chair. I  
30 mean that's kind of why I read my little statement  
31 there in the end is it took awhile to get to where we  
32 are today, I mean to have -- to have the degree of  
33 professional -- professionalism that we have dedicated  
34 to the Subsistence Program, you know, from the Office  
35 of Subsistence Management. You know, if you -- I mean  
36 I remember where we were way back when so I see a  
37 degree of professionalism here that I don't want to  
38 lose either but that professionalism can also build  
39 capacity within the tribes and I think that's kind of  
40 what we're asking, you know, without -- so, you know,  
41 we have to -- yeah, I don't know. Anyways, I just have  
42 to say that.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN HERNANDEZ: Yeah, okay, I hear  
47 you Patty. So anybody else.

48

49 (No comments)

50

0460

1 CHAIRMAN HERNANDEZ: Okay. So  
2 hopefully somebody's been thinking of a well worded  
3 motion that would put this on the floor for a vote. It  
4 has to be -- it has to be accepted -- or the Council  
5 has to be authorized -- has to authorize the writing of  
6 this letter, I guess.

7  
8 MS. NEEDHAM: Mr. Chair, this is Cathy.

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

12  
13 MS. NEEDHAM: Is it the writing of the  
14 letter, or is it the distribution of the letter.

15  
16 Thank you, Mr. Chair.

17  
18 CHAIRMAN HERNANDEZ: Well, I guess it  
19 would be the submission of the letter would be the  
20 proper term.

21  
22 MS. PERRY: Mr. Chair, this is DeAnna.

23  
24 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
25 DeAnna.

26  
27 MS. PERRY: I might be able to help.  
28 It sounds like what you are wanting to do is approve a  
29 general outline of information that was presented in  
30 the bullet's point document and discussed at this  
31 meeting for a drafting committee, which would be  
32 comprised of Council members, who would then finalize  
33 for the Chair, for your final approval and  
34 signature.....

35  
36 CHAIRMAN HERNANDEZ: All right.

37  
38 MS. PERRY: .....and, again, all that's  
39 based on comments on the administrative record of this  
40 Council. It sounds like you kind of want to do all of  
41 that at one whack or are you wanting several different  
42 motions. I was trying to think of all the different  
43 things we had talked about to see if I could provide a  
44 little bit of guidance on the different points we were  
45 looking at.

46  
47 MS. NEEDHAM: Mr. Chair.

48  
49 CHAIRMAN HERNANDEZ: Well, I believe  
50

0461

1 just do it with one motion that essentially says what  
2 we want to do. We want to send a letter to various  
3 agencies we have listed here, outlining the -- the  
4 Council's position, I guess -- it would be a position  
5 paper on tribal co-management.

6  
7 (Pause)

8  
9 CHAIRMAN HERNANDEZ: We just need the  
10 proper wording put into a motion. If people want to  
11 think about that for a little while we could take a  
12 break. We could take a 15 minute break and come back  
13 at 4:00 o'clock. The only thing left on the agenda is  
14 a few more agency reports and talking about our future  
15 meeting dates and there might be a couple of little  
16 items to go back to, I'll have to look back and see.  
17 But if people would like to take a 15 minute break.

18  
19 MR. KITKA: Don, this is Harvey.

20  
21 CHAIRMAN HERNANDEZ: Oh, hi, Harvey.

22  
23 MR. KITKA: Yeah, I'm back.

24  
25 CHAIRMAN HERNANDEZ: Okay. Good,  
26 thanks, Harvey. Yeah, let's take a 15 minute break.  
27 And this would be normally where we'd have a little  
28 huddle and everybody would kind of get together and  
29 say, you know, how are we going to word this but I  
30 guess we're just going to have to do that on our own  
31 here. So be thinking about proper wording for a motion  
32 while we take a 15 minute break.

33  
34 MS. NEEDHAM: Can we do an off the  
35 record huddle.

36  
37 (Laughter)

38  
39 CHAIRMAN HERNANDEZ: I don't know how  
40 we'd do that.

41  
42 (Off record)

43  
44 (On record)

45  
46 CHAIRMAN HERNANDEZ: So do we have a  
47 motion to put forward.

48  
49 MR. JOHNSON: Mr. Chair, this is Ian.

50

0462

1 CHAIRMAN HERNANDEZ: Go ahead, Ian.

2

3 MR. JOHNSON: I can take a crack at it.

4

5 CHAIRMAN HERNANDEZ: Okay.

6

7 MR. JOHNSON: I make a motion that we  
8 authorize a subcommittee to be put together to review  
9 and adopt language discussed in this meeting and  
10 presented in the draft document regarding a letter of  
11 co-management to be addressed to both State and Federal  
12 agencies and that we present that -- and that they  
13 present that letter to the Board in autumn, or to the  
14 RAC in the autumn for review and submission.

15

16 CHAIRMAN HERNANDEZ: Okay.

17

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

19

20 CHAIRMAN HERNANDEZ: Yeah, DeAnna, you  
21 might have a comment there.

22

23 MS. PERRY: Yeah, just for folks, the  
24 word subcommittee has a specific connotation,  
25 subcommittee actually makes us have FACA requirements  
26 on the subcommittee so that's why we've been using the  
27 name, work group, for our indigenous management work  
28 group. I know that from what I've heard a few folks say  
29 this afternoon, the words drafting committee have been  
30 thrown out there, so I would just offer that because we  
31 need to be mindful of using the word subcommittee in  
32 any of our motions because that does -- that does make  
33 a requirement kick in for FACA for us, reporting, and  
34 the whole nine yards.

35

36 CHAIRMAN HERNANDEZ: Yeah. Okay, maybe  
37 just amend that a little bit Ian.

38

39 MR. JOHNSON: Okay.

40

41 CHAIRMAN HERNANDEZ: If you could.

42

43 MR. JOHNSON: Yep.

44

45 (Laughter)

46

47 MR. JOHNSON: That's the newbie in me.  
48 Okay. I make a motion to authorize a drafting committee  
49 to take into consideration the discussion and draft

50

0463

1 document around co-management and craft a letter that  
2 will be submitted for review back to the RAC in autumn  
3 of 2022.

4

5 MS. NEEDHAM: This is Cathy. I'll  
6 second the motion.

7

8 CHAIRMAN HERNANDEZ: Okay, thank you.  
9 We have a motion and a second. So other comments from  
10 the Council on how we're going to proceed here before  
11 we vote.

12

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

14

15 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
16 Cathy.

17

18 MS. NEEDHAM: Do we need to identify  
19 the folks that are on that drafting work group or did  
20 we already do that.

21

22 CHAIRMAN HERNANDEZ: Well, yeah, we  
23 have an existing work group.....

24

25 (Teleconference interference -  
26 participants not muted)

27

28 CHAIRMAN HERNANDEZ: I think we could  
29 probably consider that to be the drafting group.

30

31 MS. NEEDHAM: Mr. Chair, we do have a  
32 working group and there seems like there were a couple  
33 of people who agreed to assist with the drafting of  
34 incorporating our discussion into the letter. So if  
35 it's a work group, can it just be flexible and open to  
36 those that want to participate and we don't have to  
37 actually identify them or name them but just ask them  
38 to join you guys and keep them informed of when the  
39 meetings are.

40

41 CHAIRMAN HERNANDEZ: Yeah, I don't  
42 know, DeAnna, could you weigh in on that. I think  
43 that's getting a little beyond my.....

44

45 MS. PERRY: Yeah, thank you, Mr. Chair.  
46 I believe currently there are five Council members on  
47 the work group and, again, I would just caution folks  
48 that if go to quorum that is considered a FACA meeting  
49 so it's no longer a work group meeting.

50

0464

1 CHAIRMAN HERNANDEZ: Right. So we  
2 definitely can't have more than six, it would be the  
3 maximum we could have in a work group.

4  
5 MS. NEEDHAM: Can you clarify whether  
6 or not you guys are counting me on the work group  
7 because I was never an official work group member.

8  
9 Thank you, Mr. Chair.

10  
11 CHAIRMAN HERNANDEZ: That's right.  
12 Well, let me just review here. I think myself, Bob  
13 Schroeder, Albert, Harvey, Ian, and I think we added  
14 Patty, that would be No. 6. So that's the most we  
15 could have. And, yeah, that's not including you,  
16 Cathy.

17  
18 MS. NEEDHAM: Thank you, Mr. Chair.  
19 And I wasn't trying to volunteer to be on the work  
20 group, just making it clear. But we did have -- I  
21 thought, Cal's input during our discussion was -- and  
22 he has a really great background into the workings and  
23 -- he's volunteered to do some drafting. So I think  
24 finding a way to incorporate him, whether it's just  
25 having him go through the letter and submit comments to  
26 the work group, maybe that's the best we can do at this  
27 point. But I don't want to lose that as a resource  
28 because I think he has really valuable input.

29  
30 Thank you, Mr. Chair.

31  
32 CHAIRMAN HERNANDEZ: Okay.

33  
34 MS. PHILLIPS: Chairman Hernandez, this  
35 is Patty Phillips.

36  
37 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
38 Patty.

39  
40 MS. PHILLIPS: I didn't -- I was just  
41 recently appointed and I didn't know that I was  
42 formally in this work group because, you know, I  
43 haven't been there. I mean I was -- I thought I was  
44 asked to review a document but I would be glad to step  
45 aside, you know, for other RAC members to be part of  
46 this drafting committee. I'm also available if you  
47 need me. So I don't mean to complicate things.

48  
49 Thank you, Mr. Chair.

50

0465

1 (Teleconference interference -  
2 participants not muted)

3  
4 CHAIRMAN HERNANDEZ: Yeah, we do kind  
5 of run up against some FACA requirements here with a  
6 quorum so we can't have too many people.

7  
8 MS. PERRY: Mr. Chair.

9  
10 CHAIRMAN HERNANDEZ: Is that DeAnna.

11  
12 MS. PERRY: Yes, Mr. Chair. Might I  
13 suggest that we do sort of what we did with the work  
14 group, you know, as we start getting into spring and  
15 over the summer, there might be different commitments  
16 on people's time so the folks who are currently in the  
17 indigenous management work group might not be available  
18 for working on this letter. So if we went forward  
19 with.....

20  
21 (Teleconference interference -  
22 participants not muted)

23  
24 MS. PERRY: .....with Ian's motion then  
25 we could follow that up with a quick motion of the  
26 volunteers who would like to be part of that drafting  
27 committee. It could be a really quick motion, who's  
28 interested and then we're done.

29  
30 CHAIRMAN HERNANDEZ: Okay. We can --  
31 we'll just.....

32  
33 REPORTER: Hey, DeAnna, this is the  
34 court reporter. We need to find out who's phone is  
35 making all this interference.

36  
37 CHAIRMAN HERNANDEZ: We have background  
38 noise. It sounds quiet now.

39  
40 REPORTER: Okay, great.

41  
42 CHAIRMAN HERNANDEZ: Right, we can do  
43 that. We can, you know, just leave the motion as is,  
44 establish a work group and then under a second motion  
45 we'll actually set the members of the work group, that  
46 sounds good. We'll go back and.....

47  
48 MR. SCHROEDER: Don.....

49  
50



0466

1                   CHAIRMAN HERNANDEZ:   .....revisit that  
2 motion.

3

4                   MR. SCHROEDER:   Mr. Chair.

5

6                   CHAIRMAN HERNANDEZ:   Okay, any  
7 discussion.   Go ahead, Bob.

8

9                   MR. SCHROEDER:   Yeah, I was  
10 anticipating -- I didn't anticipate that we'd want to  
11 delay this until autumn.   If that's the will of the  
12 Council, that's fine, but we have a little bit of  
13 momentum here and I'm not sure -- with other  
14 correspondence that goes out from the Council, we've  
15 had a pattern of having a good record for what we want  
16 done and we forward it off to do the final wording.   If  
17 you think of this -- this would mean that virtually  
18 every communication from the Council would be delayed  
19 by about six months if we required the Council to see a  
20 word for word version before something is sent out.   So  
21 I'm not sure if that was your intention, Ian, or if you  
22 didn't know how we had handled our communications  
23 through the Council.

24

25                                   Thank you.

26

27                   MR. JOHNSON:   Mr. Chair.

28

29                   MS. NEEDHAM:   This is Cathy.

30

31                   CHAIRMAN HERNANDEZ:   Yeah, go ahead,  
32 Ian.

33

34                   MR. JOHNSON:   Yeah, Bob, I weighed both  
35 options, I guess, when I was thinking about the motion,  
36 and chose the autumn one.   I felt that, we do have some  
37 momentum but, you know, we definitely have momentum but  
38 I didn't feel that the issue was necessarily was time  
39 sensitive and there were a lot of discussion points so  
40 that it was worth bringing it up to the Council.   But,  
41 yeah, I would definitely just encourage folks to think  
42 about that and we could always vote down the motion  
43 here and if folks -- you know if folks want to amend it  
44 to that alternate model.   But yeah that's definitely  
45 the two options.

46

47                   CHAIRMAN HERNANDEZ:   Okay, so that's a  
48 discussion point.

49

50

0467

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

2

3 CHAIRMAN HERNANDEZ: Go ahead.

4

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

6 I agree with Ian. I am -- I do support his motion as  
7 stated to have a final draft submitted for our approval  
8 next fall. I think this subject is very important and  
9 there's a lot riding on it for a lot of people and I  
10 think we really should spend the time to get it right  
11 and I think if it takes us the summer to do that, well,  
12 then that's what we do. I really think that we have to  
13 spend some time thinking about this in terms of wording  
14 and how we do it. Patty's observations about, you  
15 know, specific words is a valid one. I want to make  
16 sure that this is written perfectly and that it gets  
17 the attention it deserves and to do that I think is  
18 going to take some time. I do think that the Council  
19 should see the final version before it's signed by you.

20

21 But, anyway, that's just my thoughts.

22 I support Ian's motion as stated.

23

24 CHAIRMAN HERNANDEZ: Okay. Anybody

25 else.

26

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

28

29 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

30

31 MS. NEEDHAM: I also.....

32

33 MR. KITKA: This is Harvey.

34

35 MS. NEEDHAM: I also support.....

36

37 CHAIRMAN HERNANDEZ: I gotcha Harvey,  
38 after Cathy's done. Go ahead, Cathy.

39

40 MS. NEEDHAM: Thank you, Mr. Chair. I  
41 also support the motion as made. I think Cal hit the  
42 justification that I would have for that right on the  
43 head, and so I would be more inclined to vote -- I  
44 would like to see this letter again before it gets  
45 submitted just to make sure that -- I trust the  
46 drafting committee to capture our intent but I also  
47 want to make sure that we do, you know, get it right  
48 and that we have a tone that is appropriate for having  
49 it being received in a positive .

50

0468

1 Thank you, Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Okay, thank you,  
4 Cathy. Harvey, what did you have to add.

5

6 MR. KITKA: Yeah, Don. I -- sorry -- I  
7 support this motion. I really think that maybe you  
8 could ask for volunteers afterwards on a different  
9 motion, but we should get this motion through the floor  
10 first.

11

12 CHAIRMAN HERNANDEZ: Okay, thanks,  
13 Harvey. Anybody else.

14

15 MR. SMITH: This is John Smith.

16

17 CHAIRMAN HERNANDEZ: Go ahead, John.

18

19 MR. SMITH: In our culture we would say  
20 (In Tlingit). I echo what the team is saying and  
21 really agree with this paperwork.

22

23 Gunalcheesh. Ah.

24

25 CHAIRMAN HERNANDEZ: Okay, thank you,  
26 John. anybody else.

27

28 (No comments)

29

30 CHAIRMAN HERNANDEZ: Okay, are we ready  
31 for the vote.

32

33 MS. NEEDHAM: Mr. Chair, I call for the  
34 question.

35

36 CHAIRMAN HERNANDEZ: Okay.

37

38 MR. KITKA: Question.

39

40 CHAIRMAN HERNANDEZ: Okay, thank you,  
41 Cathy. So DeAnna, did you capture that full motion, it  
42 was a little lengthy, I'm kind of hesitant to repeat it  
43 back, if you have it -- you were probably taking better  
44 notes here.

45

46 MS. PERRY: Yeah, Ian spoke twice so I  
47 will put what I've captured between both of those and,  
48 Ian, if I didn't capture something or left something  
49 out, please let me know and I can insert that.

50

0469

1 But basically Ian made a motion to  
2 authorize a drafting committee to take into  
3 consideration comments made during this meeting and  
4 draft a letter for the Council to review, which will be  
5 addressed to both State and Federal agencies -- I'm  
6 sorry, I should put, draft a letter for the Council to  
7 review in the fall.

8

9 CHAIRMAN HERNANDEZ: Right. Okay, I  
10 think that captured it pretty well. Okay, do a roll  
11 call vote.

12

13 MS. PERRY: Okay.

14

15 Patty Phillips.

16

17 MS. PHILLIPS: Yes.

18

19 MS. PERRY: Louie Wagner, Jr.

20

21 MR. WAGNER: Yes.

22

23 MS. PERRY: Harvey Kitka.

24

25 MR. KITKA: Yes.

26

27 MS. PERRY: John Smith, III.

28

29 MR. SMITH: Yes.

30

31 MS. PERRY: Albert Howard.

32

33 MR. HOWARD: I vote yes.

34

35 MS. PERRY: Jim Slater.

36

37 MR. SLATER: Jim votes yes.

38

39 MS. PERRY: Mike Douville.

40

41 MR. DOUVILLE: Mike Douville votes yes.

42

43 MS. PERRY: Cal Casipit.

44

45 MR. CASIPIT: Yes.

46

47 MS. PERRY: Bob Schroeder.

48

49 MR. SCHROEDER: Bob Schroeder votes

50

0470

1 yes.

2

3

MS. PERRY: Cathy Needham.

4

5

MS. NEEDHAM: Yes.

6

7

MS. PERRY: Frank Wright I believe is

8

out.

9

10

Ian Johnson.

11

12

MR. JOHNSON: Yes.

13

14

MS. PERRY: And Don Hernandez.

15

16

CHAIRMAN HERNANDEZ: I vote yes.

17

18

MS. PERRY: Thank you, Mr. Chair. The  
vote was 12 to zero with one absent, motion passes.

19

20

21

CHAIRMAN HERNANDEZ: Okay, very good.

22

23

MS. PERRY: And if you would like to --  
for the drafting committee members you could start with  
volunteers if you'd like and I'll note those.

24

25

26

27

CHAIRMAN HERNANDEZ: Discussion on a  
motion for -- yeah, I guess I'll start out, I'll  
volunteer.

28

29

30

31

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

32

33

CHAIRMAN HERNANDEZ: Is that you  
volunteering, Ian.

34

35

36

MR. JOHNSON: Yeah, I do volunteer. I  
also have a question about the -- just the committee  
size.

37

38

39

40

CHAIRMAN HERNANDEZ: Okay.

41

42

MR. JOHNSON: Is it -- when we're  
meeting the quorum requirement, is it only the RAC  
members who are present at that particular meeting?  
Like for instance, if we obligate, like if we have  
eight volunteers who want to be a part of the group,  
does that essentially violate quorum at that point or  
is it only the members that are public [sic] at a  
working group meeting?

43

44

45

46

47

48

49

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0471

1 CHAIRMAN HERNANDEZ: That's a DeAnna  
2 question.

3  
4 MS. PERRY: It's the -- sorry, Mr.  
5 Chair.

6  
7 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

8  
9 MS. PERRY: Through the Chair, Member  
10 Johnson. yes, it is based on total seated members. So  
11 any time you have more than six of your members in one  
12 room together, no matter what the purpose, that is  
13 considered under FACA rules to be a FACA committee  
14 meeting. So even if they're just.....

15  
16 MR. JOHNSON: Right. Yes.

17  
18 MS. PERRY: .....off the wall, just not  
19 participating, it's still a quorum of the.....

20  
21 (Teleconference interference -  
22 participants not muted)

23  
24 MS. PERRY: .....members meeting at a  
25 time.

26  
27 MR. JOHNSON: Yeah, okay, but if we had  
28 a -- just to doublecheck. But if we had like eight  
29 people who volunteered right now but only five of them  
30 show up to a meeting tomorrow, we would still be  
31 violating FACA.

32  
33 MS. PERRY: Through the Chair, Mr.  
34 Johnson. The Administrative record would show that we  
35 have basically obligated eight of our Council members  
36 to participate, whether those eight all show up, that's  
37 different, but our administrative.....

38  
39 (Teleconference interference -  
40 participants not muted)

41  
42 MS. PERRY: .....but our administrative  
43 record would show that eight people have been obligated  
44 to attend the meeting and, yes, that would be a quorum,  
45 which would kick in all of the FACA reporting  
46 requirements.

47  
48 MR. JOHNSON: Okay.

49  
50

0472

1 CHAIRMAN HERNANDEZ: Okay, thanks for  
2 clarifying that DeAnna.

3  
4 MR. JOHNSON: Okay, thank you.

5  
6 CHAIRMAN HERNANDEZ: So Ian you're  
7 volunteering?

8  
9 MR. JOHNSON: Yes, sir, Mr. Chair.

10  
11 CHAIRMAN HERNANDEZ: Okay.

12  
13 MR. CASIPIT: Mr. Chair, this is Cal.  
14 I volunteered in the last discussion, I volunteer this  
15 time too.

16  
17 CHAIRMAN HERNANDEZ: Thank you, Cal.  
18 Anybody else.

19  
20 MR. SMITH: Mr. Chairman.

21  
22 CHAIRMAN HERNANDEZ: yes.

23  
24 MR. SMITH: John Smith.

25  
26 CHAIRMAN HERNANDEZ: Go ahead, John.

27  
28 MR. SMITH: Yeah, I definitely support  
29 the team if I'm needed. My strength, you know, is more  
30 oral, traditional and research, I love research. So if  
31 I'm needed I'd definitely be there to support.

32  
33 Happy day.

34  
35 CHAIRMAN HERNANDEZ: Okay, thank you,  
36 John. Anybody else.

37  
38 MR. SCHROEDER: Yeah, Don, this is Bob.  
39 I'd suggest that someone take on the job of being lead  
40 of this committee and I also have a concern, depending  
41 on when we set our date for our fall meeting about my  
42 availability. I am available for the first month of  
43 the meeting calendar and I won't be available after  
44 September 15th.

45  
46 CHAIRMAN HERNANDEZ: Okay. Are you  
47 volunteering to be on the writing committee, though,  
48 Bob, or you -- you don't have to be the lead.

49  
50

0473

1 MR. SCHROEDER: If -- if I can assist  
2 that would be great but I won't be the lead dog in this  
3 dog team.

4  
5 CHAIRMAN HERNANDEZ: Okay. So I have  
6 five. There's room for one more. Five may be enough.

7  
8 (No comments)

9  
10 CHAIRMAN HERNANDEZ: Okay, it sounds  
11 like we've got five names forward. Does somebody want  
12 to put those names into a motion.

13  
14 MR. CASIPIT: Mr. Chair, I move that  
15 those names that are recorded on the record be assigned  
16 to this drafting committee. This is Cal.

17  
18 MS. NEEDHAM: Cathy, second.

19  
20 CHAIRMAN HERNANDEZ: Cal made the  
21 motion, Cathy seconded. DeAnna, just for the record,  
22 could you read off the names.

23  
24 (No comments)

25  
26 CHAIRMAN HERNANDEZ: DeAnna, do you  
27 have the list of names there.

28  
29 MS. PERRY: Yes, Mr. Chair, sorry.  
30 Lost in my star, six's again.

31  
32 CHAIRMAN HERNANDEZ: Yep.

33  
34 MS. PERRY: So the motion is for the  
35 following Council members to serve on the drafting  
36 committee: Cal Casipit, Ian Johnson, John Smith, III,  
37 Bob Schroeder and Don Hernandez. I did not hear that a  
38 lead was chosen unless I missed that, Mr. Chair.

39  
40 CHAIRMAN HERNANDEZ: I don't think we  
41 chose anybody, we'll just decide that amongst ourselves  
42 when we get together.

43  
44 MS. PERRY: Okay.

45  
46 CHAIRMAN HERNANDEZ: I'm on the  
47 committee, I'll probably set up the, at least, the  
48 initial meeting get together. So, okay, are we ready  
49 for a vote.

50



0474

1 MR. JOHNSON: Call for the question.

2

3 CHAIRMAN HERNANDEZ: Okay, thank you.

4 Question's been called for. I'll do a voice vote on

5 this one. All in favor of designating those five

6 volunteers to draft this letter on indigenous

7 management say aye.

8

9 IN UNISON: Aye.

10

11 (Pause)

12

13 CHAIRMAN HERNANDEZ: Okay, hearing

14 none, it passes. We'll put something together. My

15 intent is to put -- have the first group meeting get

16 together here fairly soon, we'll kind of send out a

17 little poll when people are available but we want to do

18 this while it's fresh in our minds.

19

20 Okay, so I guess one thing I wasn't

21 anticipating is bringing this back to the Council in

22 the fall but it sounds like that's what the Council

23 wants so that's what we'll do. And I guess I do want

24 to say that, you know, through this whole process, the

25 whole work group process, we've done a little bit of

26 this in the past. I know it's never been my intention

27 for the work group to put something together and have

28 the Council rubber-stamp it, so I think we've proved

29 that we're not about to do that. We've got a lot of

30 input into this now and hopefully this committee will

31 come up with a really good document to bring back to

32 the Council in the fall and everybody will approve it

33 then.

34

35 So it's kind of a difficult process

36 made more difficult by the fact that we haven't had a

37 chance to sit down in person and hash some of this

38 stuff out. I believe with John Smith, III, I operate

39 much better orally. I like to sit around in a group,

40 have a give and take. All this reading emails and kind

41 of writing responses to emails and passing them back

42 and forth and being on the telephone, that just doesn't

43 very well for me so it's been really hard but, yep,

44 that's what we've had to do so we'll move forward.

45

46 Okay, so let's wrap this meeting up.

47 There's a few other items to take care of here. We

48 have a couple more agency reports. We want to hear a

49 little bit more from, let's see, Forest Service people,

50

0475

1 I believe, they're on the list.

2

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

4

5 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
6 DeAnna, who's up first.

7

8 MS. PERRY: Well, before we go to  
9 agency reports, I didn't know if you would want to, in  
10 a sense, suspend the rules and kind of go back to some  
11 old business that we discussed earlier regarding --  
12 actually I guess it would be under new business for  
13 fishery proposals. There was a discussion and some  
14 information from Jake Musslewhite regarding the process  
15 for adjusting limits on State permits. You talked  
16 about the harvest limits at Neva Creek for subsistence  
17 sockeye harvest.

18

19 CHAIRMAN HERNANDEZ: Oh, yes.

20

21 MS. PERRY: And, I didn't know if you  
22 would want to revisit that.

23

24 CHAIRMAN HERNANDEZ: Yeah, I kind of  
25 wrote it in on my agenda. I didn't know if we'd take  
26 that up after we get through the reports of before, but  
27 I guess whoever's available now.

28

29 MS. PERRY: I think everyone's standing  
30 by, Mr. Chair, so it's up to you and the Council,  
31 what's your pleasure.

32

33 CHAIRMAN HERNANDEZ: Could you remind  
34 me, again, of what Jake wanted to get back to us with  
35 on the Neva Creek.

36

37 MS. PERRY: he had outlined a process  
38 for adjusting limits on State permits for subsistence  
39 sockeye harvest at Neva Creek. And I can call on Jake  
40 to remind us of the details, if you'd like, if you're  
41 ready for that now.

42

43 CHAIRMAN HERNANDEZ: Okay, we can do  
44 that now.

45

46 MR. MUSSLEWHITE: Yeah, hi, Mr. Chair,  
47 this is Jake Musslewhite with the Forest Service. Can  
48 you guys hear me okay.

49

50

0476

1 CHAIRMAN HERNANDEZ: Got you fine, go  
2 ahead.

3  
4 MR. MUSSLEWHITE: All right. Okay,  
5 yeah, I'll try to do this real quick. I -- I just  
6 wanted to kind of get back in terms of that process for  
7 adjusting the State limits. I had a little bit more  
8 conversation with Dave Harris, who's the Juneau area --  
9 Area Management Biologist, so -- so I discussed with  
10 him the possibility of, you know, not trying to do  
11 anything right away since this is sort of an extremely  
12 new development, just really kind of coming in today  
13 and -- which gives us a little bit of time to kind of  
14 fig -- figure stuff out. It also works -- if we're  
15 going to use Neva as sort of a test case for this, it  
16 dovetails nicely with the closure review we discussed  
17 earlier. Staff, probably me, in fact, will be gathering  
18 a lot of data and examining the need to continue that  
19 closure and that would mesh very nicely with look --  
20 also looking at if we -- if it's possible to adjust  
21 that current State permit harvest limit at Neva Creek.

22  
23 So I guess, long story, short, is, you  
24 know, my advice to the Council would be that we can try  
25 to feel out that process along with Staff at Fish and  
26 Game and bring this to you, along with the Neva closure  
27 review when we have a little bit more time to figure it  
28 out, and then if the Council wishes to ask Fish and  
29 Game to adjust harvest limits at Neva, or at any other  
30 system, any of the harvest limits throughout Southeast  
31 Alaska, we can then do that after our fall meeting and  
32 have all winter to do it. It looks like right --  
33 they're basically finalizing the permit limits right  
34 now so we wouldn't have really time to do it for this  
35 coming season anyway, that way we would have plenty of  
36 time over the winter for it -- to apply to the 2023  
37 season.

38  
39 So that seems to me to be a good course  
40 of action, if that -- you know if that works for the  
41 Council.

42  
43 CHAIRMAN HERNANDEZ: Okay, thanks,  
44 Jake. Council want to weigh in on that, any comments,  
45 suggestions.

46  
47 MS. NEEDHAM: Mr. Chair, this is Cathy.

48  
49 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

50

0477

1 MS. NEEDHAM: Thank you, Mr. Chair.  
2 I'd really like to thank Jake for bringing this before  
3 us. I think it is a potentially great opportunity down  
4 the line to be able to get a higher harvest limit for  
5 some of the communities for sockeye in their system.  
6 I'd like to take their recommendation on the timeline  
7 that we revisit this in the fall with the hopes of  
8 being able to implement it for some of the 2023  
9 subsistence fisheries.

10

11 Thank you, Mr. Chair.

12

13 CHAIRMAN HERNANDEZ: Okay. Yeah, I  
14 echo thoughts. So thank you, Cathy. Anybody else.

15

16 (No comments)

17

18 CHAIRMAN HERNANDEZ: Okay, thank you,  
19 So Jake, yeah, that was a good catch. Interesting  
20 possibilities here. So we will definitely be talking  
21 about it more in the fall so thanks again.

22

23 MR. MUSSLEWHITE: Yeah, thank you, Mr.  
24 Chair.

25

26 MR. WAGNER: Mr. Chair, this is Louie.

27

28 CHAIRMAN HERNANDEZ: So, DeAnna, do we  
29 have some folks from the Forest Service ready to give  
30 reports.

31

32 MS. PERRY: Yes, Mr. Chair, but I think  
33 maybe someone was trying to speak, maybe one of the  
34 Council members was trying to speak just now.

35

36 CHAIRMAN HERNANDEZ: If there was  
37 somebody, go ahead.

38

39 MR. WAGNER: Yeah, Mr. Chair, Louie.

40

41 CHAIRMAN HERNANDEZ: Louie, okay, go  
42 ahead.

43

44 MR. WAGNER: I was just hoping to catch  
45 Jake there before he left to see if he had an update  
46 from the Unuk River with the boots on the ground there.  
47 The satellite phones work fine up there and Shane  
48 Walker gave us a real good report last year in the  
49 community here.

50

0478

1 MR. MUSSLEWHITE: Yeah, through the  
2 Chair, Jake Musslewhite again. Sorry, no, no updates.  
3 You might have a better line to folks there than I  
4 would, honestly. So, yeah, I wish I -- I wish I had  
5 something to update you, oh, sorry.

6  
7 MR. WAGNER: Oh, so you have no  
8 knowledge of any fish or not, I know Steve Huffline, my  
9 neighbor, he uses a satellite phone every day up there  
10 to his wife.

11  
12 MR. MUSSLEWHITE: Yeah, no, that's all  
13 being done by Staff out of our office down in  
14 Ketchikan, I believe, so I'm not real -- working too  
15 closely with them, I just know that they're out doing  
16 it right now. So I'm not getting any direct reports or  
17 anything, I think they're still out in the field.  
18 Yeah, so just kind of -- I'm on the north end here, the  
19 south end of things, that seems like a long ways away.

20  
21 MR. WAGNER: All right, thank you,  
22 Jake. Thank you, Chair.

23  
24 CHAIRMAN HERNANDEZ: Okay. So Forest  
25 Service agency reports, I think there's several on the  
26 agenda here.

27  
28 MS. PERRY: Yes, Mr. Chair, this is  
29 DeAnna. I believe Greg Risdahl, he has the Forest  
30 Service Subsistence Program report to give. He does  
31 have a conflict at 5:00 o'clock, so if it's okay with  
32 you and the Council, could he go first under the Forest  
33 Service agency reports.

34  
35 CHAIRMAN HERNANDEZ: Sure, go ahead.

36  
37 MR. RISDAHL: Thank you, DeAnna. Thank  
38 you, Mr. Chair and members of the Council. This report  
39 was actually put together for the last meeting in the  
40 fall but the Council did not have time to get to it so  
41 I have updated it a bit and I'll be giving it to you  
42 here this afternoon.

43  
44 So this is about the 2021 Subsistence  
45 Program.

46  
47 The management of National Forest lands  
48 for subsistence uses plays a vital role in sustaining  
49 the health of rural Alaskan communities by ensuring  
50

0479

1 that healthy fish and wildlife populations are  
2 available to provide a reliable food supply for  
3 residents. The Federal Subsistence Management Program  
4 plays an important role in maintaining employment in  
5 rural Alaskans where opportunities are often limited as  
6 well. The Forest Service supports the subsistence way  
7 of life in rural communities by implementing critical  
8 monitoring and management activities using funds  
9 specifically allocated towards subsistence uses on  
10 National Forest lands.

11

12 In fiscal year 2021 the Alaska region  
13 Forest Service and Fish and Wildlife Service personnel  
14 and the Office of Subsistence Management analyzed nine  
15 wildlife regulatory management proposals in the  
16 Southeast region and 27 in the Southcentral region to  
17 determine wildlife population trends and appropriate  
18 harvest levels and to determine appropriate management  
19 actions to provide for the continuation of subsistence  
20 uses on National Forests in Alaska. Forest Service  
21 Staff also analyzed two wildlife closure reviews for  
22 the Southeast region and provided input for additional  
23 regulatory proposals on other Federal lands across  
24 Alaska on Federal public lands.

25

26 Through delegated authority from the  
27 Federal Subsistence Board Forest Service in-season  
28 managers implemented seven special actions on the  
29 Tongass National Forest to conserve subsistence  
30 resources in 2021.

31

32 Three of these actions were for  
33 wildlife, specifically mountain goat, and four for  
34 fish, three were salmon and one for eulachon. No  
35 special actions were implemented on the Chugach in  
36 2021.

37

38 At the State level the Forest Service  
39 InterAgency Staff Committee member, that's me, helped  
40 evaluate several additional emergency action requests  
41 to address immediate conservation and subsistence uses  
42 for fish and wildlife across the state.

43

44 The Forest Service Regional Advisory  
45 Council Coordinator, DeAnna, she facilitated four  
46 Council meetings by the end of the year, two each for  
47 the Southeast and Southcentral Councils.

48

49 In 2021 the Tongass oversaw eight

50

0480

1 sockeye salmon stock assessment projects and one  
2 eulachon monitoring project through the Fisheries  
3 Resource Monitoring Program. Also through the FRMP,  
4 the Tongass National Forest partnered with five tribal  
5 groups and the Alaska Department of Fish and Game and  
6 supported 16 local jobs with tribal organizations in  
7 rural communities.

8

9                   Approximately \$775,000 in Forest  
10 Service funding was distributed across the Tongass and  
11 Chugach National Forests for subsistence projects in  
12 2021. In addition, the Forest Service provided  
13 approximately \$465,000 in subsistence support to OSM.  
14 Notably, the Chugach National Forest completed year  
15 six, it's final year of a black bear monitoring project  
16 in partnership with ADF&G. The last bears were radio  
17 collared in 2018 and collars were picked up last fall.  
18 Data analysis and report writing is underway now.

19

20                   In combination, both National Forests  
21 completed 26 deer surveys and six population surveys  
22 for moose and mountain goats. Monitoring was  
23 implemented primarily through contracts and agreements.  
24 Forest Service research and inventory and monitoring  
25 projects continue to be vital to effectively manage  
26 subsistence resources and uses while providing for  
27 conservation of harvest of species.

28

29                   In partnership with the Department of  
30 Interior, the Forest Service continues to contribute to  
31 and work cooperatively within the Alaska Federal  
32 Subsistence Management Program.

33

34                   Activities included annual rulemaking,  
35 such as the Tongass submerged lands proposed rule as  
36 well as the most recent fish and shellfish rule that  
37 was just signed into law and published in the Federal  
38 Register. Also we participated in law enforcement and  
39 education, employment and capacity building.

40

41                   The Forest Service regularly consulted  
42 with Alaska tribes and Native corporations to comply  
43 with Presidential and Secretarial policy direction and  
44 to be respectful of the current and historical role of  
45 Native Alaskans and other Federally-qualified rural  
46 subsistence users while managing for customary and  
47 traditional uses.

48

49                   A few details about the Subsistence

50

0481

1 Program's budget.

2

3

4 The President's budget proposed for  
5 management of National Forest lands in Alaska was  
6 essentially the same as that enacted by the  
7 Congressional budget in 2021. However, because of  
8 budget modernization within USDA the budget allocation  
9 process has changed and Staff salaries were put under a  
10 separate funding code. So the total subsistence budget  
11 for last year was nearly \$2.6 million, and there's a  
12 table in the report that I provided for you guys. The  
13 subsistence operating budget, which is the total  
14 budget, minus salaries and travel for fiscal year 2021  
15 was approximately \$1.300 million. This included  
16 \$205,000 in priori year funds going back as far as  
17 2005. An estimated \$1.216 million was spent supporting  
18 salaries for 46 Forest Service personnel on the Tongass  
19 and Chugach National Forests, specifically in  
20 subsistence. Subsistence funding enabled the Forest  
21 Service to continue to meet its responsibilities under  
22 the 1980 ANILCA Act as well as provide vital employment  
23 in isolated rural communities. The current level of  
24 funding also enabled the Forest Service to continue  
25 hire approximately 30 to 40 seasonal employees to  
26 assist in collecting fish and wildlife population data.  
27 Of course this information is used to set annual  
28 harvest levels and is essential for keeping fish and  
29 wildlife populations healthy and productive. The  
30 Forest Service continued to use funds from the  
31 Congressional line item for subsistence to manage  
32 Alaska region subsistence management programs including  
33 for the Fisheries Resource Monitoring Program.

33

34

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In 2021 approximately \$775,000 from the  
subsistence budget was provided to the Tongass and  
Chugach Forest, primarily for FRMP Program. This  
funding will continue to support ongoing projects in  
2022. On the Chugach Forest \$75,000 was allocated to  
monitor black bear, deer, moose and mountain goat  
populations. Additional funding in the amount of  
\$30,000 was allocated to restore salmon streams on the  
Resurrection River and to hire an intern to conduct  
subsistence fishing monitoring activities. The  
majority of the Tongass funding went towards FRMP  
projects, although deer, moose, and mountain goat  
surveys were also funded with subsistence dollars, just  
not through the FRMP Program.

In 2021, as mentioned, the Forest



1 Service supported OSM by providing \$465,523 to the  
2 Southeast and Southcentral Regional Advisory Councils,  
3 to pay OSM Anthropology Staff to review and analyze  
4 wildlife and fisheries proposals, closure reviews and  
5 special action requests. In addition, \$50,000 were  
6 allocated to supplement law enforcement. No funds are  
7 currently available specifically for a Wildlife  
8 Resource Monitoring Program, although funds, as  
9 mentioned, were spent for wildlife monitoring from the  
10 base subsistence budget on both Forests.

11  
12 To-date lands managed by the Forest  
13 Service in Alaska, both the Southeast and Southcentral  
14 regions, approximately \$30.600 million has been  
15 invested to complete over 90 projects through the FRMP  
16 Program. One new FRMP project was funded in 2020 by  
17 OSM, and as you know there are seven projects that are  
18 just starting up now for 2022. Nearly 17 million of  
19 the total of this \$30 million has been paid through  
20 direct contracts to tribal governments performing this  
21 work. At its peak, the Forest Service supported over  
22 65 local jobs in rural Alaska directly from FRMP  
23 funding. By comparison, in 2019 the FRMP supported  
24 about 30 jobs, in 2020 the Program supported 22 jobs  
25 and in 2021 the Program supported another 22 jobs. And  
26 as everybody has seen, the Covid virus, the pandemic  
27 has definitely slowed things down a little bit in the  
28 rural communities and that's part of what we're seeing  
29 here.

30  
31 Forest Service subsistence resources  
32 monitoring projects provide valuable information and  
33 help build collaborative relationships with other  
34 Federal, State and tribal partners. Forest Service  
35 involvement in the FRMP has also helped to build  
36 capacity and local tribal governments involved in  
37 increasingly complicated and labor intensive scientific  
38 research, inventorying monitoring projects and  
39 traditional ecological knowledge studies. This work  
40 has helped tribal organizations effectively participate  
41 in regulatory decisionmaking by the State and Federal  
42 governments regarding wildlife and fisheries issues.

43  
44 Just a couple notes about Staffing.

45  
46 Most folks know by now that Terry  
47 Suminski, our Tongass National Forest Subsistence  
48 Program Coordinator, he retired just this past  
49 February. He had in over 30 years in Federal service  
50

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1 and most of that time was spent down in Southeast. He  
2 will remain in Sitka where he currently lives.

3

4 Also, you probably heard that Milo  
5 Burcham, he's a Subsistence Biologist for the Chugach  
6 in Cordova. He's also going to be retiring.

7

8 There seems like there's a lot of  
9 people retiring. A lot of us are in that same age  
10 class.

11

12 Anyway, we're very happy that both of  
13 these guys have made this change in life but we also  
14 know it's going to be difficult to fill their shoes  
15 although I'm really pleased with the work that Rob  
16 Cross is doing right now detailing in for Terry, it's  
17 great.

18

19 Happy Trails to both.

20

21 Finally, you've already heard that  
22 Justin Koller, he was a Subsistence Biologist out of  
23 Sitka, he has accepted a position and he is now working  
24 for OSM. We wish you well as well, Justin. I remember  
25 talking to you about that five years ago so I'm really  
26 happy for you.

27

28 Anyway, that's all I have for you  
29 today, if you have any questions I'd be happy to  
30 answer.

31

32 Thank you, very much.

33

34 (Teleconference interference -  
35 participants not muted)

36

37 CHAIRMAN HERNANDEZ: Okay, thank you,  
38 Greg. Yeah, I don't know if there are any questions.  
39 A lot of what Greg relayed to us here is also in our  
40 Council books under Tab 11B, a lot of those numbers and  
41 figures, if you want to go back and look at those. So  
42 any other questions for Greg.

43

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

45

46 CHAIRMAN HERNANDEZ: Go ahead, Cal.

47

48 MR. CASIPIT: I don't want to belabor  
49 this point and maybe Greg and I can have a conversation

50

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1 later after the meeting's over but, you know, \$30,000  
2 maybe it doesn't seem like a lot of money but the  
3 \$30,000 that was allocated to the Chugach to restore  
4 salmon runs on Resurrection. Subsistence funds are  
5 being reduced, you know, since the beginning when we  
6 started and \$30,000 being spent on restoration on a  
7 creek that has been messed up by gold placer miners, I  
8 think that the gold placer miners ought to be paying  
9 for that restoration and not valuable subsistence  
10 dollars that can go to important subsistence related  
11 monitoring.

12

13 I don't know maybe there's not enough  
14 detail for me to make out what was actually being sent  
15 there but perhaps Greg and I can have a conversation  
16 off line about that.

17

18 MR. RISDAHL: Thank you, Cal, for that  
19 comment, and through the Chair. Yes, I'd be happy to  
20 talk to you a little bit more about that Cal later. I  
21 probably should have bone up on some of the details of  
22 that restoration project as well but I definitely hear  
23 what you're saying. I have experienced this quite a  
24 few times in -- throughout my career, especially with  
25 the Fish and Wildlife Service. They have a habit of  
26 picking up lands that are heavily polluted by some  
27 other organization or industry and nobody wants to pay  
28 and eventually, the Federal government, if they want to  
29 clean it up, they end up, often times, footing the  
30 bill. So I can tell you in a general sense that is  
31 often what happens, but I am happy to talk to you more  
32 later about specifically what they've done up there on  
33 the Resurrection.

34

35 Thank you for your comment.

36

37 CHAIRMAN HERNANDEZ: Anybody else with  
38 a question or comment.

39

40 (No comments)

41

42 CHAIRMAN HERNANDEZ: Okay, thank you,  
43 Greg. And, yeah, it's been great working with Terry  
44 Suminski, he was always a good help to us and I got to  
45 know him quite well. I wish him a happy retirement and  
46 I'm sure his replacement will be equally as good as  
47 Terry was in their job so no concerns there. I wish  
48 him well.

49

50

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1 MR. RISDAHL: Thank you, very much.

2

3 CHAIRMAN HERNANDEZ: So moving on.

4 Yeah. Who else do we have up for agency reports, let's  
5 stick with anybody that's with the Forest Service for  
6 now.

7

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

9

10 CHAIRMAN HERNANDEZ: Go ahead, DeAnna.

11

12 MS. PERRY: Can you hear me okay.

13

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

16

17 MS. PERRY: Okay. Earlier in the  
18 meeting I mentioned that Kevin Hood has been selected  
19 as the Regional Tribal Relations Specialist. He's the  
20 new Melinda Hernandez Burke. Kevin is on leave this  
21 week so we won't be hearing from him, however, Jennifer  
22 Handlin, most of us know her work from the Yakutat  
23 Tlingit Tribe. She's spoke to our Council before. She  
24 was recently selected as the Tongass Tribal Relation  
25 Specialists and she takes the position vacated from  
26 Carla Kasolucan a little while back, and I believe  
27 Jennifer is with us and I'd like to give her just a  
28 couple minutes to introduce herself, or reintroduce  
29 herself to the Council and especially to the new  
30 members.

31

32 Thank you, Mr. Chair.

33

34 CHAIRMAN HERNANDEZ: Thank you, DeAnna.  
35 Go ahead, Jennifer.

36

37 MS. HANDLIN: Yeah, good afternoon, Mr.  
38 Chair and Council. I hope everyone can hear me okay.  
39 I'm currently teleworking out of Yakutat so I do have  
40 some connection issues. For the record my name is  
41 Jennifer Handlin. I'm pleased to introduce myself as  
42 the Tribal Relations Specialist for the Tongass  
43 National Forest.

44

45 My work is going to revolve around  
46 upholding our agency's trust responsibility to and our  
47 duty to consult with tribes and Alaska Native  
48 Corporations. And I'm also going to be providing  
49 tribes and tribal entities support and other  
50

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1 capacities, such as partnership development with the  
2 agency and information sharing. I'm sure there's going  
3 to be collaboration with your Coordination, DeAnna.  
4 For example, my position can be leveraged to help  
5 increase outreach and bring more tribal voices into the  
6 SERAC process such as testimony or presentations.

7  
8 As mentioned I presented to this  
9 Council years ago in my former role with the Yakutat  
10 Tlingit Tribe on an ongoing baseline water quality data  
11 collection throughout the Yakutat Forelands. And that  
12 was an example of tribally collected data meant to  
13 inform management decisions. I know there are similar  
14 tribal programs being planned throughout the region,  
15 and so the Forest Service definitely acknowledges that  
16 tribes has so much to offer and we're so excited to be  
17 able to work through the cooperative agreement with  
18 Tlingit and Haida and supporting that Indigenous  
19 Guardians Network. As you're aware there's a lot of  
20 momentum for the Department of Agriculture and  
21 Department of Interior to development -- excuse me --  
22 to develop co-management opportunities with tribes.  
23 All this is very long overdue. I acknowledge this is  
24 going to take some time to develop. As you know the  
25 Forest Service hasn't always had the best relationship  
26 with tribes so it's going to take some time to build or  
27 rebuild some of that trust but I do see the co-  
28 management effort as an opportunity for reconciliation.

29  
30 So our agency is looking forward to  
31 working with the tribes to promote better stewardship  
32 of public lands and I know that includes the  
33 subsistence resources and habitat.

34  
35 So I would just encourage SERAC to  
36 submit any letters to the U.S. Forest Service regarding  
37 tribal co-management because even if our agency is  
38 already going that direction it is helpful to have that  
39 support documented.

40  
41 In my position, I'm not in a position  
42 to make any decisions but I do play an advisory role to  
43 those that do. So when you do proceed with submitting  
44 a letter or position paper, I would definitely  
45 encourage you to include the Forest Service Tribal  
46 Relations Office in that correspondence.

47  
48 Gunalcheesh.

49  
50

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1 Thank you for allowing me to introduce  
2 myself, and I yield my time back.

3  
4 CHAIRMAN HERNANDEZ: Okay, thank you,  
5 Jennifer. Yeah, you could be quite busy here in the  
6 foreseeable future. so any questions or comments for  
7 Jennifer from the Council.

8  
9 (No comments)

10  
11 CHAIRMAN HERNANDEZ: Okay, thank you  
12 for your introduction, appreciate that. We also have a  
13 report on special actions from Rob Cross, is he  
14 available.

15  
16 MR. CROSS: Yes, can you hear me, Mr.  
17 Chair.

18  
19 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
20 Rob.

21  
22 MR. CROSS: All right, thank you, Mr.  
23 Chair. For the record my name is Robert Cross with the  
24 Forest Service. There have been four special actions  
25 since the fall meeting.

26  
27 So there was Unit 5A moose that was  
28 closed in that portion of Unit 5A west of the Dangerous  
29 River except the Nunitak Bench from October 12 through  
30 November 15, 2021. And I believe the closure was a  
31 result of reaching the harvest quota.

32  
33 And then there were two for Unit 4  
34 mountain goat. The Clarence Kramer zone was closed  
35 from December 29 through the end of the season, which  
36 was December 31. And then Coldsword Zone (ph), which  
37 was closed the next day, December 30th through December  
38 31, the next day. And that closure was a result of  
39 reaching the harvest quota for each one of those zones.

40  
41 And then the District 1 eulachon were  
42 closed by special action March 1st through April 29,  
43 2022 except for the Unuk River drainage and harvest  
44 within the Unuk River drainage is limited to one five  
45 gallon bucket of whole eulachon per household and  
46 gear's restricted to cast net, ring net, less than or  
47 equal to 36 inches in diameter and/or dipnet from March  
48 1 through April 29 this year.

49  
50

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1                               That's all I have for special  
2 actions, Mr. Chair.

3  
4                               CHAIRMAN HERNANDEZ: Okay, thank you,  
5 Rob. Any questions on the special actions.

6  
7                               (No comments)

8  
9                               CHAIRMAN HERNANDEZ: Okay. Moving down  
10 the list, report on the Southeast Sustainability  
11 Strategy update, is Barb Miranda available.

12  
13                              MS. PERRY: Mr. Chair. Barb Miranda  
14 needed to go to another appointment but she did send me  
15 a written report which I'll send out in its entirety to  
16 the rest of the Council. But Barbara Miranda, she's  
17 the Southeast Alaska Sustainability Strategy Program  
18 Coordinator. And she mentioned a couple of items that  
19 she wanted to pass on and, again, I will send the  
20 entire report out. I know it's getting a little late  
21 and numbers are running together but I'll share this.

22  
23                              In the short time since the Secretary's  
24 announcement for the project over 270 investment  
25 proposals were received totalling more than \$276  
26 million. These proposals reflect the broad and deep  
27 need for economic stimulus in Southeast Alaska. The  
28 One USDA Team employed a selection process to ensure  
29 the resulting investments meet the USDA commitment to  
30 equity, ecological, economic and cultural  
31 sustainability and reflect the diverse opportunities  
32 and needs in Southeast Alaska.

33  
34                              The Secretary has determined the  
35 initial \$25 million investment is broken into four  
36 broad categories. And those are tribal and indigenous  
37 interests, 50 percent of the pot. Natural resources 25  
38 percent. Infrastructure 12.5 percent. And community  
39 capacity 12.5 percent. Within each broad category the  
40 team identified sub-categories and they recommended  
41 funding levels. A majority of investment is  
42 anticipated to be distributed through Forest Service  
43 agreements. The One USDA Team is now working directly  
44 with 30 organizations and tribal nations to refine  
45 project outcomes, funding amounts and timeframes to  
46 enter into cooperative agreements. The USDA Delegation  
47 is announcing the first bit of investments in Juneau  
48 Alaska on or around March 30th.

49  
50

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1                   Again, Mr. Chair, Barbara did send me a  
2 written report. She had intended on mentioning all of  
3 this to folks but I know we're running out of time and  
4 like I said she had another engagement so I will send  
5 that along by email.

6  
7                   And next up I think we're going to hear  
8 again from Rob Cross, the wildlife harvest summary if  
9 you're ready Mr. Chair.

10  
11                   CHAIRMAN HERNANDEZ: Yeah, thank you  
12 for that DeAnna, we'll look forward to reading that  
13 Sustainability Strategy update. And, Rob, you're up  
14 with a wildlife harvest summary.

15  
16                   MR. CROSS: All right, thank you, Mr.  
17 Chair. Again, this is Rob Cross, for the record. This  
18 presentation is on Tab 11A of your materials and it's  
19 an overview of the State and Federal wildlife harvest  
20 in the Southeast region for 2020 although there's some  
21 preliminary information on 2021 in there. The first  
22 several slides is harvest reported by the State and  
23 then I'll discuss the harvest under Federal permits.

24  
25                   Okay.

26  
27                   So on this slide, actually the next few  
28 slides are kind of all set up the same where we have  
29 the different units across the top and then in that  
30 second row we have the average harvest from 2000 to  
31 2011 and then down at the bottom we have the average  
32 harvest from 2012 to 2020. So that lets you compare  
33 longitude and layer, lets you compare over time the  
34 difference in the averages of harvest. And then the  
35 highest harvest year per unit in each one of these  
36 graphs is -- or in each one of these tables is going to  
37 be in bold. So on average for deer, Units 1, 2 and 4  
38 harvest have increased. Unit 3 lengthened its season  
39 in part of the unit and extends into the rut so it's  
40 kind of hard to compare those harvest numbers over time  
41 now in Unit 3. And then Unit 5 has decreased. And  
42 then Unit 2 average deer harvest increased from 2012 to  
43 2015 but then declined considerably beginning in 2017.

44  
45  
46                   Okay.

47  
48                   And then the next slide we have moose  
49 -- make sure we're caught up here -- okay. So with  
50



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1 moose Unit 1 decreased and Unit 3 has increased and  
2 that's consistent with what the State's been staying in  
3 terms of shifting effort to Kupreanof and Kuiu Islands  
4 in Unit 3. And this is likely due to old growth timber  
5 harvest stands that are now entering into the stem  
6 exclusion stage and so they're supporting less moose  
7 and -- or they're at least more difficult to hunt. And  
8 as we know moose depend on disturbed areas such as  
9 meandering river systems like the Stikine that can  
10 produce large flushes of willow and timber harvest can  
11 replicate that in a way but then it quickly goes away  
12 once it reaches stem exclusion. And we're definitely  
13 seeing effort decrease on the mainland here and  
14 Petersburg and Wrangell area, in historically popular  
15 areas like Thomas Bay where there was a large scale  
16 timber harvest. But the number of hunters and success  
17 rate has remained stable in the last five years and the  
18 Unit 1 average has dropped but moose numbers in the  
19 area are thought to be stable. And then Unit 5 moose  
20 harvest has decreased as well.

21

22 The next slide, mountain goat harvest.  
23 Here we go.

24

25 Most goats are harvested in Southeast  
26 under a registration permit but there are a few draw  
27 permits available. So harvest in Unit 1 has been  
28 fairly consistent with a slight increase in the annual  
29 average. And average annual harvest in Unit 4 is  
30 considerably lower in the more recent average, the 2013  
31 to 2020 but we're starting to see an increase with the  
32 new management system that's been put into place on  
33 Baranof Island. And the population decreased  
34 substantially about 10 years ago but it's currently at  
35 an all time high, so we would expect to see increased  
36 opportunity in harvest in Unit 4 for mountain goats.  
37 And Unit 5 numbers are the result of low hunter effort  
38 and there is a conservation concern in a small area of  
39 Unit 5.

40

41 The next slide shows the elk harvest  
42 from Etolin Island. And the harvest here is primarily  
43 on draw permits with a bull only draw permit but  
44 there's also a registration permit available at the end  
45 of the year just not as popular as the draw permits.  
46 And access to this hunt is notoriously difficult so it  
47 often limits the success rate.

48

49 All right, next slide.

50

0491

1 All right, so this next slide lists a  
2 few Federal subsistence permits that are available for  
3 wildlife in Southeast. And the designated hunting  
4 permit is the most popular in this region. It allows a  
5 qualified harvester to harvest game for other  
6 Federally-qualified harvesters. And a Federal draw  
7 permit in Unit 1C Berners Bay moose was initiated in  
8 2019 and this is form 25 percent of the annual moose  
9 quota for Berners Bay.

10

11 Okay and on the next -- the next slide  
12 -- okay, so the next two slides, they're set up the  
13 same. They're both pie charts.

14

15 So one -- so this first one is going to  
16 be for the percent of total permits by community from  
17 2000 to 2012 and then the next one is going to be for  
18 more recent data. But the take home here is that the  
19 predominant recipients of Federal permits in this area  
20 are Wrangell, Sitka and Petersburg for this time  
21 period.

22

23 And then we can go to the next slide.

24

25 Okay, so 2013 to 2020, we see basically  
26 the same thing, that trend hasn't changed. The  
27 predominant recipients of Federal permits are still  
28 Wrangell, Sitka and Petersburg. It's about 80 percent.

29

30 Okay, so on the next slide we have Unit  
31 1A moose permit which allows for an early opportunity  
32 to harvest moose. But it's a pretty remote area, it's  
33 the Burrows Bay area and it's mostly limited to  
34 property owners on the river just due to the difficulty  
35 accessing it.

36

37 Okay. And then we can take a look at  
38 the Federal mountain goat harvest on the next slide.

39

40 Okay, the Unit 1A permit allows for a  
41 harvest of a second -- or sorry, 1A and 1B allows for a  
42 harvest of a second goat after a first goat has been  
43 harvested under a State permit. And as you can see  
44 from the data, it's not -- it's pretty rarely issued  
45 and we really haven't seen any harvest on it. And then  
46 the Unit 5A, 5B goat permit is kind of the same. It's  
47 not a super popular permit and we've only seen two  
48 goats harvested on it since 2018.

49

50

0492

1                               Okay, on the next slide we'll see brown  
2 bear -- there we go.

3  
4                               So this has remained consistently low  
5 over the years as you can see, just a couple bears, and  
6 only a few permits have been issued.

7  
8                               Okay, and then the last two slides are  
9 the designated harvester permit. There we go.

10  
11                              Okay, so this slide shows the number of  
12 designated harvest permits issued annually. The number  
13 of those permittees reporting deer and moose hunting  
14 effort and then the number of deer and moose reported  
15 harvested. The permits issued and average deer and  
16 annual moose harvest have both increased and we -- we  
17 do have -- we do know that in -- I'm sorry, last year,  
18 we had 220 permit that were issued and the harvest  
19 reporting hasn't been completed yet. And this chart is  
20 kind of the same where it shows the highest in each  
21 category in bold so you can see the highest harvest and  
22 the highest number of permits issued.

23  
24                              Okay, and so the next slide is the last  
25 slide with Federal designated hunter deer harvest by  
26 community. And this table is kind of set up the same  
27 way but it's flipped on its axis just because it's sort  
28 of -- it has more data on it. So you can see the 2003  
29 to 2012 average on that second column, and then in the  
30 last column you can see the 2013 to 2020 average and  
31 those are both in bold so you can compare over time and  
32 then it goes by community down the side.

33  
34                              So for instance the fourth row from the  
35 bottom is the Sitka harvest and you can see that the  
36 average annual harvest increased from 78 to 121 over  
37 that time period. This is likely just due to higher  
38 abundance in deer in general in Unit 4. The population  
39 declined during in the winter of 2006 to 2009 but has  
40 rebounded pretty successfully in most of Unit 4. The  
41 only other notable change is in Klawock where the  
42 average went from six deer to 20 deer so.

43  
44                              So we can leave this slide up for  
45 everybody to look at. I know I kind of blew through  
46 that but I can take any questions at this time, Mr.  
47 Chair.

48  
49                              (Pause)

50

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1 MS. NEEDHAM: Don, are you there.

2

3 (No comments)

4

5 MS. NEEDHAM: Mr. Chair, are you there.

6

7 CHAIRMAN HERNANDEZ: I'm back. Yeah,  
8 sorry, Cathy I muted for awhile, I forgot. Yeah,  
9 thanks Rob for presenting all that to us. Very good  
10 explanation of what we're looking at here so appreciate  
11 that. Any questions from the Council.

12

13 MR. SMITH: Mr. Chair, John Smith.

14

15 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
16 John.

17

18 MR. SMITH: Yeah, I really like seeing  
19 this data. It's a little more broke down smaller into  
20 graph here to understand more of where each individual  
21 came from. I like seeing that and like when we were  
22 dealing with Mr. Jackson and the moose, I was looking  
23 at that and that would really be interesting to see the  
24 data that collects to, okay, this person traveled from  
25 Juneau to go to Hoonah to hunt and harvested two deer  
26 over there. It would be cool to see if this person  
27 went over to Deishu Haines, or Klukwan to harvest a  
28 goat. Breaking down more of that to realizing how some  
29 people move to different locations out of their --  
30 their area to harvest our foods.

31

32 Gunalcheesh. Ah. Ho. Ho. I like  
33 what I see.

34

35 CHAIRMAN HERNANDEZ: Thank you, John.  
36 Any response there, Rob.

37

38 MR. CROSS: Mr. Chair, through the  
39 Chair. Yeah, I'm not sure if there's a question in  
40 there but, yeah, we're happy to provide that data and  
41 definitely if there's more specific data request. A  
42 lot of this is from the State unless it's a Federal  
43 permit, or we're talking about designated harvester  
44 information. So it does take awhile to get that  
45 information but we're happy to provide it and compile  
46 it in whatever way seems most useful.

47

48 Thank you.

49

50

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1 CHAIRMAN HERNANDEZ: All right, thanks  
2 Rob. Any other questions.

3  
4 MR. CASIPIT: Mr. Chair, this is Cal.

5  
6 CHAIRMAN HERNANDEZ: Go ahead, Cal.

7  
8 MR. CASIPIT: Quick question about the  
9 Berners Bay Federal draw permit hunt. I don't see any  
10 report from that. Perhaps you can email that to me.  
11 DeAnna has my contact information, I'd be interested in  
12 that. In fact, I'm kind of wondering why it's not  
13 already in here. I don't want to belabor the point and  
14 I don't want to spend a whole bunch of time on it.

15  
16 CHAIRMAN HERNANDEZ: Okay, can you do  
17 that Rob.

18  
19 MR. CROSS: Yeah, absolutely, Mr.  
20 Chair.

21  
22 CHAIRMAN HERNANDEZ: Okay. Anybody  
23 else with a question.

24  
25 (No comments)

26  
27 CHAIRMAN HERNANDEZ: Okay, thanks for a  
28 good report Rob. That's another report that we'll  
29 probably want to include with our annual report so the  
30 Board has a pretty good idea of what harvest and trends  
31 are here in our region. So thanks for putting that  
32 together, very good. I think that concludes all of the  
33 Forest Service agency reports.

34  
35 I don't know if we have more to hear  
36 from Tom Kron of Office of Subsistence Management. I  
37 know we heard a number of things from him earlier.

38  
39 MR. KRON: Yeah, Mr. Chair, I'm here  
40 and I will condense my report given the press of the  
41 agenda.

42  
43 CHAIRMAN HERNANDEZ: Okay, thank you,  
44 Tom. Go ahead.

45  
46 MR. KRON: Mr. Chair. Members of the  
47 Council.

48  
49 On behalf of OSM, I wanted to thank all  
50

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1 Council members for your exceptional work on behalf of  
2 your communities and the user groups during these  
3 trying times. We value your expertise and the  
4 contribution of your knowledge and experience to the  
5 regulatory process.

6  
7 It has been very difficult for all of  
8 us dealing with the Covid-19 environment.

9  
10 Just for your information we're holding  
11 all 10 -- we've held all 10 winter 2022 Regional  
12 Advisory Council meetings via teleconference due to  
13 Covid.

14  
15 There have been a number of Staffing  
16 changes here at OSM. I'll go through those very  
17 quickly for you.

18  
19 Scott Ayers was hired as the OSM  
20 Fisheries Division Supervisor to replace Greg Risdahl.

21  
22 Also Jarred Stone and Cory Graham have  
23 both been promoted within the Fisheries Division.  
24 They've also hired two additional Fisheries Biologists,  
25 Kevin Foley and Justin Koller, as was mentioned, have  
26 started with OSM.

27  
28 Also we've hired several  
29 anthropologists in December and January. Liz Williams  
30 and Jason Roberts were hired.

31  
32 We've also hired several Subsistence  
33 Council Coordinators, Nissa Bate Pilcher, Leigh Honig,  
34 and Brooke McDavid were hired.

35  
36 We've also had a number of people leave  
37 to take retirement or to take another job.

38  
39 Karen Deatherage, Catherine Avery and  
40 Ricky Cabugao.

41  
42 USDA and DOI conducted listening  
43 sessions on Federal Subsistence policy on 10th, 20th,  
44 21st and 28th. The Secretaries requested input from  
45 Tribes, Tribal consortia, and Alaska Native  
46 Organizations and Corporations.

47  
48 We've been telling you, asking you to  
49 get the RealID licenses or make sure you're prepared  
50

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1 when this is implemented statewide. The date for this  
2 because of various delays and requests -- the date for  
3 this is May 3rd, 2023, so within the next year. If you  
4 haven't already gotten a RealID, the new driver's  
5 license would be something to plan to get because  
6 essentially everybody that's traveling to meetings will  
7 have to have this.

8

9 Also, you know, we've been updating you  
10 on the lawsuit from the State of Alaska, and I'll just  
11 give you another real quick update.

12

13 On August 10th, 2020 the State of  
14 Alaska filed a lawsuit against the Federal Subsistence  
15 Board after it adopted several emergency special  
16 actions. One of these related to a request from Kake  
17 for four bull moose and 10 male Sitka black-tailed deer  
18 related to the difficulty to get food due to Covid. As  
19 part of the lawsuit the State asked the court to issue  
20 two preliminary injunctions. Again, one of them was  
21 for Unit 13 closure caribou, but the other one related  
22 to Kake specifically.

23

24 On December 3rd, 2021, the U.S.  
25 District Court denied the State's request for a  
26 declaratory and permanent injunctive relief finding in  
27 favor of the Federal Subsistence Board on both matters.

28

29 The other thing, just real briefly, the  
30 Federal Subsistence Program is sponsoring an art  
31 contest for students in kindergarten through Grade 12.  
32 And we've sent this out to schools across the state but  
33 the deadline for submissions is April 1st, 2022, so  
34 coming up here in a little over a month. Again, this  
35 has gone out and wanted to let you know that it's in  
36 progress.

37

38 And that's all I've got, thank you, Mr.  
39 Chair.

40

41 CHAIRMAN HERNANDEZ: Okay, thank you,  
42 Tom. Any questions for Tom from the Office of  
43 Subsistence Management or comments.

44

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

46

47 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
48 Cathy.

49

50

0497

1 MS. NEEDHAM: Thank you, Mr. Chair.  
2 Tom, I was wondering if you could speak towards the  
3 probability of all 10 Regional Advisory Councils being  
4 able to meet in person this -- in the fall meeting.

5  
6 MR. KRON: Mr. Chair. Cathy. I -- I  
7 think we all would like to do that. We are hopeful  
8 that we will be able to do in-person fall meetings this  
9 fall and, again, there's been discussion about having  
10 an all 10 Council meeting again, but, again, given the  
11 Covid situation, as you know things have gotten very  
12 difficult, very complicated and, again, at this point  
13 we're just hoping we can have in-person meetings and I  
14 think hopefully we can have discussions then about  
15 having an all 10 Council meeting discussion. So I  
16 don't think it's likely that it could happen this fall  
17 but hopefully a year from now but again we'll have to  
18 wait and see. We all -- we all have been watching the  
19 Covid situation carefully and we'll have to see how  
20 everything plays out.

21  
22 Thank you, Mr. Chair.

23  
24 (Teleconference interference -  
25 participants not muted)

26  
27 CHAIRMAN HERNANDEZ: Thank you.  
28 Anybody else with a question or comment.

29  
30 (Teleconference interference -  
31 participants not muted)

32  
33 CHAIRMAN HERNANDEZ: Okay, thank you,  
34 Tom.

35  
36 REPORTER: So somebody's not muted.  
37 Maybe Jim Slater, you could mute your phone.

38  
39 CHAIRMAN HERNANDEZ: Check your phones  
40 again for muting.

41  
42 REPORTER: Thank you, Don.

43  
44 CHAIRMAN HERNANDEZ: So we can have  
45 a.....

46  
47 MR. SLATER: Hello, yes?

48  
49 REPORTER: Mute your line, Jim.  
50



0498

1                   CHAIRMAN HERNANDEZ: On last action  
2 item that would usually close out the meetings and  
3 that's selecting future meeting dates and places.  
4 That'll be the last item. DeAnna, do you want to lead  
5 us through that.

6  
7                   MS. PERRY: Sure, if I could ask  
8 Laurent to put up the fall meeting calendar real quick,  
9 and for Council members it's behind Tab No. 14 in your  
10 book. You'll see that we have currently selected the  
11 dates of October 25th through the 27th and we are  
12 moving forward with selecting locations just in case we  
13 are able to meet in person in the fall and then I also  
14 would suggest us select a location for winter 2023 just  
15 in case we can't have the all Council meetings, just as  
16 fall backs. We are all moving ahead as if we were  
17 going to be meeting in person.

18  
19                   So for those new members, I just want  
20 to explain that because of the Staff and the resources  
21 that are needed for these meetings we can't schedule  
22 any more than two meetings per week. A lot of our  
23 Regional Councils do share Staff. So you'll see on the  
24 calendar that there are two -- there are many weeks  
25 with two Councils already meeting and, again, we are  
26 October 25th through 27th. And, Laurent, yeah, if you  
27 could just scroll down to that -- you're perfect --  
28 there are a few other weeks that we could move if folks  
29 did want to move the Southeast meeting. The week ahead  
30 there's only one RAC meeting that week, or if you  
31 wanted to go really early in the schedule you can see  
32 the end of September is also available.

33  
34                   So you can either confirm October 25th  
35 through 27th and choose a location in one big motion,  
36 or if you'd like to change those dates you can do that  
37 as well.

38  
39                   Thank you, Mr. Chair.

40  
41                   CHAIRMAN HERNANDEZ: Okay, thank you,  
42 DeAnna. Okay, Council members what do you think, we  
43 already have a time slot, I don't know if that's good  
44 with everybody or if people want to propose to change  
45 it they can, but we do need to hear some suggestions on  
46 where to hold the meeting. So just go ahead and unmute  
47 yourselves and throw out suggestions if you've got  
48 them.

49  
50

0499

1 MR. WAGNER: This is Louie. I'm good  
2 with the dates, it's after moose hunting.

3

4 CHAIRMAN HERNANDEZ: Yeah, that's  
5 important, we don't want to conflict with moose  
6 hunting, that's always a consideration.

7

8 MR. WAGNER: Thank you.

9

10 CHAIRMAN HERNANDEZ: Is there anybody  
11 out there who doesn't like that date of October 25th.

12

13 (No comments)

14

15 CHAIRMAN HERNANDEZ: Okay, I think we  
16 can keep the date, DeAnna.

17

18 MS. NEEDHAM: Mr. Chair.

19

20 CHAIRMAN HERNANDEZ: Cathy.

21

22 MS. NEEDHAM: Thank you, Mr. Chair. I  
23 don't have a conflict with the dates. I'm also  
24 wondering, if we're going to be doing the non-rural  
25 determinations, the cycle, that would be a proposal  
26 regulatory meeting and in anticipation of Ketchikan  
27 potentially putting in a petition, that might be an  
28 opportunity to be able to meet and build the record and  
29 work in that community. So Ketchikan might be an  
30 option to meet for that timeframe.

31

32 CHAIRMAN HERNANDEZ: That's a good  
33 suggestion, Cathy. Any other ideas from the Council.

34

35 (No comments)

36

37 CHAIRMAN HERNANDEZ: Remind me, again,  
38 DeAnna, these don't require votes, right, we just -- if  
39 we can all come to a consensus agreement that's what we  
40 do.

41

42 MS. PERRY: No, Mr. Chair, we do need a  
43 vote. It can be a quick voice vote but we do need a  
44 motion, a second and a vote.

45

46 CHAIRMAN HERNANDEZ: Okay, thank you.

47

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

49

50

0500

1 CHAIRMAN HERNANDEZ: Go ahead, Harvey.

2

3 MR. KITKA: I think Ketchikan sounds

4 good.

5

6 CHAIRMAN HERNANDEZ: I like Ketchikan.

7 Anybody else.

8

9 (No comments)

10

11 CHAIRMAN HERNANDEZ: Do you want to

12 make a motion.

13

14 MS. NEEDHAM: Mr. Chair.

15

16 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

17

18 MS. NEEDHAM: I move to hold the  
19 Southeast Regional Advisory Council meeting October  
20 25th through the 27th, 2022 in Ketchikan.

21

22 MS. PHILLIPS: I second, this is Patty.

23

24 CHAIRMAN HERNANDEZ: Thank you, Patty.

25 Okay. All in favor of holding our fall meeting,  
26 October 25th through the 27th in Ketchikan say aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN HERNANDEZ: Okay, is there  
31 anybody opposed to.....

32

33 MR. KITKA: Aye.

34

35 CHAIRMAN HERNANDEZ: Thank you, Harvey,  
36 an aye. Anybody opposed say nay.

37

38 (No opposing votes)

39

40 CHAIRMAN HERNANDEZ: Okay, I think we  
41 have agreement on that DeAnna.

42

43 MS. PERRY: Yes, Mr. Chair, October  
44 25th through the 27th in Ketchikan.

45

46 CHAIRMAN HERNANDEZ: Very good.

47

48 MS. PERRY: And so now I'll ask Laurent  
49 to pull up the winter Council meeting calendar and I

50

0501

1 did send this out to folks, it's an updated calendar  
2 than what was provided in your meeting book because we  
3 are the last Council to meet. So all the other  
4 Councils have chosen their meeting dates.

5

6 (Pause)

7

8 MS. PERRY: And I have that Laurent, if  
9 you don't have it handy I'll grab the screen real  
10 quick.

11

12 (Pause)

13

14 MS. PERRY: Okay, I think everybody can  
15 see my screen, this is the winter 2023 meeting and this  
16 is reflecting all the Councils that have chosen dates  
17 so far. So you'll see there are a few weeks in there  
18 that do not already have two Councils meeting. The  
19 week of February 27th, the week of March 6th, the week  
20 of March 20th and the week of March 27th. We did  
21 extend, or I should say delay the window because we  
22 were finding that the time in between our fall meetings  
23 and our winter meetings was quite compressed so  
24 hopefully this is a little bit more breathing room for  
25 folks.

26

27 So, again, Mr. Chair, we're looking for  
28 a motion for some suggested dates and location for our  
29 winter 2023 meeting.

30

31 CHAIRMAN HERNANDEZ: Okay. Hopefully  
32 everybody can see this either on the email or on the  
33 screen, do we have some suggestions.

34

35

36 (No comments)

37

38 CHAIRMAN HERNANDEZ: It looks like

39 March and.....

40

41 MR. WAGNER: Louie, Mr. Chair.

42 February 27th.

43

44 CHAIRMAN HERNANDEZ: So is that Louie.

45

46 MR. WAGNER: Yeah. February 27th, Mr.

47 Chair.

48

49 CHAIRMAN HERNANDEZ: Okay, that week is

50

0502

1 available. Any other comments or suggestions from  
2 Council.

3

4

5 MS. PERRY: Mr. Chair, this is DeAnna.  
6 Typically this Council likes to do Tuesday, Wednesday  
7 and Thursday so that they can travel on Monday and  
8 Friday, we don't have to do that but that would  
9 require, you know, you all to travel over the weekend,  
10 so I just wanted to bring that up. I know new members  
11 probably aren't aware of that but I know we usually try  
12 to do the Tuesday through Thursday but we're not stuck  
13 with that. If you guys want to travel on the weekends  
14 that's fine.

14

15 CHAIRMAN HERNANDEZ: Actually that  
16 should February 28th would be the start of the meeting.

17

18 MS. PERRY: Yeah.

19

20 CHAIRMAN HERNANDEZ: Okay. Any other  
21 suggestions, anybody got a problem with that or does  
22 that work for most folks.

23

24

MR. DOUVILLE: Mr. Chair, Mike.

25

26

CHAIRMAN HERNANDEZ: Is that Mike.

27

28

MR. DOUVILLE: Yep.

29

30

CHAIRMAN HERNANDEZ: Go ahead, Mike.

31

32

33

MR. DOUVILLE: I was just asking does  
it require a motion?

34

35

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CHAIRMAN HERNANDEZ: Yes, it will  
require a motion, I was just wondering if we could have  
a place picked out as well and we could do it all in  
one motion. So it sounds like maybe everybody's good  
with February 28th, how about a location, any  
suggestions there. End of February. It could probably  
be a place where it's easy to travel to, sometimes  
travel can be a problem in February.

44

(Pause)

45

46

MR. WAGNER: Mr. Chair, Louie.

47

48

CHAIRMAN HERNANDEZ: Go ahead, Louie.

49

50

0503

1 MR. WAGNER: Sitka or Juneau would be  
2 probably the easiest place for most of us to get to.  
3 Thank you.

4  
5 UNIDENTIFIED VOICE: And drive.  
6

7 CHAIRMAN HERNANDEZ: Yeah, I agree,  
8 Sitka and Juneau are probably high on the list.  
9 Anybody got a preference there.

10

11 MR. CASIPIT: Mr. Chair, this is Cal.  
12 I think Juneau would be a good idea because if you  
13 think about it, we would have submitted our co-  
14 management letter to a bunch -- you know several  
15 different agencies including the Forest Service and  
16 Fish and Game and such and if we were to meet in Juneau  
17 perhaps they would be able to -- some of those agencies  
18 would be able to send representatives for our meeting  
19 and maybe talk about how they're going to respond to us  
20 and do what we would like them to do.

21

22 CHAIRMAN HERNANDEZ: Yeah, I think  
23 that's a good idea Cal. I think I would agree with  
24 that. Unless anybody has some strong opinions about  
25 Sitka, maybe we're ready to put that into a motion.

26

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

28

29 CHAIRMAN HERNANDEZ: Go ahead, Cathy.

30

31 MS. NEEDHAM: I don't want to disclude  
32 Sitka, but I always know about Member Harvey feels  
33 about that and so picking those dates we wouldn't  
34 necessarily miss herring eggs anyway so I'm going to go  
35 ahead and throw out the motion that I move we hold the  
36 winter 2023 meeting from February 28th through March  
37 2nd in Ketchikan -- or, sorry, in Juneau, Alaska.

38

39 Thank you, Mr. Chair.

40

41 MR. CASIPIT: This is Cal, I second.

42

43 CHAIRMAN HERNANDEZ: Okay. We got a  
44 motion and a second. So all in favor of February 28th  
45 through March 2nd in Juneau for our winter meeting say  
46 aye.

47

48 IN UNISON: Aye.

49

50

0504

1                   CHAIRMAN HERNANDEZ: Is there anybody  
2 opposed, say nay.

3  
4                   (No opposing votes)

5  
6                   CHAIRMAN HERNANDEZ: Okay, thank you,  
7 good choices. And, DeAnna, I guess, you know, if  
8 there's some reason something comes up I guess there's  
9 still possibility to change the winter meeting at our  
10 fall meeting, correct.

11  
12                  MS. PERRY: Yes, Mr. Chair.

13  
14                  CHAIRMAN HERNANDEZ: Okay.

15  
16                  MS. PERRY: And if we do end up having  
17 an all Council meeting it would probably be in  
18 Anchorage and, again, as Tom said it would probably be  
19 winter of 2023.

20  
21                  CHAIRMAN HERNANDEZ: Okay, good, we'll  
22 keep that in mind. Okay, real good Council members.

23  
24                  MR. KRON: Mr. Chair.

25  
26                  CHAIRMAN HERNANDEZ: Is that Tom.

27  
28                  MR. KRON: Yeah, yeah, I just wanted to  
29 follow up. The last time we did the All Council  
30 meeting, which a number of you attended, it was a full  
31 year in preparation and planning for that meeting and I  
32 think, you know, given that we don't even know if we're  
33 going to be able to do face to face meetings this fall  
34 yet, I think it's likely that we will not be able to do  
35 an All Council meeting this coming winter, you know, I  
36 said that optimistically but I think the reality is  
37 that it would just take -- it would take more time to  
38 plan and prepare for that. So likely it'll be a year  
39 out from there but just wanted to let you know, thanks.

40  
41                  CHAIRMAN HERNANDEZ: Okay, very good.  
42 So I do want to check back, I don't know if we've left  
43 any issues hanging here or I don't know if there's any  
44 information that we asked for maybe that we have to  
45 tell the Council before we close out, before we  
46 adjourn. Can anybody think of anything or is anybody  
47 -- or is any new information up to the Council's  
48 attention. I don't know if we ever got an answer for  
49 Harvey on his extraterritorial jurisdiction, if anybody  
50

0505

1 was able to track down any new information there.

2

3

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

4

5

CHAIRMAN HERNANDEZ: Go ahead, DeAnna, you got anything -- left anything hanging here.

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MS. PERRY: No. And I just wanted to mention we are still working on that. The Regional Forester's been tied up in a meeting all week so it might be next week before we actually can get a status on that ETJ. But I have an enormous email I'm compiling right now with lots of follow up items based on what the Council's talked about during this meeting so expect that email from me probably next week. It'll have some links and some attachments, so we'll be following up on a lot of what the Council had talked about. And I've looked through our action items, Mr. Chair, and all of our other items and if you wanted to do a round-robin, otherwise your closing comments and a round-robin, all your action items are done.

CHAIRMAN HERNANDEZ: Okay, thank you, DeAnna. So this is the opportunity for the Council members if you would like to give any closing comments go ahead and unmute your phones.

MR. KITKA: Mr. Chair, Harvey.

CHAIRMAN HERNANDEZ: Go ahead, Harvey.

MR. KITKA: Yeah, I just wanted to let you know that I'm not too sure what is happening here in Sitka on the herring but we had a tug boat run up on the beach and spilling oil and diesel fuel and some of the diesel went towards south and now it's heading towards the subsistence area and the commercial fishing zone in Sitka Sound. Everything's in question here on what's going to happen. Nobody knows, all they can do is watch, but they're trying to contain it. So hopefully it'll get better before it gets worse.

CHAIRMAN HERNANDEZ: Yeah. Yeah, we heard that Harvey, very disturbing news. I know everybody's going to be watching that pretty closely so thanks for the update.

Anybody else, closing comments.



0506

1 (No comments)

2

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CHAIRMAN HERNANDEZ: There is one thing  
4 I want to relay to the Council. I will be attending  
5 the Subsistence Board meeting virtually. I can't  
6 remember the exact dates, April 15th, thereabouts, it's  
7 going to be another virtual meeting but I will be  
8 participating over the phone and try and do the best I  
9 can to try and relate what we did last fall to the  
10 Board and try and convince them that our actions were  
11 valid. I know it's going to be a tough sell on the  
12 proposals, we had a lot of opposition, but I'll do my  
13 best to defend our position.

14

15

I also did want to mention that  
16 somebody brought up, I think it was Mike Douville, you  
17 know, that, you know we really enjoyed the  
18 participation of the students in past years and I did  
19 hear from Heather Bauscher, the teacher, and she does  
20 -- she is teaching another class that teaches the kids  
21 about our Federal regulatory system and Heather told me  
22 that she is going to have some students also  
23 participating virtually over the phone and I told her  
24 that I'd be able to get together with her before the  
25 meeting and have a little session with the students and  
26 talk about things a little bit. So I was real glad to  
27 hear that and I told her that we really hope that we'll  
28 be able to see some of her students at our meetings  
29 here in the future. She still has the classes going  
30 and hopefully we will see them again.

31

32

So anybody else with a closing comment.

33

34

35

MS. PHILLIPS: Mr. Chair, this is Patty  
Phillips.

36

37

CHAIRMAN HERNANDEZ: Go ahead, Patty.

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Thank you, very much.

0507

1 CHAIRMAN HERNANDEZ: Thank you, Patty.

2

3 Anybody else.

4

5 (No comments)

6

7 CHAIRMAN HERNANDEZ: Yeah, okay, I'd  
8 also like to.....

9

10 MR. WAGNER: Mr. Chair, Louie.

11

12 CHAIRMAN HERNANDEZ: Yeah, go ahead,  
13 Louie.

14

15 MR. WAGNER: I'd like to thank all of  
16 you folks and Patty well said it so I'll see you next  
17 time. Thank you.

18

19 CHAIRMAN HERNANDEZ: Yeah, look forward  
20 to meeting you in person next time, Louie. I know we've  
21 met in the past at other meetings but look forward to  
22 getting together with you and all the other new Council  
23 members that have been on the Council since we started  
24 these virtual meetings. Really looking forward to  
25 getting together with everybody and talking more about,  
26 you know, our common experiences and, yeah, there are a  
27 number of you I haven't met yet but I do want to say  
28 that I think we have an excellent Council now. I'm  
29 really pleased with all the knowledge and expertise  
30 that we have on this Council. I think we're going to  
31 be able to do some real good work here.

32

33 So anybody else.

34

35 MR. SCHROEDER: Yeah, just -- just for  
36 the good of the order, this is Bob, and I think we  
37 soldiered through again. These teleconference meetings  
38 aren't the easiest thing but I really appreciate  
39 everybody's work and attention over three days and I  
40 really, really look forward to seeing people in person  
41 some day. And kudos to our Staff and excellent  
42 reports. And also keeping us on schedule and getting  
43 through the agenda, which, of course, filled up our  
44 three days and then some. Thanks, again.

45

46 CHAIRMAN HERNANDEZ: Right. Thank you,  
47 Bob. Anybody else.

48

49 (No comments)

50

0508

1                           CHAIRMAN HERNANDEZ: Okay, thank you,  
2 all. I think I can adjourn the meeting and say good  
3 harvesting to all of you in the coming season. So  
4 we'll see you all in the fall so signing out.

5

6

(Off record)

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(END OF PROCEEDINGS)

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