

SOUTHEAST ALASKA FEDERAL SUBSISTENCE  
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME III

Central Council Tlingit and Haida's  
Vocational Training and Resource Center  
Our Uncle's House  
Juneau, Alaska  
February 15, 2018  
8:30 a.m.

COUNCIL MEMBERS PRESENT:

Michael Bangs, Chair  
Michael Douville  
Donald Hernandez  
Albert Howard  
Harvey Kitka  
Cathy Needham - (Telephonic)  
Patricia Phillips - (Telephonic)  
Steve Reifenstuhel  
Robert Schroeder  
Raymond Sensmeier  
John Yeager

Regional Council Coordinator, DeAnna Perry

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

(Juneau, Alaska - 2/15/2018)

(On record)

CHAIRMAN BANGS: Okay. Good morning. I'd like to get started. First of all, I'd like to see if we could have people that are on the phone identify themselves.

MS. OEHLERS: Good morning. This is Susan Oehlers, Forest Service, in Yakutat.

(Pause)

CHAIRMAN BANGS: Well, good morning, Susan.

Okay. I guess that is all we have on the phone for the moment. I think Cathy's going to call in in about an hour, so she'll be on line in an hour or so.

And we're going to lose Steve here today at 9:30; is that right?

MR. REIFENSTUHL: (Nods affirmatively)

CHAIRMAN BANGS: Okay.

So anyway, I'd just like to touch base on our discussion last night. And I came up with an idea, after thinking about it, that maybe would be a good way to go about this is that I could work with Terry over the next few months and identify the streams that have freshwater fishing activities that are vulnerable to sockeye, maybe over-exploitation. Identify them and then identify the options that we have to try to protect them from the Council level. And then bring that back to the Council this fall and then present it to the Council as far -- you know, there's -- I think what Terry said, there's only a handful of streams that actually have any freshwater activities on them. And I think that it would be helpful to identify whether they're State land, Federal land. You know, kind of get an idea of what we have to work with and then go from there.

1 If that's suitable to the Council, I  
2 think that would be my idea of how to move forward.

3

4 Steve.

5

6 MR. REIFENSTUHL: Well, I agree with  
7 that. I spoke to Terry after the meeting adjourned  
8 yesterday and -- about that very thing. And I think  
9 that would be a good exercise, so I support that.

10

11 CHAIRMAN BANGS: Okay. If there's no  
12 opposition of.....

13

14 Yeah, Don.

15

16 MR. HERNANDEZ: Yeah. Could you just  
17 tell us again, what's the -- what are the deadlines for  
18 submitting these proposals. Are we going to be able to  
19 get one in for the next cycle or.....

20

21 CHAIRMAN BANGS: Well, that's the  
22 issue. Is I'm not sure whether it has to go through  
23 the State or the Federal process. The State process  
24 won't happen for another three years and the Federal  
25 process is something that we could probably bring up.  
26 If we felt it was a conservation concern, we could  
27 bring it up out of cycle and put into next winter's  
28 Federal Board meeting.

29

30 So that's the only thing I can think of  
31 as far as time frame. And I'm just not sure what  
32 avenue to go. That's why I kind of wanted to work with  
33 Terry and identify them, figure out what the, you know,  
34 opportunities are for a fix.

35

36 So does that answer.

37

38 MR. HERNANDEZ: Yes.

39

40 CHAIRMAN BANGS: So anyone else have  
41 anything to add.

42

43 (No comments)

44

45 CHAIRMAN BANGS: If not, I'll just go  
46 ahead and purs.....

47

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

50

1 CHAIRMAN BANGS: Okay. Hi, Patty.  
2 Good morning.

3  
4 MS. PHILLIPS: I dialed in. So will  
5 you share that list with us off and on? I mean that  
6 you're going to put together?

7  
8 CHAIRMAN BANGS: Absolutely. And I  
9 would appreciate any streams or ideas from the Council  
10 members throughout the -- well, the next several  
11 months. If you do have a stream that's of concern to  
12 let Terry or I know and then we could look into that as  
13 well.

14  
15 MS. PHILLIPS: Well, Mr. Chair, could I  
16 follow up? I mean for instance like Hoktaheen. I mean  
17 we have sockeye that go up to that lake, which is quite  
18 a few miles back there. But we have -- besides those  
19 of us who -- well, personal use under the State system,  
20 but subsistence under our terms in the -- you know, in  
21 the saltwater fishing zone.

22  
23 So there's quite -- you know, what I've  
24 observed is sport charters come in there or even, you  
25 know, unguided recreational sport fishers come in there  
26 and, you know, they're like using treble hooks to snag  
27 fish. And, you know, to me that's like -- and it  
28 impacts -- you know, because I get the treble -- we get  
29 the treble hooks hung up in our nets or, you know, they  
30 get hung up in the fish. The fish get away. They get  
31 hung up in our nets.

32  
33 I mean that's the sort of stuff that I  
34 see outside of the freshwater zones that's impacting  
35 subsistence harvest.

36  
37 So I just wanted to mention that.

38  
39 Thank you, Mr. Chair.

40  
41 CHAIRMAN BANGS: Thank you for that,  
42 Patty.

43  
44 You know, these are things we need to  
45 identify and see if there's some avenue we can go down  
46 to curb that.

47  
48 MR. PAPPAS: Mr. Chair, George Pappas.

49  
50

1 CHAIRMAN BANGS: Good morning, George.

2

3 MR. PAPPAS: Good morning, sir. Sorry  
4 I missed the introduction earlier.

5

6 When you're -- in doing this process  
7 you might want to consider a couple -- three things.

8

9 One, the deadline for Federal  
10 subsistence proposals for the fish cycle is coming up  
11 in March. I don't have the exact date.

12

13 And number two, in some areas of Alaska  
14 and probably a lot of even Southeast, you might have  
15 small bays that have multiple systems. Some of the  
16 fisheries may not have names, so if you're looking at  
17 maybe a suite of restrictions in an area because of  
18 concentration of hanging up or whatever, then you  
19 should consider bays. And, you know, so that would  
20 that include all the creeks within the bay. That's one  
21 option that's been in other areas.

22

23 And the other issue is what has been  
24 happening in areas where there's concerns about  
25 spawning grounds or areas where the fish mill or are  
26 very easily are susceptible to harvest. There are --  
27 like an example in Unalakleet the waters are closer to  
28 fishing above X, under Federal and State regulation, so  
29 there can be a consideration of let's close the lower  
30 mile of this particular river for some reason and above  
31 it folks may fish for a coup -- or whatever. It's a  
32 different situation.

33

34 And the third thing -- I'm sorry -- is,  
35 you know, you might want to discuss amongst the RAC or  
36 consider amongst everybody that the other species, not  
37 only just sockeye, other concerns for other species.

38

39 Thank you, Mr. Chair.

40

41 Yeah. Because if you're introducing a  
42 new proposal you want to be inclusive enough to cover  
43 some issues so you're not restricted from -- or have to  
44 wait for another cycle to further clarify your  
45 proposal.

46

47 Thank you, Mr. Chair.

48

49 CHAIRMAN BANGS: Thank you, George.

50

1 Any thoughts from the Council.

2

3

4

Steve.

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MR. REIFENSTUHL: Well, a point I made yesterday. I think it would help inform the Council if we saw where all the lodges are and the numbers associated with those, where we can get that information.

10

11

12

13

14

15

I mean it -- as I mentioned, if it's a special use permit where it's located, then the Forest Service I'm pretty sure has numbers of clients. I think they have to report that.

16

17

18

19

CHAIRMAN BANGS: Yeah. Thank you, Steve.

20

21

22

23

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26

27

Yeah. I'm just finding that the March deadline isn't going to work because there's just too much information that we don't have. But I think that if there was a big enough conservation concern that we could bring it up out of cycle. Or at least bring the information to the Federal Board next winter. Just -- or even in April if we came up with something before that.

28

29

30

31

32

But I just -- I think you're right. There's just a lot of things that we need to put in a row and gather that information before we can make any kind of drastic proposal.

33

34

35

So with that, I -- anybody else have anything on this subject.

36

37

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MS. PHILLIPS: Chairman Bangs.

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41

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CHAIRMAN BANGS: Yes, Patty.

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MS. PHILLIPS: Thank you. I have a question for Mr. Pappas.

So he's talked about, you know, the -- there's a proposal for fishing with the Federal system to be submitted by March. And he talked about how in other areas like in Western Alaska that -- I want some clarification.

So proposals could be submitted that

1 include the milling area of salmon prior to them going  
2 up into the system? Is that what I understood?

3

4 MR. PAPPAS: Through the Chair. Patty.  
5 George Pappas again.

6

7 While milling areas are -- such as  
8 inside of a -- in a lagoon, you mean past the mouth of  
9 the river in the freshwater there are areas where fish  
10 hold and they're easy to target. Not the estuary and  
11 -- or offshore or marine waters, but within the CSU  
12 boundaries.

13

14 Thank you, Mr. Chair.

15

16 MS. PHILLIPS: Okay. Thank you.

17

18 CHAIRMAN BANGS: Thank you, Patty.

19

20 Thank you, George.

21

22 Okay. Any other discussion on this  
23 topic.

24

25 (No comments)

26

27 CHAIRMAN BANGS: Okay. Hearing none, I  
28 think we'll work on trying to gather information and  
29 bring that to the next meeting.

30

31 And if there's some proposal that Patty  
32 or anyone else has about a specific area, they would  
33 always submit it to the program. Send in a proposal  
34 and then the RAC would review it when it comes before  
35 us this fall.

36

37 So that's another option I guess.

38

39 So okay, with that said I think we'll  
40 move to our -- try to clean up our annual report and  
41 finalize that.

42

43 Bob.

44

45 MR. SCHROEDER: Are we off of fish  
46 proposals then.

47

48 CHAIRMAN BANGS: Well, unless you have  
49 something to say on fish proposals.

50

1 MR. SCHROEDER: Yeah, Mike. We talked  
2 about doing a C&T proposal for fish in Southeast  
3 Alaska.

4  
5 And Don, I don't know if you want to  
6 put that on the table.

7  
8 MR. HERNANDEZ: Yeah. Thank you, Bob.

9  
10 It is something that I had brought up,  
11 you know, at the start of the meeting that we might  
12 want to consider.

13  
14 I don't know if the rest of the Council  
15 has given it some thought, but it is something we  
16 talked about in the past when we went about putting in  
17 proposals on the game side for changing the C&T and we  
18 put in that proposal on deer customary and traditional  
19 use designations.

20  
21 And of course that hasn't been decided  
22 by the Board yet. It would have been nice to know how  
23 they felt about that one before we moved ahead with a  
24 fisheries proposal, but I think the time is now to put  
25 in a fisheries proposal if we want to do so.

26  
27 Just, you know, as background, I kind  
28 of took some time and looked over a lot of these  
29 fisheries customary and traditional use determinations  
30 and I know we've discussed in the past how they can be  
31 somewhat confusing, hard to follow, a lot of areas to  
32 possibly simplify. It's kind of like our deer  
33 customary and traditional use designations. They were  
34 done kind of piecemeal over a period of time. Maybe  
35 not -- things that were done at one time might not  
36 have, you know, aligned very well what was done  
37 previously and -- I don't know. It might be a good  
38 time to just try and simply, make it more inclusive,  
39 eliminate some of the kind of inherent restrictions on  
40 users that have developed, you know, over time.

41  
42 I think the idea -- the basic idea  
43 would be similar to what we did for the deer customary  
44 and traditional use is to just have a blanket customary  
45 and traditional use determination for fish that would  
46 be pretty much region wide. And I'll say region wide,  
47 but we may need to discuss some separation. I think as  
48 we did in the deer, Yakutat might have to have some  
49 different consideration just given the fact that they

50



1 are a little bit more remote from the rest of the  
2 Southeast districts.

3  
4 We may also have to give some  
5 consideration to our subsistence fishery on the Stikine  
6 River because we do have transboundary agreements with  
7 the Canadians on fisheries in that system.

8  
9 I think if we have the time at this  
10 meeting, it would be a good opportunity to at least  
11 craft a proposal that would sort of broaden the  
12 customary and traditional use determinations for fish.

13  
14 So maybe with a little bit of  
15 discussion we can come up with a draft proposal.

16  
17 I guess I -- you know, I did take some  
18 time to go through the C&T's and just to kind of point  
19 out, you know, some of the things that came up.

20  
21 There's a District 1 if you look in the  
22 book. The only waters in District 1 that have a  
23 customary and traditional use determination are  
24 specific waters at Naha River, Roosevelt Lagoon, and  
25 area adjacent to Hugh Smith Lake in District 1. And  
26 that's only for the residents of Saxman. You know, for  
27 some reason no other residents in District 1, like  
28 Metlakatla is not included in that. I don't know how  
29 that happened, you know, but that's kind of the way  
30 it's in regulation.

31  
32 We have areas like District 5 has kind  
33 of a boundary line. It seems kind of arbitrary at  
34 Point Berry to Boulder Point.

35  
36 I looked at District 9. District 9 has  
37 a very -- Districts 9A has a very specific customary  
38 and traditional use for their residents of Kake and in  
39 Kupreanof Island drainages that drain into Keku Strait  
40 south of Point White and north of the Portage Bay boat  
41 harbor.

42  
43 You know, we have Port Alexander  
44 residents that live in district 9A and 9B. They aren't  
45 included in that customary and traditional use  
46 designation for some reason.

47  
48 So those are just some examples that I  
49 found. And other Council members could probably find  
50

1 other instances like that.

2

3 So I think it needs addressing. And  
4 seeing as how we kind of started down this road with  
5 the deer and we seem to get the okay from the experts  
6 on Staff in those realms of customary and traditional  
7 use determination that we are able to make broader  
8 determinations if we feel it's necessary.

9

10 So I'll maybe see if any other Council  
11 members have any thoughts on this.

12

13 CHAIRMAN BANGS: Robert.

14

15 MR. SCHROEDER: I just -- follow up on  
16 this.

17

18 And thanks, Terry, for nudging me that  
19 -- awake here. It's still before 9:00 for me. But the  
20 C&T determinations that are on the books are found on  
21 page 77 and 78 in the Federal book. And those are for  
22 Southeast Alaska.

23

24 And then the Yakutat C&T determinations  
25 are found on -- I believe on page 72. And these come  
26 out of basically things that were adopted from State  
27 regulations. Various C&T determinations were made  
28 under the State system in the late '80s. Probably -- I  
29 was trying to figure out when this took place and I  
30 think it was around '87. It could have been '85 or  
31 '86. And at that time the idea was to only recognize  
32 very limited areas for subsistence use by specific  
33 communities. And then those determinations migrated  
34 over into mapping them onto districts. And then the  
35 Federal program picked this up.

36

37 And Don's noted some things that are  
38 just really pretty strange. I mean you can't figure  
39 out how these make sense at this time.

40

41 So I think our proposal should be as  
42 Don suggested, that we recognize the customary and  
43 traditional use of all fish species by all Southeast  
44 communities and Yakutat in all areas of Southeast.

45

46 And our justification for this when we  
47 get to that in deliberations I think would be very much  
48 like what we put in for deer. Where we noted first the  
49 history, which is that these are kind of legacy

50

1 determinations. These, I think, are 30 years old, so  
2 that's pretty long ago.

3  
4 And that they potentially cause people  
5 some problems. Because what we noted with deer wasn't  
6 that people were kind of randomly moving around in  
7 Southeast to target species for subsistence uses, but  
8 that part of the pattern of life in rural Alaska in  
9 Southeast is that people go visit their friends, their  
10 relatives, their wife's family, their husband's family  
11 or they're off with school teams and visiting their  
12 buddies some place and we noted that they might go out  
13 and hunt deer and that it didn't seem to make -- serve  
14 any purpose to say that no, because you're from Angoon  
15 and you're visiting Hydaburg, your brother in Hydaburg  
16 or your cousin or your wife's family, you can't hunt  
17 deer down in Hydaburg under subsistence regs. We  
18 didn't think that was reasonable.

19  
20 So I think this would -- putting in a  
21 proposal that said all fish species in all areas for  
22 all rural residents. We could call it the Three All  
23 Proposal. I think it would work really well.

24  
25 Terry Suminski did bring up some things  
26 that I think deserve a little bit more attention  
27 because there could be other considerations that come  
28 up that Don mentioned. And I think we shouldn't  
29 attempt to do those on the fly right now, but to do  
30 that when we would deliberate this proposal if we  
31 submit it.

32  
33 And since I was beating on --  
34 mentioning things about our charter yesterday and how  
35 we were now given new duties under our charter thanks  
36 to the national administration, one of our new duties  
37 is to identify regulations for repeal and replacement  
38 or modification considering at minimum those  
39 regulations that are undated -- outdated, unnecessary,  
40 and ineffective. And those that create a serious  
41 inconsistency or otherwise interfere with regulatory  
42 reform initiatives in policies.

43  
44 So even though we didn't even know this  
45 was our task until we read through this, I think we  
46 could step out in front of the pack of regional  
47 councils and be among the first to implement this  
48 national directive.

49  
50

1 (Laughter)

2

3 MR. SCHROEDER: So what I would like to  
4 do is very briefly put -- I think we can move through  
5 this. Of course there should be discussion, but let's  
6 just call this the Three Alls Proposal for fish. And  
7 we could leave it up to DeAnna Perry to work on the  
8 language on that and probably talk to -- circulated by  
9 whatever Council members volunteer for this to make  
10 sure we put in something that works real well.

11

12

Thank you.

13

14

CHAIRMAN BANGS: Thank you, Robert.

15

16

17

So how would you like to proceed with  
this, Don?

18

19

20

MR. HERNANDEZ: Well, I think Mr.  
Schroeder kind of gave us a good starting point there.

21

22

23

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31

I guess in my comments I was kind of  
assuming that maybe we should consider some of these  
exclusions, for lack of a better word, to be  
considered, but that might be a little premature. Like  
I say, we should probably just put in a general  
proposal and let the Staff analyze it, come back to us  
with any suggestions they might have where they might  
see these, you know, problems that would arise in  
specific areas and then deliberate on those.

32

33

34

35

36

But like you say, we probably don't  
have to give too much prior consideration to those  
until we actually get an analysis. So, I guess, I'm,  
you know, looking at the C&T regulations in the book.

37

38

39

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43

44

Bob, you kind of used the term all  
fish. And I don't quite understand why for some  
districts they say salmon, Dolly Varden, trout, smelt,  
and eulachons and in other districts they say all fish.  
So I guess if we're going to do a proposal, would we  
just leave it at all fish. I guess I'm thinking  
probably so.

45

46

47

48

So maybe I'll defer to Mr. Schroeder  
because I think he actually said the language best that  
would work for a proposal.

49

50

So maybe, Bob, if you want to reiterate

1 that with any other comments from the Council.

2

3 MR. SCHROEDER: I don't know if we have  
4 other Council comments.

5

6 And my proposal is real simple. It's  
7 the Three all Proposal.

8

9 CHAIRMAN BANGS: Thank you, Bob.

10

11 Mike and then Harvey.

12

13 MR. DOUVILLE: Yeah. We've had this  
14 discussion somewhat before. And I distinctly remember  
15 Patty saying that -- and I agree that what we have is  
16 unnecessarily restrictive in times of abundance. So  
17 this would -- a proposal like we're discussing would  
18 take care of it.

19

20 CHAIRMAN BANGS: Harvey.

21

22 MR. KITKA: Thank you, Mr. Chair.

23

24 And I agree with all that was said  
25 because all fish would include probably some of the  
26 other things that -- like halibut and stuff. And just  
27 that's gotten left off in a lot of places and all fish  
28 sounds good.

29

30 CHAIRMAN BANGS: Anyone else.

31

32 Patty, did you have anything to add?

33

34 MS. PHILLIPS: Thank you, Mr. Chair.

35

36 I agree with what I've heard so far.

37

38 Thank you.

39

40 CHAIRMAN BANGS: Thank you, Patty.

41

42 So would drafting up this proposal --  
43 could we do that fairly quickly. It sounds like we  
44 could do it quick and then maybe we could get DeAnna to  
45 put it up on the screen after it's drafted and take a  
46 look at it and then go forward with it.

47

48 Does that sound doable.

49

50

1                   So it will take her a while to do that.  
2   And we could probably cover that even if it's after  
3   lunch, but have a proposal -- a general proposal  
4   drafted up. And if we could get together and do that,  
5   I think it would work.

6  
7                   And like you say, it's pretty simple  
8   language. And then we can fine tune it after the  
9   proposal is analyzed.

10  
11                   Okay. Any other discussion.

12  
13                   Albert.

14  
15                   MR. HOWARD: I have a question, Mr.  
16   Chair.

17  
18                   I'm wondering what the intent of the  
19   proposal is. Is it to allow -- as example if I go to  
20   Hoktaheen for three kings and I decide I want to fish  
21   sockeyes in that stream. Is that what this is.

22  
23                   CHAIRMAN BANGS: Robert.

24  
25                   MR. SCHROEDER: The intent of the  
26   proposal would be to recognize subsistence uses as they  
27   are. As they exist in Southeast Alaska. And to take  
28   care of what I believe, and perhaps this Council  
29   believes, are unnecessary restrictions on subsistence  
30   uses by restricting -- by the very fine grained  
31   customary and traditional uses -- use determinations  
32   that are on the books.

33  
34                   In terms of what people can do, this  
35   would not change Federal fishing regulations. And so  
36   fishing in saltwater where there isn't Federal  
37   jurisdiction wouldn't change whatsoever. This would  
38   have absolutely no affect on this.

39  
40                   However, Albert, to take an example, if  
41   you went to somewhere in District 1, at the present  
42   time you could not fish under Federal regulations  
43   anywhere in District 1. Out of luck. You'd fish under  
44   sport regulations.

45  
46                   If this passed you would be on an equal  
47   footing with other rural residents to pursue any  
48   fishing that was allowed under Federal regulations.

49  
50

1 CHAIRMAN BANGS: Thank you, Robert.

2

3 Does that answer your question, Albert?

4

5 MR. HOWARD: It seems like I'm the only  
6 guy that's probably -- doesn't exactly agree with this,  
7 and I have reasons.

8

9 Angoon fishes in certain water systems  
10 in the area and we know them pretty well. When to be  
11 there, where to fish, how to fish, and everything else  
12 and so on and so forth, but given the pressure we have  
13 coming from Juneau and Sitka now to fish the same  
14 systems we have been fishing forever by ourselves kind  
15 of makes you wonder if Albert decides he wants to fish  
16 in District 1, how is that going to be received. Given  
17 the tradition between the Haidas and the Tlingits, that  
18 I don't think they'll receive it very well.

19

20 But as far as the all fish goes, I'm  
21 sitting here thinking of my grandfather boiling  
22 bullheads. I don't know if everybody around this table  
23 would do all that. So when you say all fish, that  
24 comes to mind. I mean I've seen my grandfather eat  
25 things that I wouldn't even consider, but tried it out  
26 of respect for him. So when you look at the -- some of  
27 these don't have all fish because maybe someone down in  
28 Port Alexander won't eat a bullhead.

29

30 So, you know, these things are here for  
31 a reason. A lot of things are here for a reason. I'm  
32 looking at the map and 13C kind of -- I've definitely  
33 gone way back into 13C for many reasons. So that isn't  
34 even in our customary and traditional use area.

35

36 So that's my thoughts.

37

38 Thank you, Mr. Chairman.

39

40 CHAIRMAN BANGS: Thank you, Albert.

41

42 I kind of like bullheads. I've eaten  
43 them before. They're not bad.

44

45 (Laughter)

46

47 CHAIRMAN BANGS: Any other discussion.

48

49 MR. KITKA: Saltwater catfish.

50

1 (Laughter)

2

3 CHAIRMAN BANGS: Well, I understand  
4 your concerns, Albert.

5

6 I think what brought this -- when we  
7 were discussing it for deer was the way we move around  
8 so fluently. And I think that's what brings it to the  
9 front is that we travel throughout Southeast and it's  
10 you visit your family in another town and you, you  
11 know, normally would want to participate in subsistence  
12 activities. And this just allows that for that to  
13 happen.

14

15 Albert.

16

17 MR. HOWARD: Mr. Chair, I think if  
18 we're going to address this, I think maybe looking at  
19 the regulations I -- it seems to me if I see my uncles  
20 in Hoonah pulling a net -- and they're 70s and 80s now,  
21 my instinct is going to be to go grab and help.  
22 Because if I don't, they'd disown me anyway.

23

24 (Laughter)

25

26 MR. HOWARD: But I'm wondering if we're  
27 going to look at this that -- that I don't get  
28 penalized for doing it.

29

30 I mean I know if I grab that net and  
31 help them pull it to the beach, they're going to say  
32 I'm fishing without a permit. I mean that's another  
33 way we can look at it and see if that's something we  
34 can -- to me that regulation isn't consistent with  
35 customary and traditional uses where a nephew would  
36 naturally go help his uncle or grandparents or an elder  
37 for that matter, you know.

38

39 But I'll sit back and watch this and  
40 see what I think.

41

42 Thank you, Mr. Chair.

43

44 CHAIRMAN BANGS: Thank you, Albert.

45

46 And it's -- the point was made that,  
47 you know, if we put in this proposal and it's analyzed,  
48 then we can deliberate on it and fine tune it to how --  
49 or any other problems that you can think of that may

50



1 change it or foresee a problem by the proposal. We'll  
2 have time to do that, but I think we're under a  
3 deadline to submit a proposal. So this might be the  
4 time to come up with something that we can work with.

5

6

Harvey.

7

8

MR. KITKA: Thank you, Mr. Chair.

9

10

11

12

13

Looking at these old regulations it  
seems like they were handed down from the State. And  
we just kind of got stuck with them because they just  
adopted them.

14

15

16

17

18

And this was something that we decided  
quite a long time ago that we needed to come back and  
fix it. And our charter now lets us do it, so maybe  
it's a good time to do it.

19

20

CHAIRMAN BANGS: Any other discussion.

21

22

(No comments)

23

24

25

26

27

28

29

CHAIRMAN BANGS: So I'll work with  
DeAnna and just put it in a format to where it will  
look as a proposal would look. And then maybe we could  
get it up on the board right after lunch or sometime  
this morning after a break and then decide what we want  
to do with it.

30

31

Does that sound okay.

32

33

(Council nods affirmatively)

34

35

36

CHAIRMAN BANGS: I'm glad you brought  
that up, Robert and Don.

37

38

39

40

We did talk about it earlier and I  
thought maybe we would cover C&T later, but this is  
probably the proper time. It was a fisheries proposal.

41

42

So thank you for that.

43

44

45

46

47

Okay. We did have some verbiage  
changes done to our annual report. DeAnna did some  
work on it. And you have the sheet in front of you  
with a lot of yellow highlighted on it.

48

49

So if everybody would take a minute or

50

1 two to read that and then we'll have some discussion.

2

3

(Pause)

4

5 CHAIRMAN BANGS: Okay. DeAnna has some  
6 clarification here.

7

8 MS. PERRY: I just wanted to note that  
9 on your sheet number five is highlighted. And I  
10 actually meant to highlight number six. There is no  
11 language change in number five from the original annual  
12 report draft.

13

14 Number six, the Clean Water Act,  
15 contains the verbiage that Council Member Albert Howard  
16 offered yesterday.

17

18 So I just wanted to clarify that for  
19 you.

20

21 CHAIRMAN BANGS: I have a question for  
22 Albert.

23

24 I remember you saying something about  
25 eliminating the word cruise ships to encompass all  
26 waste water dumpage; is that -- do I remember that  
27 correctly?

28

29 MR. HOWARD: And we were going to give  
30 Steve credit for that, Mr. Chair.

31

32 (Laughter)

33

34 CHAIRMAN BANGS: Thank you, Albert.

35

36 Okay. We'll figure out how to make  
37 that change.

38

39 MR. HOWARD: Mr. Chairman.

40

41 CHAIRMAN BANGS: Albert.

42

43 MR. HOWARD: Also, on number six, do we  
44 want to put the Council recognizes and agrees with the  
45 concerns that many Southeast communities have.

46

47 CHAIRMAN BANGS: If you want to add  
48 that, I -- let the rest of Council weigh in on it, but  
49 I think that sounds amenable.

50

1 Any discussion on adding the Council  
2 recognizes and agrees that the concern -- or agrees  
3 with the concerns that many communities in Southeast  
4 and their concerns with the impact of dumping waste  
5 water.

6  
7 (No comments)

8  
9 CHAIRMAN BANGS: Could you read that  
10 phrase the way you're talking about changing it,  
11 Albert?

12  
13 MR. HOWARD: The Council agrees -- the  
14 Council recognizes and agrees with the concerns that  
15 many communities in Southeast Alaska and their concerns  
16 with the impact dumping of waste water.

17  
18 And if we're taking out cruise ships,  
19 I'm not sure how we would word that without cruise  
20 ships.

21  
22 Maybe Steve has some words for us.

23  
24 CHAIRMAN BANGS: We could say --  
25 possibly say that the impact of dumping waste water in  
26 the inside passage every year. So that would encompass  
27 municipalities, ferries, whatever. It would -- mines,  
28 activities for development on land that dump into the  
29 waters.

30  
31 So you would just eliminate the words  
32 cruise ships that come up the inside passage and just  
33 say the dumping of waste water.

34  
35 Steve.

36  
37 MR. REIFENSTUHL: What it's called in  
38 regulation would be all point source effluence.

39  
40 CHAIRMAN BANGS: So instead of saying  
41 waste water, just all point effluence.

42  
43 Does that sound.....

44  
45 Ray.

46  
47 MR. SENSMEIER: Thank you, Mr.  
48 Chairman.

49  
50

1 I mentioned yesterday that I was kind  
2 of questioning why in addition to waste water that  
3 black water is not included. There's a larger amount  
4 of black water that's dumped than waste water.

5

6 Thank you.

7

8 CHAIRMAN BANGS: Black water isn't  
9 waste water?

10

11 Steve.

12

13 MR. SENSMEIER: Black -- oh, I'm sorry.

14

15 MR. REIFENSTUHL: All point source  
16 would include black water, grey water.

17

18 MR. SENSMEIER: Yeah.

19

20 CHAIRMAN BANGS: Thank you.

21

22 Ray.

23

24 MR. SENSMEIER: Just to clarify that,  
25 waste water is sinks, toilets, and showers. Black  
26 water is sewage.

27

28 Thank you.

29

30 CHAIRMAN BANGS: So all points phrase  
31 would cover that, so we're good with that word. I  
32 think it would cover it.

33

34 Any other discussion on the change.

35

36 (No comments)

37

38 CHAIRMAN BANGS: DeAnna will probably  
39 -- oh, she's got it all fixed up for us.

40

41 Any discussion on the word that -- the  
42 words the DeAnna just put up on the board that changes  
43 our verbiage.

44

45 Albert.

46

47 MR. HOWARD: Maybe it could be  
48 discharge of DEC quality water into the environment. I  
49 think that's more understandable than -- because if I'm

50

1 someone from the interior looking at that, what is all  
2 points.

3  
4 I mean because DEC sets the standard on  
5 the quality of water we can dump into the environment.  
6 That's not necessarily the best standard we should be  
7 going by. So if we ask where the impact -- because  
8 they're the ones that allow the cruise ships to do what  
9 they do -- and everyone else.

10  
11 I mean that language I believe would be  
12 -- the regular guy on the street can understand what  
13 that means, whereas the other one is what does that  
14 mean. I mean he understands what it means because he's  
15 been in the system to understand what that means. I  
16 don't know.

17  
18 If anyone wants to argue that DEC  
19 quality water is safe for the environment, I don't  
20 agree with that at all. I've seen the effects of it.

21  
22 So I think we can consider putting that  
23 kind of language in there. All we're doing is asking  
24 what -- if we can get assistance to see what that  
25 quality of water is doing on the environment and our  
26 food chain. And we're not asking for anything else.

27  
28 Thank you, Mr. Chairman.

29  
30 CHAIRMAN BANGS: Yes, Steve.

31  
32 MR. REIFENSTUHL: I'm not hung up on  
33 how you put it in there.

34  
35 I have been asked this morning whether  
36 I work for the cruise ships, so I would like to just  
37 let everybody know I have never worked for the cruise  
38 ship industry. I have fought against the cruise ships  
39 in Sitka, on ADEC Commission on water quality standards  
40 since the 1980s. And probably why I was included on  
41 the science panel when we dealt with the most recent  
42 update in ADEC regulations for cruise ships.

43  
44 And that -- I checked last night. That  
45 report is online. It was published in 2012, I believe.

46  
47 So I guess the other point is that the  
48 Clean Water Act which was mentioned in here is part of  
49 of course Federal law and then EPA is tasked with

50

1 implementing that. And what DEC does in Alaska is  
2 simply -- about ten years ago got primacy. They had to  
3 prove to EPA that they could -- they had the standards  
4 and the people here in the State that could implement  
5 Clean Water Act and EPA regulations.

6  
7 They get checked on that all the time,  
8 so ADEC is just working, you know, as a conduit for the  
9 Clean Water Act.

10  
11 CHAIRMAN BANGS: Well, I -- the point  
12 being that I -- the way I look at this, this Clean  
13 Water Act that we're talking about is not a -- so much  
14 an action item as to bring attention to we want to know  
15 what the effects of whatever dumping is going on  
16 regardless of whether it's a mine, a cruise ship, or  
17 whatever. We want to know the effects on our  
18 subsistence food and that's what I -- that's all it's  
19 saying to me is we just want to know what the effects  
20 are.

21  
22 So whether you -- whatever words you  
23 use for explaining the dump -- the dumpage is  
24 irrelevant really. As long as you explain we just want  
25 to know what stuff's going into the water that's affect  
26 -- how it's affecting our subsistence food.

27  
28 Am I wrong. I mean is -- that's all  
29 we're looking for. And we're not trying to change  
30 regulations. We're not trying to tell anyone that they  
31 can't do this or can't do that. We're just trying to  
32 find out how it's affecting our foods. That's my  
33 point.

34  
35 So the words up there are going to go  
36 to the Federal Board and they're going to respond. And  
37 I think that they would understand what we're talking  
38 about because we're not pinpointing the cruise ship  
39 industry. We're not pinpointing the mines. We're not  
40 pinpointing any individual. We just want to know all  
41 this stuff that goes into the water from human  
42 activity, what -- how is it affecting our food source.

43  
44 So Albert.

45  
46 MR. HOWARD: Thank you, Mr. Chair.

47  
48 And, similar, I guess if the Federal  
49 Board's going to look at this, I think they need to

50

1 have language that they understand.

2

3 Steve gave us his resume, so now I get  
4 it. And for the record, I'm not the one that asked him  
5 if he worked for the cruise industry. I implied it  
6 yesterday, but I'm not one who's going to sit back here  
7 and hold any punches. I say what's on my mind and get  
8 to the point because I'm getting older and don't have  
9 time to beat around the bush anymore.

10

11 But I think somewhere in here we need  
12 to say that we've exhausted every avenue trying to find  
13 answers and now we're asking you guys for help.  
14 Because I think with everyone around the table, I'm  
15 sure we -- some of us have exhausted every avenue  
16 trying to figure out the impacts this going to have.  
17 And sometimes the doors get closed when you ask the  
18 wrong question it seems like.

19

20 So thank you, Mr. Chair.

21

22 CHAIRMAN BANGS: Thank you, Albert.

23

24 Don and then Ray.

25

26 MR. HERNANDEZ: Yeah. Just one  
27 comment.

28

29 I think this is kind of a timely issue  
30 right now because I personally have no confidence  
31 whatsoever that the Environmental Protection Agency is  
32 going to be holding the State accountable for how they  
33 enforce Federal regulations in State waters.

34

35 So I just wanted to put that on the  
36 record.

37

38 CHAIRMAN BANGS: Thank you, Don.

39

40 Ray.

41

42 MR. SCHROEDER: Thank you, Mr.

43 Chairman.

44

45 Albert just mentioned that, you know,  
46 we don't have all the answers. I spoke with you  
47 yesterday about the process of perhaps allowing Guy  
48 Archibald, who's a scientist from SEACC and has been  
49 working on this issue for many, many years, and Gershon

50

1 Cohen of Haines, who has a PhD, and (Indiscernible) who  
2 has also worked on it for years.

3  
4 I talked to Guy this morning. He's in  
5 Washington, D.C. right now meeting with an  
6 International Joint Commission on this issue. And on  
7 the mining issue the International Joint Commission had  
8 its first meeting in the United States a year and a  
9 half ago in Hawaii. It was attended by 190 nations,  
10 with leaders and representatives from those respective  
11 countries. And President Obama and Secretary John  
12 Kerry were there as well.

13  
14 That's one meeting I missed because my  
15 son's movie premier was out on the exact same dates,  
16 but I've attended meetings with scientists and others  
17 and was -- we were instrumental with Gershon Cohen and  
18 Joe Geldorf, a lawyer from Juneau, in the cruise ship  
19 ballot initiative, which we gathered 25,000 signatures  
20 and it passed to implement a \$50 head tax that would  
21 help fund studies and other things.

22  
23 So I'm hoping that -- Guy said he would  
24 be more than happy to come and make presentation on  
25 Greens Creek on the TransTribal Boundary Mining Work  
26 Group and the cruise ship issue.

27  
28 Thank you.

29  
30 CHAIRMAN BANGS: Thank you, Ray.

31  
32 I agree with Don that this is a time  
33 sensitive thing and we should probably make sure that  
34 this is our annual report which will go before the  
35 Board here in another couple of months.

36  
37 So is there any more discussion about  
38 the words -- wordage on the board for this item of  
39 Clean Water Act.

40  
41 (No comments)

42  
43 CHAIRMAN BANGS: So if everybody's  
44 happy with it, we'll leave that and move on to other  
45 changes and additions.

46  
47 The correspondence policy is listed on  
48 there now and we had lengthy discussions about the  
49 correspondence yesterday.

50



1                   And do you have something, Robert?

2

3                   MR. SCHROEDER: Yes, Mr. Chair. Just  
4 on the correspondence policy.

5

6                   Since other people were handling the  
7 cruise ship or the waste water stuff I was using that  
8 time to look at the existing correspondence policy and  
9 what our annual report items says, particularly the  
10 bullet point two.

11

12                   And I was trying to think of since, you  
13 know, we're getting really good support from OSM and I  
14 think we're all pretty much on the same page with what  
15 we want to do with the program, I was trying to figure  
16 out what the problem was. And I think the problem is  
17 in the words, in a timely manner.

18

19                   And that's part of the existing  
20 correspondence policy point five. And I don't know.  
21 Like if somebody tells me that I need to get something  
22 done in a timely manner, I really don't know too much  
23 what that means. And one person's timely manner could  
24 be somebody else's serious procrastination.

25

26                   (Laughter)

27

28                   And so my suggestion is in light of our  
29 goal of having government work efficiently, here we  
30 have a clear performance measure there. And a clear  
31 performance measure is one that you can objectively  
32 evaluate. So in a timely manner is not -- doesn't lend  
33 itself to be a performance measure.

34

35                   And I suggest we put in what was in an  
36 earlier version of the correspondence policy which I  
37 was involved in when Chairman Littlefield was working  
38 with us with OSM. And the earlier, not rarefied in  
39 writing policy was two or three days that you'd get a  
40 turnaround. Because as the correspondence policy says  
41 in point five, recognizing that such correspondence is  
42 the result of an official Council action and may be  
43 urgent, the ARD will respond -- and now these are the  
44 wiggle words -- in a timely manner.

45

46                   And at one time it wasn't in a timely  
47 manner. It was -- this is just my recollection, three  
48 or four days or something like that.

49

50

1                   So I think what we should do here is  
2 say that we want a turnaround in a week. Or let me put  
3 that one out there. Because that's completely  
4 reasonable. That says that OSM is doing its job of  
5 primarily providing Staff support to us and letting us  
6 know if we're just -- we erroneously state something or  
7 aren't aware of something that should be in our  
8 correspondence, but it does not allow the possibility  
9 of things going on for months and months or years and  
10 years before we send something out.

11  
12                   So my suggestion would be to firm up  
13 the point two there or substitute in, not to  
14 streamline, because this is just human beings that made  
15 this up. And if we give them an endless amount of  
16 time, they can simply put more layers of review in,  
17 which means that more time will go by. So I think my  
18 preference would be for bullet word two. To reword that  
19 and say that we want a one-week turnaround level.

20  
21                   And I actually think this could help  
22 OSM's job. Because at the present time the level of  
23 review for certain things may be such that something  
24 never will be sent, which is what we found with our --  
25 some of our comments on TransBoundary River issues.

26  
27                   So that's what I have to say. If  
28 people -- we don't have to belabor this. We could --  
29 if there's other support for that, we can just proceed.  
30 Otherwise, we can leave it as is.

31  
32                   Thank you.

33  
34                   CHAIRMAN BANGS: Anyone else.

35  
36                   (No comments)

37  
38                   CHAIRMAN BANGS: I'm wondering if we  
39 could request that at least we get a response within a  
40 week. Whether it's done or you're saying that -- have  
41 it a time limit as far as a week, but.....

42  
43                   Robert.

44  
45                   MR. SCHROEDER: Well, I don't think we  
46 need to find out exactly how -- I don't care how the  
47 review process takes place within OSM. But having  
48 worked in government, if you give a government worker  
49 more time, then they can say well, I'd better have my  
50

1 boss look at this. And then if there's even more time,  
2 that person says well, you know, I'd better have my  
3 boss look at it. But my boss isn't coming back from  
4 that trip to Washington, D.C. till two weeks from now.  
5

6 And, you know, so the reason for a  
7 fixed time limit is that you avoid the possibility of  
8 somebody being ooh, this is like a little bit  
9 complicated here. I don't want it to stick on my  
10 fingers, so I'm going to have somebody else review it.  
11 And then we'll be in a situation where we're out at  
12 three years one more time.  
13

14 And so that's my suggestion.  
15

16 And, you know, I think that if  
17 anything, this Council has been excessively patient and  
18 tranquil on spending a whole lot of work on things and  
19 then being told well, you know, this isn't quite ready  
20 to go out. We can't quite do that. It's got to go  
21 through channels. And that I -- I've been re-reading  
22 ANILCA here, too, and it doesn't say that the Regional  
23 Councils can do this and this, but boy, if they get  
24 over in that territory it's got to go through channels  
25 and it could be years before they could say that it's  
26 snowing outside.  
27

28 So in any case, I don't -- I think  
29 we're -- that this isn't -- this is done in a  
30 constructive spirit. That we want to be able to  
31 represent subsistence users in Southeast Alaska and be  
32 able to speak on things that are important.  
33

34 And that doesn't include waiting three  
35 years to talk about whether or not TransBoundary Rivers  
36 or mining is kind of a dangerous thing. Duh.  
37

38 CHAIRMAN BANGS: Thank you, Robert.  
39

40 Anyone else on the Council.  
41

42 (No comments)  
43

44 CHAIRMAN BANGS: I understand the point  
45 and, you know, maybe we could -- if they don't respond  
46 in a week we could have a shut down.  
47

48 (Laughter)  
49  
50

1 MR. SCHROEDER: It would take away  
2 their funding.

3  
4 (Laughter)

5  
6 CHAIRMAN BANGS: Any other thoughts on  
7 changing the words to that bullet point. The second  
8 one on number eight, the correspondence policy.

9  
10 (No comments)

11  
12 CHAIRMAN BANGS: Or leave it as it is  
13 for now.

14  
15 (No comments)

16  
17 CHAIRMAN BANGS: That message of  
18 discussion could be conveyed to the Federal Board at  
19 the time that we -- you know, or something like that.

20  
21 Don.

22  
23 MR. HERNANDEZ: Yeah. I have no  
24 problem with, you know, changing the wording in our  
25 document here to be more specific on the time. I don't  
26 have a problem with that.

27  
28 CHAIRMAN BANGS: Yeah. I don't have a  
29 problem with it either.

30  
31 Anyone else.

32  
33 MR. DOUVILLE: I'm okay with changing  
34 it.

35  
36 CHAIRMAN BANGS: So Robert, why don't  
37 you write that bullet point like you would like to see  
38 it. Convey it to DeAnna and then we could look at it  
39 up on the board and move along.

40  
41 Are there any other -- while we're  
42 waiting for that to transpire, is there anyone else.

43  
44 Don.

45  
46 MR. HERNANDEZ: Yeah. Thank you, Mr.  
47 Chairman.

48  
49 This isn't something to add to the

50

1 annual report, but while we're talking about this  
2 correspondence policy and we still have OSM Staff here,  
3 I was wondering if I could ask one more question of  
4 maybe Mr. Peltola or Mr. Doolittle on policy.

5

6 CHAIRMAN BANGS: Mr. Peltola.

7

8 MR. HERNANDEZ: Yeah.

9

10 MR. PELTOLA: Good morning, all.

11

12 MR. HERNANDEZ: Yeah. Thank you.

13

14 The policy states that the Council  
15 members acting on behalf of or as a representative of  
16 the Council may not through correspondence or any other  
17 means of communication attempt to persuade any elected  
18 or appointed political officials.

19

20 I think the Council has kind of taken  
21 that to mean that we cannot write any correspondence to  
22 elected officials. I guess my question is if our  
23 intent is to inform elected officials, was there any  
24 discussion in drafting this policy as to whether or  
25 not, you know, informing elected officials is kind of  
26 different from trying to persuade them?

27

28 MR. PELTOLA: Mr. Chair, if I may.

29

30 Along those lines, I wasn't around OSM  
31 when we created that, although there's a lot of  
32 similarities in what we do today and a lot of reasons  
33 why we have things within policy.

34

35 By addressing this statement as a  
36 government entity or also applicable to government  
37 employees, we have to abide by the Hatch Act. The  
38 Hatch Act stipulates that we cannot lobby Congressional  
39 delegation members specifically. My gut feeling is  
40 that that is why we have the verbiage in the policy as  
41 stated there.

42

43 And it would be a fine line when looked  
44 upon while trying to differentiate between information  
45 or trying to, you know, or perceived as going beyond  
46 informing.

47

48 Did that make sense?

49

50

1 MR. HERNANDEZ: Yeah. It does make  
2 sense. I was just wondering if that's, you know,  
3 something that you had considered. The difference  
4 between informing and persuading. So it sounds like  
5 you have considered that as a.....  
6

7 MR. PELTOLA: We have. And there's a  
8 lot of things that are applicable to the program we  
9 would love to be able to have a direct line of  
10 communication with, but we're precluded from it because  
11 of the Hatch Act.  
12

13 MR. HERNANDEZ: Thank you. I had not  
14 heard of the Hatch Act mentioned previously, so that's  
15 something else to consider.  
16

17 Thank you.  
18

19 CHAIRMAN BANGS: Thank you, Gene.  
20

21 Any other discussion on this  
22 correspondence policy while we're on this issue. I  
23 think they've got the new words up.  
24

25 Albert.  
26

27 MR. HOWARD: That's almost a catch 22  
28 policy, Mr. Chairman.  
29

30 I mean it's the elected officials that  
31 changed the rules and regulations how we should be able  
32 to communicate with them that hey, what you're doing  
33 isn't consistent with ANILCA. I don't see how that's  
34 persuading them. I mean sometimes you have to remind,  
35 you know, people that there's laws in place that.....  
36

37 I'll give you an example. We had a  
38 conversation with the Department of Transportation in  
39 Angoon and they didn't understand that there's a thing  
40 called the TERO Ordinance, where a tribe can put an  
41 ordinance in place if you don't hire so many tribal  
42 members on an airport project, that they have to pay a  
43 certain percentage to the tribe. I mean that's an  
44 example.  
45

46 So when they're changing regulations  
47 that affect subsistence users, we should be allowed to  
48 send them a letter. I mean the thing that bothers me  
49 about this whole thing is we're all adults around the  
50

1 table. They should trust us enough to -- that  
2 somebody's going to say -- even Don might say hey, we  
3 can't do that according to what we're bound by.  
4

5 I mean there's enough of us to  
6 proofread this during a meeting and send it out. We've  
7 been entrusted with that. And if we do something  
8 wrong, then they'll -- I'm sure they'll let us know.  
9 But it seems like this type of policy comes into place  
10 when someone else has done something wrong, but it  
11 becomes a blanket policy for everyone.  
12

13 I have full confidence in the fact that  
14 there's enough of us around the table we can figure out  
15 how to address something properly and send it out.  
16

17 So thank you, Mr. Chair.  
18

19 CHAIRMAN BANGS: Thank you, Albert.  
20

21 John.  
22

23 MR. YEAGER: Thank you, Mr. Chair.  
24

25 I agree with Mr. Howard's statement. I  
26 think that's pretty much on point there.  
27

28 But my other comment is that in light  
29 of a few developments with correspondence between  
30 whether it's OSM or the Board and the Council or the  
31 Council Chair, we could put any kind of timeline in  
32 there where we request a reply, but there's still those  
33 layers that are going to hold up that time frame.  
34

35 So one example is your address isn't on  
36 letterhead anymore, so it's like there's a stop right  
37 there where that's going to be held up. It's already  
38 happened to us before. So I think no matter how  
39 stringent we are on requesting timely response, I still  
40 think there's too many filters in the way to actually  
41 get -- it's like asking for second day to Alaska. It  
42 never happens. It's always five or six days more.  
43

44 Thank you.  
45

46 CHAIRMAN BANGS: Thank you, John.  
47

48 Albert.  
49  
50

1 MR. HOWARD: It's a question more than  
2 anything, Mr. Chairman.

3  
4 How do we get your name and address  
5 back on the letterhead.

6  
7 CHAIRMAN BANGS: I'm not really sure.  
8 I have mentioned it at the meetings in the past and  
9 asked OSM and expressed my displeasure in them doing it  
10 without asking me. And Cathy reiterated that. She had  
11 some correspondence that was lost for a few weeks. And  
12 then it was too late to respond by the time she got the  
13 letter.

14  
15 So I don't know. I'd have to ask Gene  
16 or Mr. Doolittle as to how that could happen. I'm not  
17 sure.

18  
19 MR. PELTOLA: And Mr. Chair, I'd like  
20 to reiterate that for the most part, the policy as  
21 established works for the program.

22  
23 Although there have been times  
24 especially administrative in recent history where  
25 unfortunately -- and we have addressed that we have  
26 lost communications which have come in to OSM. We have  
27 tried to address that to ensure that it doesn't happen  
28 again.

29  
30 As far as -- and what I'm about to say,  
31 I don't want to sound like a bureaucrat, but we are  
32 bound by certain things. And I am not positive --  
33 although putting names and addresses could come into  
34 conflict with the guidance within -- we have within the  
35 Federal government about PPI, personal protective  
36 information. And one of those is individuals -- not  
37 necessarily names, but personal residences or  
38 addresses.

39  
40 CHAIRMAN BANGS: I'm curious as -- you  
41 know, it's never been an issue in the past for -- since  
42 the inception of the program and then all of a sudden  
43 it just changed. And that was what kind of threw me  
44 off.

45  
46 And to see what had happened since  
47 then, it just seems like it's broken.

48  
49 So yeah, Tom.

50



1 MR. DOOLITTLE: Yeah. Thank you, Mr.  
2 Chair.

3  
4 Yeah. You know, and I think we can  
5 always readdress, you know, those questions and -- but  
6 on the other hand, what Gene said relative to private  
7 information has become more and more relevant and times  
8 in fact has caused actually a lot of litigation and  
9 expense to the government and angst for people. And  
10 especially when we look at everything from credit card  
11 theft to you name it and what we see in what I call  
12 this new world. I think that there is that extra care.  
13 So part of that is keep -- be cognizant that we're not  
14 in the world today that we were even 20 years ago.

15  
16 On the other hand, too -- and I'm glad  
17 to look at the discussion on timeliness because that's  
18 always something. And one of the reason when we look  
19 at the tiers of effectiveness in communication and  
20 things that we can do within our boundaries, when a RAC  
21 is advising the Board on a certain issue, again many  
22 times the process -- the information will get to the  
23 Board and the Board will need more deliberation on that  
24 to be able to get the information to the Secretaries or  
25 the Board may make a decision, you know, that it  
26 wouldn't be forwarded. And, you know, which is seldom  
27 the case if it's been well-crafted and put together and  
28 under the bounds of law.

29  
30 So what we want to keep in mind is that  
31 we have these tiers of communication up to the Board,  
32 to the Secretaries to be able to look at those things.

33  
34 The requests of improved tracking, I  
35 said a little bit about that with the implementation of  
36 the new administrative plan one of the things that Gene  
37 first tasked me up -- I wasn't in OSM for a week and it  
38 was to work with mail logging, correspondence, and to  
39 -- everything from answering the phones and the what  
40 administrative jobs were. And we addressed that with  
41 the program supervisor in a direct way.

42  
43 And essentially, you know, it seems to  
44 be strange to have to put that into a plan, but when  
45 you're, you know, running 40 people around and making  
46 sure that you're getting to anything -- and when Gene  
47 and I both found out that some correspondence had been,  
48 you know, sitting on a desk or had not been logged in.  
49 And we're accountable -- legally accountable for our  
50

1 correspondence that comes in as part of the Federal  
2 program.

3  
4 So every phone call that's relative to  
5 business, there's a phone log. Every email, there's a  
6 log that does that. For our mail there's a log. And  
7 so we know what comes in. And I can check it and say  
8 did we respond. And so the pressure is to make sure  
9 that we keep to our own protocols is always a healthy  
10 thing for us to do.

11  
12 And we can't, you know, change if there  
13 was, you know, a ball dropped in this past year. On  
14 the other hand, when I saw the letter that came from  
15 both the governor and the elected delegates from  
16 Alaska, you know, relative to transboundary issues,  
17 obviously some of your previous letters were heard and  
18 they responded, which is really to applaud the comments  
19 of this Council.

20  
21 So it might have been slower success at  
22 least for a response, but again I think what you're  
23 asking for is that it's consistent and that we don't  
24 see that ball dropped again. And so we're going to  
25 make sure, you know, as the one that runs the day to  
26 day operations that that job is better done and that  
27 new administrative plan is followed to the T.

28  
29 And so hopefully we'll see this  
30 remedied.

31  
32 MS. KENNER: Mr. Chair, this is Pippa  
33 Kenner, with OSM in Anchorage.

34  
35 CHAIRMAN BANGS: Go ahead, Pippa.

36  
37 MS. KENNER: Thank you.

38  
39 Since the first -- I agree with what's  
40 been said. And since the first day of your meeting I  
41 think many of us have been collecting information about  
42 this topic.

43  
44 And I just wanted to add that it's the  
45 Federal Advisory Committee Act that your Council was  
46 chartered under. And so all correspondence with the  
47 Council is supposed to be in the administrative record  
48 to provide full transparency to the public of the  
49 actions of the Council. And because of our former  
50

1 correspondence policy where mail was going directly to  
2 the Chair, we weren't able to keep the administrative  
3 record. And that makes our program vulnerable.  
4

5 It's also part of the reason why some  
6 of this correspondence wasn't being answered in a  
7 timely fashion. That is it wasn't being immediately  
8 put into the administrative record where it was  
9 retrievable.

10

11 Thank you.

12

13 CHAIRMAN BANGS: Thank you, Pippa.

14

15 Gene.

16

17 MR. PELTOLA: And Mr. Chair, if I may.

18

19 I and OSM are very well aware that  
20 correspondence coming from our Regional Advisory  
21 Council are very significant and important to the  
22 program. We have observed that there are times when  
23 some projects coming in were not turned around in as  
24 much as a timely manner as we would have liked.

25

26 We have -- Tom and I and others have  
27 been working with Carl, our division lead for Council  
28 coordination, to try to come up with the most efficient  
29 mechanism dealing with correspondence to minimize our  
30 responsibility of turning those correspondence around,  
31 in addition to during our reviews I have been adamant  
32 since I came into this program that our edits that we  
33 provide in no way, shape or form -- or can be perceived  
34 as trying to change the message or the intent of the  
35 Council. And ensure that that message is still strong  
36 and forwarded on.

37

38 So we are aware of it.

39

40 The byproduct of our meeting cycles is  
41 that we have one Council coordinator assigned to two  
42 different regions. And as you're all aware, we have a  
43 fall round and we have a winter round of meetings.  
44 That is when the bulk of our correspondence coming from  
45 the Regional Advisory Councils come through. That's  
46 when they're initiated.

47

48 And I'm not saying that we don't have  
49 the capacity or the number -- right number of

50

1 individuals to keep up with it, but there's -- with  
2 regard to correspondence specifically, there is a huge  
3 workload associated to that.

4  
5 Another thing that we used to -- if you  
6 look at the program, another responsibility of our  
7 Council coordinators is to turn around, you know,  
8 travel vouchers. When I came up I brought everybody's,  
9 you know, per diem checks, advanced payment. In order  
10 to close out that process the Council coordinators go  
11 back and do a travel voucher for each and every one of  
12 you. And administratively we have one person that has  
13 been assigned to the Council coordination division that  
14 goes through and they are responsible for hundreds of  
15 these vouchers.

16  
17 And I'm not trying to make excuses, but  
18 I'm also trying to expose you, the Regional Advisory  
19 Council member, to the responsibilities of that  
20 coordinator. And we do take the correspondence very  
21 seriously and we do the best -- and we can do better,  
22 but we're doing the best we can to ensure it's done in  
23 a timely manner.

24  
25 And I apologize because at times it's  
26 not as quick as some of you would like or deserve.

27  
28 CHAIRMAN BANGS: Thank you.

29  
30 Albert and then Robert.

31  
32 MR. HOWARD: Thank you, Mr. Chair.

33  
34 Thank you for the explanation. I think  
35 if we had that explanation when you first originally  
36 asked the question we would be a little further along.  
37 So the thing in my mind now is is it possible to draft  
38 a waiver for Chairman Bangs to sign that says you  
39 understand all the implications of what they said, but  
40 you still want your name on the letterhead.

41  
42 I think what's important to remember is  
43 someone from Petersburg sends a letter and/or receives  
44 a letter and it only has as an example DeAnna's name on  
45 it. They're going to be like well, who's this. Or if  
46 it has Chairman Bang's name on it, they're going to be  
47 like oh, we know Mike. Or we know Harvey. We know Ray  
48 or Mr. Douville and Hernandez. But when you send a  
49 letter that doesn't have anyone that's sitting on this  
50

1 Council, that looks like you're just getting a letter  
2 from a bureaucrat.

3

4 (Laughter)

5

6 MR. DOOLITTLE: I had to actually admit  
7 that the other day.

8

9 (Laughter)

10

11 MR. HOWARD: And chances are those are  
12 probably going to get filed away on somebody's desk and  
13 never read.

14

15 So thank you, Mr. Chair.

16

17 CHAIRMAN BANGS: Thank you, Albert.

18

19 Robert, did you have something.

20

21 MR. SCHROEDER: Well, just a quickie.

22

23 There's a real political tone to this  
24 as well. Without discussing certain administrative  
25 acts that are going on, I'll bring up something that  
26 I'm really proud that this Council did.

27

28 It was quite a few years ago, but the  
29 political current from Washington, D.C. basically  
30 forbid the Department of Interior from commenting on  
31 what their thoughts were on use of aerial herbicides as  
32 a timber treatment technique on Prince of Wales Island.  
33 A completely political decision unless you believe  
34 somehow in the Tooth Fairy. And this Council was --  
35 basically stuck its neck out and it came through with  
36 very reasoned comments on how we really didn't think it  
37 was a great idea to spray herbicide on people's  
38 subsistence food.

39

40 Well, that's not an issue today, but we  
41 do have certain currents in government saying that  
42 climate change doesn't exist. Well, I wouldn't be  
43 surprised if at our next meeting we have a -- we have  
44 something that we have to say that's real serious about  
45 climate change. And I wouldn't want that to be hostage  
46 to a political system which I understand OSM as part of  
47 Department of Interior definitely has to abide by.

48

49 So there's a real political dimension

50

1 to this as well. So no response is needed.

2

3

Thank you.

4

5

CHAIRMAN BANGS: Thank you.

6

7 I appreciate the explanation because it  
8 was never explained. And I understand we're not in the  
9 world we were in 20 years ago, but, you know, it's  
10 interesting in Alaska. Like if people knew that I was  
11 from Petersburg and they put my name on a letter and  
12 just wrote Petersburg, it would wind up in my box. You  
13 know, just that's the way it is in small communities.  
14 But I understand a lot clearer now why there just has  
15 to be this record. It's definitely bureaucracy.

16

17

But anyway, thank you.

18

19

20

I'd like to -- well, we've got some new  
words up here, but I'd like to take a little break.  
And then we'll come back and finish up approving our  
annual report.

21

22

23

24

So let's take a break.

25

26

(Off record)

27

28

(On record)

29

30

CHAIRMAN BANGS: Please take your  
seats.

31

32

33

OSM.

34

35

(Laughter)

36

37

CHAIRMAN BANGS: Okay. I'd like to  
wrap up this annual report.

38

39

40

So the new bullet point number two on  
the correspondence policy point, it was worded by Mr.  
Schroeder. And I just want everybody to look at it and  
see if that's okay.

41

42

43

44

45

And we can move on to any other issues  
on the annual report that we want to add or fix or  
change or whatever.

46

47

48

49

Everybody good with that.

50

1 Albert.  
2  
3 MR. HOWARD: Yeah.  
4  
5 CHAIRMAN BANGS: Okay.  
6  
7 Good. Good job.  
8  
9 Oh, Robert.  
10  
11 MR. SCHROEDER: I just put under our  
12 point seven -- I'm sure we'll work really well with  
13 Forest Service on this, but we should mention that we  
14 have a Section .810 ANILCA responsibility to -- with  
15 respect to land management plans.  
16  
17 And then that -- it's not exactly an  
18 optional thing for Forest Service to talk to us, so  
19 that's part of ANILCA and it's also in our  
20 correspondence policy that that's what we do.  
21  
22 I can give you the wording on that.  
23 You could simply say this is part of Council Section  
24 .810 responsibilities. And that would do it.  
25  
26 And if Patty's still on there.  
27  
28 Patty, are you there?  
29  
30 MS. PHILLIPS: Yes, I am.  
31  
32 MR. SCHROEDER: I'm trying to fill in  
33 for you.  
34  
35 (Laughter)  
36  
37 MR. SCHROEDER: But I was just  
38 suggesting that with respect to talking about land use  
39 planning, that that's part of our Section .810 Council  
40 responsibility.  
41  
42 MS. PHILLIPS: You're doing a great  
43 job. I agree.  
44  
45 MR. SCHROEDER: I certainly wish you  
46 were here, Patty.  
47  
48 CHAIRMAN BANGS: Robert, could you read  
49 that -- the point that you changed in our  
50

1 correspondence policy? That sentence that you changed  
2 for Patty's benefit?

3

4 MR. SCHROEDER: Yes.

5

6 The sentence we added is just the last  
7 sentence now says this is part of the Council's Section  
8 .810 of ANILCA's responsibilities.

9

10 CHAIRMAN BANGS: Thank you, Robert.

11

12 Okay. Is there any other issues on the  
13 annual report that need to be addressed.

14

15 MS. PHILLIPS: Mr. Chair, this is  
16 Patty.

17

18 CHAIRMAN BANGS: Go ahead, Patty.

19

20 MS. PHILLIPS: For the meeting location  
21 -- the number nine on the final two bullets -- did we  
22 want to include that it was our understanding that  
23 Wrangell and Petersburg were included as a hub  
24 community.

25

26 CHAIRMAN BANGS: We were instructed by  
27 OSM that that's something that we would have to talk to  
28 the Federal Board about and have them list those as hub  
29 communities.

30

31 I think Mr. Peltola would clarify that  
32 for us.

33

34 MR. PELTOLA: Yes, Mr. Chair.

35

36 I did not -- yesterday when I made that  
37 statement, I did not have the advantage of having the  
38 full list available to me on hub communities in the  
39 Southeast. I know there are more in Southeast than  
40 other regions.

41

42 What we can do is when we go back get a  
43 list of all the pre-approved hubs and if specific  
44 communities are not on that -- if it's the desire of  
45 the Regional Advisory Council, we could work with  
46 DeAnna to inform you of that complete list.

47

48 If there's nothing -- not anything on  
49 there, then I would recommend that you forward it on to

50



1 Board consideration. Add other communities. Or you  
2 could, you know, approve or disapprove or add and  
3 subtract to that list.

4

5 MS. PHILLIPS: Thank you.

6

7 So I have another item, Mr. Chair, that  
8 I would like to discuss.

9

10 CHAIRMAN BANGS: Please go ahead,  
11 Patty.

12

13 MS. PHILLIPS: And I think Mr.  
14 Schroeder brought it up yesterday and I had time to  
15 think about it and that's the update to the charter.

16

17 Previously, the charter has been an  
18 agenda item and it was then helpful to have guidance on  
19 some of these non-regulatory directives issued towards  
20 us from the Secretary and an explanation of some of  
21 these Secretary orders. Perhaps even copies of the  
22 orders for us to review and have it applicable to the  
23 subsistence RAC.

24

25 Thank you.

26

27 CHAIRMAN BANGS: Thank you, Patty.

28

29 I think DeAnna is taking notes here for  
30 us, so thanks again.

31

32 Any discussion on that.

33

34 (No comments)

35

36 CHAIRMAN BANGS: Any other issues to  
37 deal with in our annual report.

38

39 (Pause)

40

41 CHAIRMAN BANGS: Okay. DeAnna is going  
42 to work on the language and give it to us later, but  
43 what we can do is approve the annual report.

44

45 I would entertain a motion to approve  
46 the annual report because I think our proponent isn't  
47 here any more to put it on the table.

48

49 So is there a motion to approve the

50

1 annual report.

2

3

Mr. Howard.

4

5

MR. HOWARD: Thank you, Mr. Chair.

6

7

I make a motion to approve the annual

8

report.

9

10

MR. KITKA: I'll second it.

11

12

CHAIRMAN BANGS: Okay. It's been moved

13

and seconded to approve the annual report to be sent to  
14 the Federal Board.

15

16

Is there any more discussion.

17

18

(No comments)

19

20

MR. SENSMEIER: Question.

21

22

CHAIRMAN BANGS: Okay. The question's

23

been called for.

24

25

All those in favor of passing forward

26

the annual report as amended to the Federal Board,  
27 respond by saying aye.

28

29

IN UNISON: Aye.

30

31

CHAIRMAN BANGS: Opposed.

32

33

(No opposing votes)

34

35

CHAIRMAN BANGS: Okay. Thank you.

36

37

So next.....

38

39

Mr. Douville.

40

41

MR. DOUVILLE: If I may address -- I'd

42

like to address WP18-01A. This was not put on the  
43 front page for further discussion, but I think there is  
44 information.

45

46

There's like three things that affect

47

the deer population right now. There's thousands and  
48 thousands of acres in land in the stem exclusion stage.  
49 And we have less old growth than we did before and we

50

1 have a high wolf population and we've had a very high  
2 harvest of bucks for several years now. Any one of  
3 those things can affect a deer population negatively  
4 and we're seeing that, but all three together certainly  
5 do.

6  
7 But we listened to a lot of testimony  
8 from local users when we were in Craig and they all  
9 said they're having a hard time getting deer. However,  
10 the Department said no. Everything we're seeing, it is  
11 if anything going up.

12  
13 But through the deer survey those  
14 numbers have been calculated for the previous year and  
15 the deer take was 700 less, which corresponds with  
16 everything that people were saying. So that's quite a  
17 change. And the complaints were just as loud this year  
18 and as many for this last season.

19  
20 So anyway, that's new information and I  
21 just wanted to put that on the record.

22  
23 CHAIRMAN BANGS: Thank you, Mike.

24  
25 So in other words, the Department  
26 wasn't aware of those changes before because the data  
27 hadn't come out yet. And then once the data came out,  
28 then now it's realized that deer hunting is becoming  
29 much harder for subsistence users?

30  
31 MR. DOUVILLE: That is correct.

32  
33 They didn't have the numbers for the  
34 previous year or it lags behind like a year. So when  
35 Craig addressed -- when this proposal was made, they  
36 disagreed because it showed that the numbers were high  
37 yet. But everybody else was saying no, they're not.  
38 It's not that way. And the reduction in harvest  
39 certainly bears that out.

40  
41 CHAIRMAN BANGS: So would you consider  
42 making a motion to put that deer proposal to the Board  
43 of Game, as well as the Federal Subsistence Board? Is  
44 that what you're thinking? The changes that we made?  
45 Or.....

46  
47 MR. DOUVILLE: No. I was not  
48 suggesting that. I was only adding new information to  
49 support the proposal we made. I don't have a

1 suggestion to submit one through the Board of Game.

2

3

CHAIRMAN BANGS: Okay. Thank you.

4

5

6

Well, it's on the record. Then I'm  
able to convey that message to the Federal Board when I  
go there, so I appreciate that and we'll make note.

7

8

9

Any other discussion on the deer.

10

11

Yes, Albert.

12

13

MR. HOWARD: Thank you, Mr. Chair.

14

15

16

17

18

Is there anything in place that when  
the deer population falls to a certain number that only  
Federal subsistence users are allowed to hunt. Is  
there anything in place currently.

19

20

21

22

23

CHAIRMAN BANGS: Terry can correct me  
if I'm wrong, but it's in ANILCA and that's part of the  
-- there's triggers within ANILCA that allows for  
specific users in the subsistence arena to.....

24

25

26

Yes, Albert.

27

28

29

30

31

MR. HOWARD: I knew that much, but what  
I'm asking is -- is an example on my own. If that  
falls -- if the numbers fall to -- oh, they say there's  
only 700 deer on the island. When it hits that number,  
that triggers what you had mentioned.

32

33

34

35

36

I mean is there a solid number that  
says when we reach this amount of deer on the island,  
then it has to be closed to everyone else except for  
Federal users.

37

38

39

CHAIRMAN BANGS: Thank you, Albert.

40

41

42

Don.

43

44

45

MR. HERNANDEZ: Yeah. Thank you, Mr.  
Chairman.

46

47

48

49

50

To Albert, no. It's something we've  
never done. We've never talked about any specific  
numbers that would trigger a closure. It's kind of an  
interesting concept though. But no, haven't discussed  
that in the past.

1                   But I just wanted to kind of, you know,  
2 weigh in on what Mike was saying there -- Mr. Douville.

3  
4                   I mean this is -- we have kind of a  
5 unique opportunity here because we have not had the  
6 Board make its decision on our proposal yet. And now  
7 we're at this new meeting and we have had, you know,  
8 new information since our previous meeting that we  
9 didn't have available to us when we deliberated on  
10 this. So it is fairly significant that, you know, this  
11 information has come out in this time period and like I  
12 say, what Mike was doing is just, you know, putting it  
13 on the record now that, you know, we did not have this  
14 information available when we deliberated. It kind of  
15 bears out exactly what the folks on the island had  
16 testified to, so it's fairly significant.

17  
18                   Thank you.

19  
20                   CHAIRMAN BANGS: Thank you, Don.

21  
22                   That makes it a lot easier for me to  
23 basically argue our point when I go to the Federal  
24 Board. If we've got more information and having a  
25 meeting prior to that is a big help.

26  
27                   Yeah, Albert.

28  
29                   MR. HOWARD: Thank you, Mr. Chairman.

30  
31                   Is that something we can put on the  
32 radar for future meetings if -- if they can come up  
33 with a solid number that here is the deer population.  
34 It's a conservation concern and the subsistence  
35 priority kicks in and no one else can hunt.

36  
37                   CHAIRMAN BANGS: Don.

38  
39                   MR. HERNANDEZ: Could I just comment  
40 again to Mr. Howard.

41  
42                   I think what you're talking about  
43 there, Albert, is essentially a management plan. And  
44 that is certainly from my understanding something that  
45 the Council is tasked with doing if we feel the need.

46  
47                   So that's a good point of discussion,  
48 so thank you.

49  
50

1 CHAIRMAN BANGS: Thank you, Don.

2

3 Any other discussion on the deer  
4 proposal that we've put in.

5

6 (No comments)

7

8 CHAIRMAN BANGS: The more information  
9 that I get, that makes it a lot easier. So I  
10 appreciate Mike putting that on the record so that I  
11 can relay that to the Board.

12

13 Albert.

14

15 MR. HOWARD: This conversation is  
16 bringing me back to the timely manner discussion -- the  
17 timely manner they're addressing this. The environment  
18 of the island has changed, so I think we need to figure  
19 out how it can be this yesterday. The person, I guess,  
20 I'm replacing on this Board always said that, you know,  
21 talking about it's not going to get anything  
22 accomplished. So I think I'd like to see this  
23 addressed sooner rather than later.

24

25 Thank you, Mr. Chair.

26

27 CHAIRMAN BANGS: Thank you, Albert.

28

29 Well, we had a couple more agency  
30 reports, but there's no one here to give those reports.

31

32 I think when I talked to Mr. Scott  
33 yesterday for the Alaska Department of Fish and Game,  
34 he felt like he covered most of the issues that he  
35 wanted us to hear. That what the Department was doing.  
36 And so that one we won't have.

37

38 We could discuss future meeting places  
39 and dates. And I'm just not sure how that's going to  
40 work. We're not sure where we're able to meet.

41

42 But any thoughts on where we could have  
43 our next meeting.

44

45 (No comments)

46

47 CHAIRMAN BANGS: I was thinking that we  
48 should try for Wrangell again if no one has a heartburn  
49 with that and see how it goes through OSM and how the

50

1 funding comes available for our next meeting.

2

3

John.

4

5 MR. YEAGER: Mr. Chair, unless this is  
6 inaccurate, on page 121 it already has Southeast listed  
7 for Sitka.

8

9 CHAIRMAN BANGS: Right. We did that at  
10 our last meeting.

11

12

MR. YEAGER: Okay.

13

14 CHAIRMAN BANGS: I was just wondering  
15 -- I was just throwing it out there to go to Wrangell,  
16 but we could do it in Sitka. It's up to you guys. I  
17 just threw that as -- if we did want to go back to  
18 Wrangell in the fall.

19

20 It might interrupt your moose season  
21 though.

22

23

(Laughter)

24

25 CHAIRMAN BANGS: Any thoughts on our  
26 next location.

27

28

(No comments)

29

30 CHAIRMAN BANGS: How about you, Patty.  
31 Do you have any ideas on where our next meeting could  
32 be?

33

34

35 MS. PHILLIPS: Well, I'm with John.  
36 It's already in our meeting calendar to meet in Sitka.  
37 And then are you talking about, you know, a full year  
38 from now?

39

40

41

42

43

44

45

46

47

48

49

50

John.

MR. YEAGER: Thank you, Mr. Chair.

1 I just think that we're backed up  
2 against the whole hub thing again. I mean they list --  
3 it was mentioned that Sitka was a hub, as well Juneau.  
4 Ketchikan, Wrangell, Petersburg is not. We would have  
5 to ask for approval. I mean we could put all the best  
6 intentions in Wrangell, but end up in Sitka. So I  
7 don't know if changing it to Wrangell at this point is  
8 even worth the effort.

9

10 CHAIRMAN BANGS: Thank you, John.

11

12 So is everybody good with Sitka.

13

14 Don.

15

16 MR. HERNANDEZ: Yeah. I think John has  
17 a good point. Let's wait and see what our parameters  
18 are here and maybe stick with what we have scheduled  
19 now and get to Wrangell as soon as possible if we have  
20 the opportunity at the following meeting, I guess.

21

22 CHAIRMAN BANGS: Yeah. Well, we could  
23 put -- go on the record and use our next winter meeting  
24 and put Wrangell in there. That's part of what we're  
25 going to end up doing today anyway.

26

27 Any other thoughts.

28

29 (No comments)

30

31 CHAIRMAN BANGS: So the week of October  
32 2nd, 3rd, and 4th we're scheduled to meet in Sitka.

33

34 Everybody good with that.

35

36 (No comments)

37

38 CHAIRMAN BANGS: I guess we don't.....

39

40 Yeah, John.

41

42 MR. YEAGER: Actually, that would be a  
43 fairly decent conflict with my schedule there. I would  
44 miss out on two job opportunities during that week, so  
45 I would probably -- I would rather pick a different  
46 time frame there. But not to inconvenience anybody  
47 else.

48

49 CHAIRMAN BANGS: I could live with the

50



1 change of dates. It's up to -- I don't know. We can do  
2 two in one week, but not more. So it would have to be  
3 the week before or two weeks before.

4

5 Robert.

6

7 MR. DOUVILLE: What dates were you  
8 suggesting.

9

10 CHAIRMAN BANGS: Well, what we had  
11 chose for -- at our last meeting, October 2nd, 3rd, and  
12 4th, in Sitka. That's on the calendar.

13

14 And if there's dates that work better  
15 for the whole, we could change it.

16

17 MR. DOUVILLE: Middle of October.

18

19 MR. HERNANDEZ: October 16th. Does  
20 that work, John?

21

22 CHAIRMAN BANGS: What dates are you  
23 proposing, Don?

24

25 MR. DOUVILLE: Mr. Chairman, October  
26 15th, 16th, 17th.

27

28 CHAIRMAN BANGS: So how about 16, 17,  
29 18. So that we're not convening on a Monday and  
30 traveling on a Sunday.

31

32 Okay. So we have some new dates. Is  
33 any -- have any discussion about that and then we'll  
34 entertain a motion to adopt those dates and time.

35

36 Mr. Douville.

37

38 MR. DOUVILLE: Mr. Chair, I'll move  
39 that we have our meeting on October 16th, 17th, and  
40 18th in Sitka.

41

42 CHAIRMAN BANGS: Okay. It's been  
43 moved.

44

45 Can we get a second.

46

47 MR. YEAGER: Second.

48

49 CHAIRMAN BANGS: Okay. Moved and

50

1 seconded to have our next meeting in Sitka the week of  
2 October 16th, 17th, and 18th.  
3  
4 All those in favor, say aye.  
5  
6 IN UNISON: Aye.  
7  
8 CHAIRMAN BANGS: Opposed.  
9  
10 (No opposing votes)  
11  
12 CHAIRMAN BANGS: Okay.  
13  
14 Oh, Patty. Do you -- is that okay with  
15 you?  
16  
17 MS. PHILLIPS: Aye.  
18  
19 CHAIRMAN BANGS: Aye. Okay. Thank  
20 you.  
21  
22 (Laughter)  
23  
24 CHAIRMAN BANGS: Harvey doesn't want  
25 Sitka to be a hub anymore.  
26  
27 (Laughter)  
28  
29 CHAIRMAN BANGS: Okay. About the  
30 winter meeting. That would be at this time next year  
31 or from -- the window opens February 4th and it closes  
32 March 15th.  
33  
34 Any discussion.  
35  
36 Albert.  
37  
38 MR. HOWARD: When is moose season in  
39 Wrangell. Just in case we have to go into recess, Mr.  
40 Chairman.  
41  
42 (Laughter)  
43  
44 CHAIRMAN BANGS: The meeting will start  
45 the day after it closes.  
46  
47 (Laughter)  
48  
49 CHAIRMAN BANGS: Okay. Any ideas on  
50

1 times and places to meet in our winter 2019 Council  
2 meeting.

3

4 (No comments)

5

6 CHAIRMAN BANGS: I would like to find  
7 out -- I don't recall the exact dates of the Federal  
8 Board of Game meeting in the wintertime. I'm not sure.  
9 We wouldn't want to overlap that, but I think it's  
10 probably in January.

11

12 Okay. It's January 20th.

13

14 So thank you, DeAnna.

15

16 Any thoughts on days and place.

17

18 John.

19

20 MR. YEAGER: How about we start at the  
21 February 11 through 15 time frame. That seems pretty  
22 logical just as a suggestion.

23

24 CHAIRMAN BANGS: It's the same time  
25 frame as where we're at now basically, so I'm good with  
26 that.

27

28 It gives Mike and I a chance to  
29 celebrate our birthdays.

30

31 (Laughter)

32

33 CHAIRMAN BANGS: So -- yeah. What  
34 community would you -- what would the Council like to  
35 have the -- or hold their meeting.

36

37 Don.

38

39 MR. HERNANDEZ: Should we tentatively  
40 say Wrangell.

41

42 CHAIRMAN BANGS: I think that would be  
43 a good idea. And then by that time -- or the time of  
44 our next meeting we should have a better indication of  
45 whether it's considered a hub or not. And that there  
46 may be funding to allow us to go there, so I would  
47 agree that would probably be a good place to at least  
48 put on the radar.

49

50

1                   Anyone else.

2

3                   (No comments)

4

5                   CHAIRMAN BANGS: Okay. Tentatively the  
6 week of February 11th through the 15th, so the meeting  
7 would be on February 12th, 13th, and 14th in Wrangell.  
8 And that's in 2019.

9

10                  MR. HERNANDEZ: Question.

11

12                  CHAIRMAN BANGS: Do you have a  
13 question?

14

15                  MR. HERNANDEZ: Question.

16

17                  CHAIRMAN BANGS: Yeah. So put it into  
18 a form of a motion, second it, and we'll vote on it.

19

20                  MR. HERNANDEZ: Yeah. I'll move that  
21 we meet in Wrangell on the dates February 12th, 13th,  
22 and 14th, 2019.

23

24                  MR. YEAGER: Second.

25

26                  CHAIRMAN BANGS: Okay. It's been moved  
27 and seconded to have the winter meeting of 2019 in  
28 Wrangell the dates February 12th, 13th, and 14th.

29

30                  All those in favor, say aye.

31

32                  IN UNISON: Aye.

33

34                  CHAIRMAN BANGS: Opposed.

35

36                  (No opposing votes)

37

38                  CHAIRMAN BANGS: Patty.

39

40                  MS. PHILLIPS: Aye.

41

42                  (Laughter)

43

44                  CHAIRMAN BANGS: Thank you.

45

46                  Okay. So that's taken care of.

47

48                  Any other business, DeAnna, that we  
49 need to cover.

50

1 MS. PERRY: C&T (indiscernible - no  
2 mic)

3  
4 CHAIRMAN BANGS: Yes. We have our C&T  
5 proposal. Terry drafted up some verbiage for that C&T  
6 proposal and we're going to be able to put it up on the  
7 screen if it's not up there already. And review that  
8 and we'll make a motion to accept it if that's what the  
9 Council wants to do to move that forward.

10  
11 MS. PERRY: Tell Patty that I'll get it  
12 to her in just a minute.

13  
14 CHAIRMAN BANGS: Yeah, Patty. DeAnna  
15 said that she would get that to you as quickly as she  
16 can.

17  
18 (Pause)

19  
20 CHAIRMAN BANGS: Any discussion.

21  
22 Robert.

23  
24 MR. SCHROEDER: Just to make a record,  
25 I think the Southeast Regional Council has spent quite  
26 a number of years discussing C&T determination  
27 processes with OSM input and we have an intention that  
28 we've stated to review C&T determinations for all  
29 species in Southeast Alaska.

30  
31 In our last regulatory round we  
32 submitted a proposal concerning customary and  
33 traditional use of deer in Southeast Alaska that's  
34 still to be worked on, still to be decided by the  
35 Federal Subsistence Board. That proposal was congruent  
36 with our intention for C&T throughout the region. This  
37 is our fish cycle and this is a way to address what we  
38 perceived as problems with the existing C&T  
39 determinations, which as our discussion showed are on  
40 the books as inherited C&T determinations from really  
41 quite a long time ago. Perhaps 30 years ago.

42  
43 We would like to thank Terry for  
44 drafting this up and hopefully Patty and whoever else  
45 is on the line will get this real soon. I believe that  
46 the proposed language on the screen reflects the  
47 intention of the Council.

48  
49 We have had some off the record

50

1 discussions about boy, if we do this, what things do we  
2 need to really consider. And there may be various  
3 things that we need to look at when we actually  
4 deliberate this proposal at our next meeting, but we  
5 felt that it was premature to get into the woods on  
6 this at this time.

7  
8 Thank you.

9  
10 CHAIRMAN BANGS: Thank you, Robert.

11  
12 And I think you've covered the  
13 justifications and I appreciate that.

14  
15 Any other discussion.

16  
17 (No comments)

18  
19 CHAIRMAN BANGS: Was it sent to Patty?

20  
21 MS. PERRY: Yes.

22  
23 CHAIRMAN BANGS: Okay.

24  
25 MS. PERRY: And she did receive it.

26  
27 CHAIRMAN BANGS: Okay. Good.

28  
29 You've read it, Patty? Or are you  
30 reading it now?

31  
32 MS. PHILLIPS: I've read it. It looks  
33 good.

34  
35 Thank you, Robert.

36  
37 Thank you, Mr. Chairman.

38  
39 CHAIRMAN BANGS: Okay. I would  
40 entertain a motion to approve the proposal to be sent  
41 to the Federal Board for review.

42  
43 Donald.

44  
45 MR. HERNANDEZ: Yeah. Thank you, Mr.  
46 Chairman.

47  
48 I'll make the motion that we submit  
49 this proposal to the Federal Board to change customary

50

1 and traditional use determinations so that they will  
2 include all users for all fish and all districts in  
3 Southeast Alaska and Yakutat.

4

5 CHAIRMAN BANGS: Thank you, Don.

6

7 Is there a second.

8

9 MR. KITKA: Second.

10

11 CHAIRMAN BANGS: Okay. It's been moved  
12 and seconded to adopt this proposal in regards to C&T  
13 findings for fish in Southeast Alaska.

14

15 All those in favor, respond by saying  
16 aye.

17

18 IN UNISON: Aye.

19

20 CHAIRMAN BANGS: Opposed.

21

22 (No opposing votes)

23

24 CHAIRMAN BANGS: Motion carries. Thank  
25 you.

26

27 Okay. What I'd like to do now is  
28 something that we used to do at the end of every  
29 meeting. And it seems like in the last five or six  
30 years we've always run out of time and we didn't ever  
31 get to this point where we had a few extra minutes.

32

33 And what I'd like to do is to have  
34 Council Members reflect on the meeting and give us some  
35 comments on their takeaway from our gathering here.

36

37 John.

38

39 MR. YEAGER: Thank you, Mr. Chair.

40

41 Well, I think for me, each meeting is a  
42 learning experience. I don't know. I'm sure that the  
43 people that sit around the table here, as well as Cathy  
44 and Patty, who I wish were here with us as well,  
45 they're time and service and years of experience  
46 probably -- they definitely do reflect their ability to  
47 get through a meeting like this and ones that we've had  
48 in the past.

49

50

1                   And so I try to take in the comments  
2 from all of my fellow Council Members and where they  
3 develop those thoughts from and try to keep them in a  
4 tool kit so to speak so that in the future I can become  
5 as sharp as the rest of you.

6  
7                   But as far as the meeting this week, I  
8 think there was some very productive discussion and I  
9 thought that there was some very broad topics that were  
10 discussed at length and I think the outcome of that  
11 discussion was very positive and I think we did what we  
12 were supposed to.

13  
14                   I truly appreciate the discussions back  
15 and forth and the -- a lot of the candid remarks that  
16 made us chuckle and made us think. So I appreciate  
17 that about this group in particular. That that can  
18 take place. And at the end of the day we can leave and  
19 come back and pick right up again.

20  
21                   So I just think we did a good amount of  
22 work here. We heard some good public testimony. I  
23 appreciated the OSM representation as well. And that  
24 was very helpful in itself. And Terry. And I just  
25 think we had a good meeting.

26  
27                   So I look forward to our next meeting  
28 and hopefully contributing to the future discussions.

29  
30                   CHAIRMAN BANGS: Thank you, John.

31  
32                   Don.

33  
34                   MR. HERNANDEZ: Yeah. Thank you, Mr.  
35 Chairman.

36  
37                   Kind of an interesting meeting. I  
38 guess can be characterized by pros and cons. I was a  
39 little disappointed to hear that we were meeting in  
40 Juneau again for the second straight time. You know,  
41 in my years here on the Council I have really enjoyed  
42 and appreciated the fact that we do go out. We have  
43 had the opportunity to go out in the past to the rural  
44 communities. You know, meeting in places like Craig  
45 and Yakutat and Hoonah.

46  
47                   Those are just to me some of the most  
48 important meetings that we've had where we do get to  
49 interact with the local folks and, you know, all that  
50



1 entails socially and hearing directly from those people  
2 who live out there. I mean that's really what this  
3 Council is all about.  
4

5 We're fortunate we do have good,  
6 diverse representation, you know, from the communities  
7 and everybody does bring some really valuable  
8 experiences here, but I do miss that portion of it.  
9

10 On the other hand, being here in Juneau  
11 twice in a row with a relatively small agenda did give  
12 the Council an opportunity -- I mean we didn't have a  
13 lot of public comment because we heard a lot of public  
14 comment at our previously meeting, so we heard those  
15 issues. But it did give us the opportunity to really  
16 dig into some of these issues that we've talked about  
17 in previous years, but we do tend to run out of time.  
18

19 Part of the reason we tend to run out  
20 of time is quite often we've gotten, you know,  
21 sidetracked by local issues that we hear from local  
22 people. So there's a -- you know, a give and take  
23 there.  
24

25 This being a meeting to develop  
26 proposals, we really did get an opportunity to have  
27 some in depth discussion on those proposals we're going  
28 to put in, so that was good.  
29

30 Yeah. So I guess -- yeah, that kind of  
31 sums up my thoughts.  
32

33 Thank you.  
34

35 CHAIRMAN BANGS: Thank you.  
36

37 Mike.  
38

39 MR. DOUVILLE: Mr. Chair, I have very  
40 little comment, but I was really disappointed to see  
41 the schedule changed and the place changed. We make  
42 plans way ahead of time and sometimes they're not very  
43 flexible. Seems like it's always interrupting  
44 something to come to these meetings. I'm willing to do  
45 it, but, you know, if we know far enough in advance.  
46

47 The one comment I would like to make is  
48 I appreciate the Department being here and their  
49 willingness to discuss things and work with us. We  
50

1 haven't always had that and they have good information  
2 and to me, that's a big plus for us.

3  
4 Beyond that, I don't have no more  
5 comment.

6  
7 CHAIRMAN BANGS: Thank you, Mike.

8  
9 Ray.

10  
11 MR. SENSMEIER: Thank you, Mr. Chair.

12  
13 I like coming to these meetings. I  
14 like to hear the knowledge and expertise and from  
15 different communities. And I admit I'm not as up to  
16 speed as a lot of the Council Members when it comes to,  
17 you know, uses and user groups and the Feds and the  
18 State and all that, but I'm learning.

19  
20 One thing I did not anticipate and I'm  
21 really heartened by is the issues of Tier 3. The  
22 cruise ships and the mining issues being taken up.  
23 With the cruise ship issue, I've been involved with  
24 that since 1982 when 32 ships came into Yakutat to  
25 Disenchantment Bay. That was 36 years ago. And I've  
26 had the privilege of working with scientists on this  
27 issue.

28  
29 Albert mentioned the seal issue and I  
30 know what happened at Greens Creek and we've been  
31 concerned in Yakutat and Disenchantment Bay where we  
32 have historically harvested seals. And those cruise  
33 ships come in at precisely the time that the mother  
34 seals are giving birth, so the baby seals are washed  
35 off. And at birth they do not know how to swim and do  
36 not have fat. The population has dropped to 1,500.  
37 They're heading up to Icy Bay and there's population  
38 there now -- two years ago of 14,000, the highest  
39 population on the planet.

40  
41 And so I'm glad these issues are being  
42 taken up.

43  
44 I spoke with you briefly, Mr. Chairman,  
45 on the process for inviting Guy Archibald, who's a  
46 scientist with SEACC. And I spoke with him this  
47 morning. He'd be happy to attend on SEACC's dime  
48 wherever the meeting is held. And Gershon Cohen from  
49 Haines, who is a scientist with a PhD in mixing zones,  
50

1 who addresses the mixing zone problem with cruise ships  
2 and with the -- like the Greens Creek Mine mixing  
3 zones. And I would hope that they could be contacted  
4 and could attend the fall meeting and bring us all up  
5 to speed on these issues.

6  
7 And we work on a lot of other issues,  
8 but if these things are not attended to, they will  
9 affect all the other issues that we deal with.

10  
11 And so looking forward to going to  
12 Wrangell. I lived there for a while a long time ago  
13 and I have a lot of friends there and that would be  
14 good.

15  
16 Thank you, Mr. Chairman.

17  
18 CHAIRMAN BANGS: Thank you, Ray.

19  
20 Harvey, do you have.....

21  
22 MR. KITKA: Thank you, Mr. Chair.

23  
24 Coming to these meetings is always a  
25 learning experience. And it never seems to amaze me  
26 that there's always more to learn from different  
27 aspects of the people that come and talk to us. It's  
28 always great to hear the public come and talk and we  
29 get many things that -- I've stated over the years,  
30 it's always nice to hear these people because they have  
31 their feet on the ground on what's happening in their  
32 areas. Some of us don't live in those areas and we  
33 have to take great interest in what they say.

34  
35 Thank you.

36  
37 CHAIRMAN BANGS: Thank you, Harvey.

38  
39 I would just like to say a couple of  
40 things. I agree with Don that I think those outlying  
41 communities that we were able to in the past go to --  
42 whether it was freezing in the gymnasium in Kake and  
43 winding up in the Salvation Army church for our  
44 meeting, it was quite an adventure.

45  
46 (Laughter)

47  
48 CHAIRMAN BANGS: And then the -- and  
49 traveling in a boat with the whole Council and Staff

50

1 and a wave crashing through the window and on top of  
2 Melinda in her bunk.

3

4 (Laughter)

5

6 CHAIRMAN BANGS: It was quite an  
7 adventure. But I understand that with the constraints  
8 in the budget and stuff, that we have to limit our  
9 outreach to communities, but I think if we can include  
10 Wrangell and Petersburg, at least we'll have some, you  
11 know, more rural users there. I think that will be  
12 important.

13

14 And Sitka is good, you know, but, you  
15 know, coming to Juneau is -- I mean that might be why  
16 we didn't get as much public comments is there's just  
17 not too many people that are able to come from the  
18 outlying rural communities to come to the big city for  
19 this meeting.

20

21 But I appreciate the patience that you  
22 guys afford me in trying to keep the meeting going.  
23 And I appreciate the hard work that you guys do to come  
24 up with our proposals and discussions on all the  
25 different things that come before us.

26

27 And this is probably one of the lighter  
28 agendas that I can recall in the past, but it did  
29 afford us an opportunity to meet before the Federal  
30 Board meeting and I think that is very valuable for us  
31 this time around.

32

33 And I will try to convey as best I can  
34 the comments from the Council on our issues we  
35 discussed.

36

37 So anyway, thank you.

38

39 And turn it over to Mr. Schroeder.

40

41 MR. SCHROEDER: Thanks, Mike.

42

43 And I'd like to thank the Council for  
44 -- since I used to work with the program -- of  
45 welcoming me over to the other side. Or if not  
46 welcoming me, at least putting up with me.

47

48 But I really -- I was thinking what am  
49 I going to say. And this Council is like really a high

50

1 functioning Council. I suppose now that I'm on the  
2 Council I shouldn't compliment myself, but it's a  
3 really high functioning Council. And I'm thinking, you  
4 know, why is that. And really it has to do with the  
5 people who are here and who take time out of their  
6 life, which to come in and stick with it year after  
7 year.

8  
9 And, you know, I'm also thinking of  
10 quite a few people who aren't with us right now who  
11 were very important in forming this Council. Bill  
12 Thomas was fabulous in establishing this program. John  
13 Littlefield was really important. Floyd Kookesh put in  
14 his time here and really represented his community  
15 well. Dick Stokes from Wrangell. All these people are  
16 gone. And, you know, when they're around you sort of  
17 think it's just going to last forever. But they were  
18 putting in their energy, which turned out to be kind of  
19 finite, on these issues because these were very  
20 important to them.

21  
22 So I'm kind of applauding people  
23 sticking with it and making time in busy lives and  
24 coming as volunteers to go through stuff that sometimes  
25 is pretty grueling and boring frankly, but that's the  
26 system that we have.

27  
28 I would also like to recognize that,  
29 you know, just as some other people have said, I think  
30 our Staff support has really improved in many, many  
31 areas, particular State of Alaska working with us as  
32 opposed to working nonstop against us.

33  
34 And OSM -- although OSM has been put on  
35 definitely a diet, I don't know if it's a starvation  
36 diet or not, but I really appreciate the support we got  
37 and having Gene and Tom stay around for our meeting  
38 here and pay attention.

39  
40 And I'd also -- I felt a little bad  
41 because I really like to have Council Members over when  
42 you come to my town. And with the schedule change I  
43 just wasn't able to put that together this time, but  
44 good to see you all.

45  
46 CHAIRMAN BANGS: Thank you, Robert.

47  
48 Mr. Howard.

49  
50

1 MR. HOWARD: Thank you, Mr. Chairman.

2

3 I think the word Robert was looking for  
4 instead of putting up with was tolerate. But  
5 that's.....

6

7 (Laughter)

8

9 MR. SCHROEDER: He's so kind.

10

11 (Laughter)

12

13 MR. HOWARD: And when you mentioned the  
14 wave coming through the window, that's kind of a weekly  
15 thing at home. So.....

16

17 (Laughter)

18

19 MR. HOWARD: Those kind of experiences  
20 need to happen more often than not, I believe.

21

22 I think that my concern with having hub  
23 communities now is a good example. Juneau isn't  
24 recognized as a rural area. They're urban, which  
25 designates them a non-subsistence user. And how do you  
26 get the opinion of the subsistence user if we don't go  
27 into their home town. I know a lot of us bring our  
28 knowledge to the table of what happens at home, but to  
29 hear it and see it first hand, that's different.

30

31 I'll give you an example. I'm still --  
32 even though I'm not the mayor of the city, I'm still  
33 connected to the legislators, so I like to poke fun at  
34 them as well. I'm sure you guys will probably -- and  
35 let them know that the decisions they're making and the  
36 impact it's having on our communities, I'll send them  
37 pictures of an empty freezer that should have produce  
38 in it and -- and they get it.

39

40 So there's things like that that you  
41 can't explain to this Board until you've seen it  
42 yourself. A gallon milk. Ten bucks for a gallon of  
43 milk. I mean you could almost get a cow and put him in  
44 your backyard. Or her rather. You can save some  
45 money.

46

47 The thing about this week's meeting, I  
48 think we got a lot done. It's exciting to sit here and  
49 see us stop talking about it and put it in writing.

50

1                   A couple of examples is we didn't want  
2 to talk the fact that your name's not on the mailing  
3 address to death anymore, so we did something about it.  
4

5                   The other thing is with the wolves. We  
6 -- and now the deer. And I think we should take that  
7 approach every time we come to a meeting.  
8

9                   I'd like to see more meetings as an  
10 example in Kake or even Wrangell or closer to  
11 subsistence users. And when we do that, let's leave  
12 time on the agenda. So if someone brings an important  
13 item to the table, let's turn it into a proposal so  
14 they can see this Board at work addressing their  
15 thoughts and needs that are important to them.  
16

17                   We need to impress upon the powers that  
18 be that tell us funding's an issue that -- as an  
19 example, I see people in Angoon living paycheck to  
20 paycheck, so they're not going to spend some of their  
21 money to come here and talk to us because they can't  
22 afford it. So how do they get their message to us. I  
23 mean sometimes we have to go there.  
24

25                   I'm not encouraging a meeting in Angoon  
26 because I know what that political environment's like.  
27 Some people there would like to chew you up and spit  
28 you out just to make themselves feel better. And you  
29 can tell them I said that because they're used to me  
30 talking this way.  
31

32                   I enjoy these meetings. And I'll crack  
33 a joke. I've learned that in our meetings because some  
34 of those meetings they want to take me out back and  
35 beat me up, but that's what I have my girlfriend for to  
36 handle the light stuff. So.....  
37

38                   (Laughter)  
39

40                   MR. HOWARD: I appreciate everything I  
41 seen in this meeting. I mean it's no longer talking  
42 about it. We're being about it. We're doing it. We  
43 see a problem, we address it and move on. Whereas, as  
44 the Chairman said, we got a response from three years  
45 ago. That's not acceptable anymore.  
46

47                   When Mr. Schroeder talks about in a  
48 timely manner, to me when a subsistence user sees a  
49 problem, it should have been addressed a couple of  
50

1 years ago. That's not a timely manner. Because that  
2 -- whatever they bring to us is important to them  
3 today. And if you wait three years they lose faith in  
4 what we're supposed to be doing.

5  
6 You know, I'm learning every day and  
7 I'm finally figuring out what everything is for. And  
8 every time I come to these, I try to learn something  
9 new. Something new about the process to help the  
10 subsistence user. When I stop learning and stop  
11 helping the subsistence users address their concerns,  
12 then I no longer need to be here.

13  
14 And now that I look at this and  
15 realized what the Board has passed, I think this is the  
16 next step. To get rid of these boundaries the State  
17 has here once the Federal Board accepts the last  
18 proposal on opening all the areas. And the reason I  
19 say that is I look at this and some of these boundaries  
20 you could tell they didn't come to Angoon and ask us  
21 what do you think about this boundary. Because we are  
22 going to be fishing -- and for years we've been fishing  
23 way over this boundary. Part of 13C should be 12A just  
24 because we've always fished there. And that's my  
25 grandfather -- their country is considered Teikweidi  
26 country.

27  
28 So I think the next step to your guy's  
29 proposal would be to ask them to eliminate these  
30 boundaries to be consistent with the proposal. And if  
31 they're going to have any boundaries to put them around  
32 areas like Juneau and places that aren't considered  
33 subsistence. These areas are closed off to subsistence  
34 and that's all there would be. There wouldn't be all  
35 these other districts.

36  
37 So I could talk about this forever, but  
38 that's just a few thoughts, Mr. Chairman.

39  
40 Thank you.

41  
42 CHAIRMAN BANGS: Thank you, Albert.

43  
44 I know you weren't here physically,  
45 Patty, but I was glad and we're thankful that you were  
46 at least able to call in. Did you have any words you'd  
47 like to share with the Council?

48  
49 MS. PHILLIPS: Yeah. Thank you, Mr.

50



1 Chair.

2

3 First, I would like give my community  
4 report. So the newly approved Board of Fish actions --  
5 the king salmon restrictions will significantly  
6 negatively impact Pelican and rural residents not only  
7 economically, but as our food source. Especially when  
8 we will be watching the sport industry continuing on  
9 without the kind of restrictions that the local rural  
10 residents will be impacted by.

11

12 Also, on climate change. We're -- you  
13 know, the swings in temperature in January from the  
14 upper 50s to the single digit temperatures will be  
15 affecting our berry patches. I have observed early  
16 greenings of, you know, the salmon berry bushes. And  
17 does that mean when they bloom that they're going to  
18 freeze.

19

20 Also, the salmon berries are maturing  
21 and ripening earlier at the same time as these black  
22 flies. And so the berries are virtually inedible  
23 because they're just covered in these black flies.

24

25 From my observation, the deer numbers  
26 are less. In the spring of 2017 there was dead deer  
27 inside the beach fringe timber. Then we had late snow  
28 and freezing temperatures then and -- but this -- at  
29 this time the deer appear hardy, but not as numerous.  
30 And I do see deer browse going on with the berries.

31

32 So as far as the meeting goes, thank  
33 you, Mr. Chair, for allowing me to speak.

34

35 We, the RAC, represent the entire  
36 Southeast Region. Everyone who lives a subsistence way  
37 of life, including those who live in Juneau.

38

39 I would like to recognize George Pappas  
40 for being in attendance at the RAC meeting. He's the  
41 Federal program State subsistence liaison. When I was  
42 listening in on the Board of Fish meetings via the  
43 internet, I heard the Board of Fish members ask if Mr.  
44 Pappas was in attendance and I heard the reply was no,  
45 he's not here. And so I would also like to encourage  
46 the Subsistence Program to fund Mr. Pappas' attendance  
47 at the State Board meetings.

48

49 I appreciate how well the RAC works

50

1 together. They take balanced actions. We, the RAC,  
2 are building a level of trust with diverse groups,  
3 particularly when they observe the RAC in action.  
4

5 One example is the Berners Bay moose.  
6 And thank you for bringing that back to the RAC and  
7 thank you Staff for the better information so that  
8 action can be taken. But we were -- the territorial  
9 sportsman was in attendance and he personally observed  
10 the RAC in action and made comment on the  
11 thoughtfulness that occurred.  
12

13 So thank you, Mr. Chair.  
14

15 Those are my remarks.  
16

17 CHAIRMAN BANGS: Thank you, Patty.  
18

19 I would just like to go on the record  
20 in acknowledging the good work that Mr. Ken Jackson  
21 did. You know, he resigned. And I really appreciated  
22 him serving on the RAC and we're going to miss him.  
23 And I'd just like to wish him well and let him know  
24 that we will miss him.  
25

26 So anyway, with that said, I think -- I  
27 was going to adjourn now, but I just got a note that  
28 said we have a short presentation to be given to us by  
29 -- I think it's Beth Spangler. And it's the Earth  
30 Scope Angel Project.  
31

32 So I'll let DeAnna take over here for a  
33 minute and give us an intro.  
34

35 MS. PERRY: Thank you, Mr. Chair.  
36

37 Ms. Spangler was traveling when the  
38 agency reports were going on yesterday, so that's why  
39 we're a little delayed with her report. But the Alaska  
40 GeoScience Learning Experience is a project funded  
41 through the National Science Foundation.  
42

43 And Beth, I just want to check and make  
44 sure that you're on the phone.  
45

46 MS. SPANGLER: Yes. I got off the  
47 plane when I saw your message, so I apologize up front  
48 if you hear the speaker in the background at the  
49 airport.  
50

1 MS. PERRY: Well, we appreciate that  
2 you're still trying to give us this report.

3  
4 I'm just going to go ahead and show the  
5 PowerPoint. As you talk, if you'll just tell me which  
6 slide or next slide, we'll try to go ahead and get  
7 through your presentation.

8  
9 MS. SPANGLER: Okay. DeAnna, did you  
10 get the revised one I sent yesterday? The shorter one?  
11 Or do you just have the original?

12  
13 MS. PERRY: I just have the original.

14  
15 MS. SPANGLER: Okay. So we're going to  
16 -- well, we're going to skip through some of those  
17 slides that weren't -- that were just going to make the  
18 presentation too long.

19  
20 So yeah. Hi, my name is Beth Spangler  
21 and I work with the Alaska Native Science and  
22 Engineering Program at the University of Alaska, the  
23 ANSEP Program. And I have been recently working with a  
24 team of folks from actually across the country and  
25 we've received funding through the National Science  
26 Foundation on a project that -- to synthesize down is  
27 on geosciences and geoscience learning. So that  
28 includes everything from tsunamis to earthquakes and  
29 volcanoes.

30  
31 And the next slide. So, you know, the  
32 big question is like why would we want to propose such  
33 a project. And obviously with -- especially ANSEP  
34 concerned about the children and making sure that  
35 they're prepared. And not only the students, but also  
36 the community members as well.

37  
38 So on to the next slide, the third  
39 slide that says Earth Scope ANGLE at the top. So ANGLE  
40 refers to Alaska Native Geoscience Learning Experience,  
41 through NSF. And our real goal here is to increase  
42 resilience to geohazards through education and learning  
43 and really developing a learning community starting  
44 with the children.

45  
46 And today we were seeking input so that  
47 the project can be integrated and -- sorry --  
48 strengthen what has already been done. So we're  
49 looking to identify shared goals, as well as resource

50

1 information that can be shared.

2

3 And we also wanted to just share today  
4 a couple of opportunities for children, as well as  
5 educators, interpreters, those that might work with  
6 communities.

7

8 DeAnna, can you hear me okay?

9

10 MS. PERRY: Yes, Beth.

11

12 MS. SPANGLER: Okay. Alrighty. And  
13 then go ahead and skip the next two slides. And the  
14 third slide says -- like a Hubble telescope aimed at  
15 Earth.

16

17 And all I wanted to do really with that  
18 slide is just point out that it's funded through Earth  
19 Scope. That is a national program and interestingly  
20 enough their real goal is that we install seismometers  
21 across the nation so that community members of Earth  
22 Scope can see seismic data in real time on what's going  
23 on not only in their neighborhood, but across the  
24 country. And strangely, Alaska wasn't incorporated in  
25 their original Earth Scope. It's called the Quake-  
26 Catcher Network. And now we're going to be. And we're  
27 going to do it through this project or introduce that  
28 through this project.

29

30 Go ahead and skip the next three  
31 slides. And we can go to the slide that at the top it  
32 has like a bunch of bubbles on it and it says Greater  
33 Resilience in Alaska.

34

35 And our goals here are -- well, our  
36 first goal is to basically share opportunities that we  
37 have through this project and through the ANSEP  
38 Program, which is a project that's near and dear to my  
39 heart. Is that we have -- we work with Alaska Native  
40 students from, you know, all over Alaska, as well as  
41 teachers. And we're going to have a middle school  
42 academy. Hopefully, we're going to be announcing it  
43 here pretty soon, specifically just for children from  
44 Southeast Alaska. And we're looking to do that in  
45 October.

46

47 And what's really exciting about the  
48 ANSEP middle school is that children spend 11 days at  
49 the university where they get opportunities for science

50

1 and engineering and one of the first things that they  
2 do is build a computer. And now they're not only going  
3 to build a computer, but that computer is going to have  
4 a seismometer that's going to be installed in the  
5 computer.

6  
7 And when they bring that computer home,  
8 as long as they keep the computer on they're a part of  
9 this Quake-Catcher Network. So they can actually tell  
10 when earthquakes are happening, how severe they are,  
11 and then we're going to have a lot of educational  
12 material attached with that, with other responders in  
13 the area close to their homes.

14  
15 So that's one opportunity that I wanted  
16 to share is that the children from Southeast are going  
17 -- not all of the children from Southeast would have --  
18 all of them would have seismometers in their computers.

19  
20 And the other opportunity is that in  
21 the end of May, for those that might have -- if anyone  
22 out there has -- knows folks that work with not only  
23 children, but with parks and museums and health groups,  
24 interpreters that work with the public in maybe eco-  
25 tourism that have an interest in learning about  
26 earthquakes, tsunamis, volcanoes and getting a  
27 seismometer for wherever they are located, we're going  
28 to have an educator workshop.

29  
30 And an application period is going to  
31 be announced relatively soon for applications. We do  
32 have some funding for folks to come to that workshop.  
33 That will be in the Anchorage the last week in May. So  
34 that's a pretty exciting opportunity. And it's May  
35 29th to June 1st.

36  
37 And the one thing that I was hoping to  
38 be there for is that if anyone is interested in getting  
39 announcements, that I could get your emails. That  
40 would be great as well.

41  
42 Other parts of our program besides, you  
43 know, the activities like ANSEP and the educator  
44 workshop, we're also talking to lots of different  
45 communities about building resilience in your  
46 community. Learning about things like that what do --  
47 you know, does your community know their management  
48 plan. Where is emergency healthcare in the event of a  
49 tsunami, an earthquake or a volcano. You know, what do

50

1 you do.

2

3 So there -- and actually, DeAnna, if  
4 you could just go all the way to the end, where it says  
5 we seek your feedback.

6

7 And these are the kind of questions  
8 that, you know, we're looking to get input from  
9 communities. How residents -- building resilience.  
10 You know, if you know of any. And then of course just  
11 really do you know what to do. Do your children know  
12 what to do. Do you feel prepared.

13

14 So those are kind of the things that  
15 we're looking for input from. And I wish I could be  
16 there because it's a little awkward doing this on the  
17 phone, but that's really it in a nutshell, our program  
18 is kind of fast-paced.

19

20 And I know you guys have been meeting  
21 for days. I wanted to respect your time, but I wanted  
22 to make sure that you are aware of the opportunity not  
23 only for your children, but also for educators or  
24 emergency responders or community members that might be  
25 interested in working with us.

26

27 Thank you, Mr. Chairman, for allowing  
28 me to have time today.

29

30 CHAIRMAN BANGS: Well, thank you for  
31 sharing that with us. I'm glad you were able to make  
32 it work. I do wish you were here. It would be  
33 helpful.

34

35 But I want to ask the Council if  
36 there's any questions that they might have for you.

37

38 (No comments)

39

40 CHAIRMAN BANGS: I don't see anyone  
41 that has a question, but thank you again.

42

43 MS. SPANGLER: Alrighty.

44

45 Yeah. And if anyone does have any --  
46 would like to receive information on the workshop  
47 that's going to be in May or if they want to make sure  
48 that their -- I send them -- I could send you a  
49 personal message for the Southeast ANSEP Middle School

50

1 Academy for children, my email should -- it's on the  
2 ANSEP.net website. So if you just Google ANSEP.net, it  
3 -- and then go to, you know, the Staff.  
4

5 I'm in there and you can email me.  
6

7 CHAIRMAN BANGS: Okay. Thank you,  
8 Beth.  
9

10 MS. SPANGLER: Of course. Thank you.  
11

12 CHAIRMAN BANGS: Okay. I just want to  
13 acknowledge that Cathy's back on the phone.  
14

15 Are you there? Can you hear us, Cathy?  
16

17 MS. NEEDHAM: Yeah, I got you.  
18

19 CHAIRMAN BANGS: Okay. We went through  
20 the agenda and we're ready to adjourn.  
21

22 And we had a chance to go around the  
23 room and let all the Council Members say a few words if  
24 they wanted. And I would offer the same to you.  
25

26 I know you weren't here and we're -- we  
27 miss you being here for sure, but we understand and  
28 just wanted to know if you had any words to share with  
29 the Council.  
30

31 MS. NEEDHAM: No. I just thank  
32 everybody for their thoughts and prayers that they've  
33 sent the last few days and I wish I could have been  
34 there. It's very difficult to kind of try to listen in  
35 and do things, but I was able to do that and it sounds  
36 like you guys got a lot of work done. And I'll see you  
37 guys in the fall.  
38

39 CHAIRMAN BANGS: Okay. Thank you,  
40 Cathy. And best wishes for you and your family. And  
41 we hope that we'll be able to pull off a fall meeting  
42 in the town of our choice this time.  
43

44 So okay. Thank you, Cathy.  
45

46 And with that, if there's any -- is  
47 there any other comments.  
48

49 Mr. Douville.  
50

1 MR. DOUVILLE: Thank you, Mr. Chairman.

2

3 After thinking about it for a while,  
4 there is a couple of things that are of great concern  
5 in where I live.

6

7 One, there's a couple of bills out.  
8 One is giving land to the five landless, which  
9 unfortunately Prince of Wales has had more than its  
10 share of that, and it could happen again. A hundred  
11 and sixty acres to the Vietnam Vets, you know. We  
12 don't know where that would take place.

13

14 Overturning of the roadless rule and  
15 rolling back the -- or if you will, not going with the  
16 current forest plan we have. And getting rid of that  
17 and rolling it back I don't know how many years. To  
18 2007 or something.

19

20 But all those have the potential to  
21 erode the land base that we subsist on. And it really  
22 is of great concern.

23

24 So I just wanted to put that out.

25

26 Thank you.

27

28 CHAIRMAN BANGS: Thank you, Mike.

29

30 I think that's a very valid point and  
31 maybe it's something that we could do. To craft  
32 letters at our next meeting or something that would  
33 address that. To be sent to show our concerns.

34

35 Would that be appropriate at our next  
36 meeting. I know it's late now, but I'm just wondering  
37 if that's something that would be helpful.

38

39 Mike.

40

41 MR. DOUVILLE: After listening to what  
42 we can and can't do, I don't know if we can address  
43 these sort of things as they come from senators and so  
44 on. But I don't know.

45

46 If we could say something, then  
47 certainly we should.

48

49 CHAIRMAN BANGS: Absolutely.

50



1 Don and then Ray.

2

3 MR. HERNANDEZ: Yeah. Just, you know,  
4 to further what Mike said there, you know, all the  
5 stuff that's happening legislatively, you know, it's  
6 all going to affect this planning process that's been  
7 going on. You know, that people have been involved in.  
8 And, you know, what's it all worth if they just kind of  
9 decide to change everything back there at the  
10 legislative level.

11

12 It's kind of disturbing and I --  
13 depending on what happens here legislatively, I mean  
14 this Council may have to get more actively involved in  
15 this planning process if the whole process changes in  
16 the midstream. And, you know, that is something the  
17 Council could be involved in. We may be looking at  
18 that more involvement, you know, in future meetings  
19 here.

20

21 So we'll wait and see.

22

23 CHAIRMAN BANGS: Thank you, Don.

24

25 Ray.

26

27 MR. SENSMEIER: With respect to the  
28 Vietnam Veterans' land allotment, those of us who were  
29 in Vietnam, I was there from the first week of January  
30 to July of 1970, so I wasn't able to take part in the  
31 land claims. And I subsequently did all of the  
32 paperwork to apply for allotments and others from  
33 Yakutat as well, but we were all denied because the  
34 land that we selected is in the Tongass National  
35 Forest, which encompasses the entirety of Southeast,  
36 and we could not select from Federal lands.

37

38 I talked to Dan Sullivan about it and  
39 he didn't have any answers. Told me to get a hold of  
40 his staff and stuff like that. But as it stands now,  
41 we can't select from Federal lands. And so we've been  
42 waiting 50 years and it'll probably be another 50  
43 years.

44

45 So just for information.

46

47 Thank you.

48

49 CHAIRMAN BANGS: Thank you, Ray.

50

1 Any other comments.

2

3

4

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Mr. Howard.

MR. HOWARD: Talking about land selection, it triggered something in my mind that I think we need to fix as well.

And the concern then was a buffer zone was -- our Tribal Council at the time thought it was too close to salmon streams. And the response we got from the Forest Service was we just decide where the land or who gets to cut on the land and then the State decides the buffer zone.

To me, I think the buffer zone isn't far enough back from the streams and it's been demonstrated in the Angoon area by trees getting blown over into the streams or being blown down onto the beach. I mean straight across Angoon where my son and I hunt all the time. We came in there one day and they were cutting.

And that in itself bothers you, but what bothers me now is you could see the clear cut because all the trees in the buffer zone got blown from a north wind onto the beach. So what you're not supposed to see when you're in a boat, you can actually see it.

So I think that's another thing we need to consider. Seeing what the impact it's having on subsistence users, our streams, and everything else.

So thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Albert.

And I think Don's point and Mike's point about being able to correspond our concerns -- it seems as if it's going to affect subsistence, you know, foods and -- of fish and wildlife that there must be some avenue that we could express our concerns to agencies that we may have trouble getting correspondence to if it has to do with legislative bodies or whatever.

But I think there must be an avenue and I think it's worth trying to find that avenue to go

1 down and have our voice heard.  
2  
3 So is there any other comments or  
4 things that the Council wants to share.  
5  
6 (No comments)  
7  
8 CHAIRMAN BANGS: Hearing none, I guess  
9 we'll adjourn until Sitka.  
10  
11 Thank you.  
12  
13 Thanks to everybody for coming.  
14  
15 (Off record)  
16  
17 (END OF PROCEEDINGS)  
18  
19  
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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered \_\_\_ through \_\_\_ contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME III taken electronically on the 15th day of February in Juneau, Alaska;

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

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

DATED at Anchorage, Alaska, this 22nd day of February 2018.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 09/16/18