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SOUTHEAST ALASKA SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

DENA'INA CIVIC AND CONVENTION CENTER
Anchorage, Alaska
March 8, 2024

COUNCIL MEMBERS PRESENT:

- Donald Hernandez, Chairman
- Calvin Casipit
- Michael Douville
- Albert Howard
- Harvey Kitka
- Cathy Needham
- Patricia Phillips
- Theodore Sandhofer
- John Smith
- Louie Wagner

Regional Council Coordinator, DeAnna Perry

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P R O C E E D I N G S

(Anchorage, Alaska - 3/8/2024)

(On record)

CHAIRMAN HERNANDEZ: I will call the 2024 winter meeting of the Southeast RAC to order. DeAnna, would you like to do the roll call, please.

MS. PERRY: Thank you, Mr. Chair.

Larry Bemis.

(No comments)

MS. PERRY: Frank Wright.

(No comments)

MS. PERRY: Larry and Frank do have excused absences.

Cal Casipit.

MR. CASIPIT: Here.

MS. PERRY: Michael Douville.

MR. DOUVILLE: Here.

MS. PERRY: Jim Slater.

(No comments)

MS. PERRY: Ted Sandhofer.

MR. SANDHOFER: Here.

MS. PERRY: Albert Howard.

MR. HOWARD: Here.

MS. PERRY: Donald Hernandez.

CHAIRMAN HERNANDEZ: Here.

MS. PERRY: Patricia Phillips.

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MS. PHILLIPS: Here.

MS. PERRY: Louie Wagner, Jr.

MR. WAGNER: Here.

MS. PERRY: Harvey Kitka.

MR. KITKA: Here.

MS. PERRY: John Smith, III.

MR. SMITH: Here.

MS. PERRY: And Cathy Needham.

MS. NEEDHAM: Here.

MS. PERRY: Mr. Chair, you have 10 of your 13 Council members seated and present, you do have a quorum.

CHAIRMAN HERNANDEZ: Just checking to see if there's any Council members on the phone of names that were called that didn't get in.

(No comments)

CHAIRMAN HERNANDEZ: Okay, fair enough. Thank you. We can do maybe some short introductions here, just go around the table, Council members, just briefly state your name again and where you're from, just for the record.

MR. HOWARD: Albert Howard, Angoon.

MR. SMITH: John Smith, III., Juneau.

MR. SANDHOFER: Ted Sandhofer from Petersburg.

MR. KITKA: Harvey Kitka from Sitka.

MS. PHILLIPS: Patricia Phillips, Pelican.

MS. NEEDHAM: Cathy Needham, Juneau.

CHAIRMAN HERNANDEZ: Don Hernandez from

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1 Point Baker.

2

3

MR. CASIPIT: Cal Casipit, Gustavus.

4

5

MR. WAGNER: Louie Wagner, Metlakatla.

6

7

MR. DOUVILLE: Mike Douville from

8 Craig.

9

10 CHAIRMAN HERNANDEZ: Thank you, Council
11 members. We might have a few Staff in the room, maybe
12 just identify yourselves please for the record.

13

14

REPORTER: Come on up to the mic.

15

16

17

MR. RISDAHL: Good afternoon, Mr. Chair
and members of the Council. Most of you know me, I'm
Greg Risdahl. I'm the Subsistence Program Lead for the
Forest Service and InterAgency Staff Committee member.

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Thank you, very much. Looking forward
to a good afternoon.

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CHAIRMAN HERNANDEZ: Thank you, Brent.

Anybody else.

MR. BENICK: Good afternoon. My name
is Josh Benick, I work for the National Park Service at
Glacier Bay National Park and Preserve. I'm the
Subsistence Coordinator there.

CHAIRMAN HERNANDEZ: Thank you.

MR. CROSS: Good afternoon. My name is
Robert Cross. I work for the Forest Service as the
Subsistence Program Manager for the Tongass. We also

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1 have Jake Musslewhite, who's the North Zone Subsistence
2 Biologist for the Tongass and Ashley Bulwerk who is a
3 Fish Biologist for the Sitka Ranger District.

4

5 CHAIRMAN HERNANDEZ: Thank you, Rob.

6

7 MR. CHEN: Aloha. My name is Glenn
8 Chen. I'm the Subsistence Branch Chief for the Bureau
9 of Indian Affairs. Always a pleasure to attend your
10 meetings.

11

12 CHAIRMAN HERNANDEZ: Thank you, Glenn.

13

14 MS. COHEN: Good afternoon everyone.
15 My name is Amber Cohen. I work at Wrangell-St. Elias
16 National Park and Preserve as a Cultural Anthropologist
17 along with Barbara Cellarius. Nice to meet you all.

18

19 MR. HISTER: And my name is Benjamin
20 Hister. I'm the Team Lead for Resource Stewardship and
21 Science at Wrangell-St. Elias National Park and
22 Preserve.

23

24 CHAIRMAN HERNANDEZ: Okay, thank you
25 all. It looks like we're well represented here by
26 Staff. One more, okay.

27

28 MS. JOHN: And I'm Jolene John, BIA
29 Regional Director of Alaska Region.

30

31 CHAIRMAN HERNANDEZ: Thank you. DeAnna,
32 do you have any announcements for us before we get
33 started.

34

35 MS. PERRY: I do, Mr. Chair. Hello
36 everyone. My name is DeAnna Perry, Council Coordinator
37 for the Southeast Subsistence Regional Advisory
38 Council. For those folks who are attending in person,
39 if you'll make sure that you sign in at our sign-in
40 sheet, it's on the back table there, just inside the
41 door. If you would like to address the Council during
42 the meeting there are also some blue, what we call
43 testifier forms on the back table, if you'll fill that
44 out with your name, organization or community and then
45 help us out by letting us know what subject, you know,
46 what agenda item you want to speak to, that way we make
47 sure we don't miss you when we get to that item on our
48 agenda.

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1 For those on the phone who would like
2 to speak during public comment opportunities, you will
3 need to press star, five on your phone and that
4 activates what we called the raised hand feature on our
5 platform that I can visually see that you wish to speak
6 and then the Chair will recognize you and you can go
7 ahead and make your comment. But, again, star, five to
8 indicate that you'd like to speak. For all
9 participants on the phone your lines are currently
10 muted.

11
12 And as a reminder to all, our meetings
13 are conducted by Robert's Rules, it helps give
14 structure to our meeting.

15
16 Because of the short time set aside for
17 our RAC meeting, I'll ask everyone to be respectful of
18 the Council's responsibility for managing their time to
19 cover all the required action items and those are
20 listed on your agenda with a little asterisk, those are
21 the ones we have to get through at this meeting.

22
23 And then just one last reminder before
24 we begin, for those in the room if you could just take
25 a moment to look at your cell phones and silent any
26 ringers. Most of you know that our meetings are
27 recorded and it helps us minimize any kind of
28 distractions or background noise.

29
30 Thank you for allowing me to take care
31 of those housekeeping items, Mr. Chair.

32
33 CHAIRMAN HERNANDEZ: Okay. Thank you,
34 DeAnna. First order of business is to review and adopt
35 the agenda and we usually adopt the agenda as a guide.

36
37 MS. NEEDHAM: Mr. Chair, I move to
38 adopt the agenda as a guide.

39
40 MR. KITKA: Second.

41
42 CHAIRMAN HERNANDEZ: Thank you. So
43 look over the agenda, if there's anything that a
44 Council member wants to add at this time in the way of
45 discussion we can do that before we approve it.

46
47 (Pause)

48
49 MR. CASIPIT: Mr. Chair.

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1 CHAIRMAN HERNANDEZ: Yeah, go ahead,
2 Cal.

3
4 MR. CASIPIT: Mr. Chair. I thought
5 maybe we should add at the end a little bit to maybe
6 talk about where we are with the North Pacific
7 Fisheries Management Council in regards to our concern
8 about unguided, non-resident halibut fishermen using
9 rental boats.

10
11 And just a real quick update, have
12 participated in several discussions with the advisory
13 panel on the halibut committee based on the Council's
14 last authorization for me to represent you at those
15 meetings. There's some more coming up and I thought it
16 might be a good idea to get a reauthorization to do
17 that since we're in the new cycle and new members.

18
19 CHAIRMAN HERNANDEZ: Okay. Thank you,
20 Cal. Maybe we'll list that at the end of the meeting
21 there, Item, I guess it would be J.

22
23 Cathy.

24
25 MS. NEEDHAM: Thank you, Mr. Chair. I
26 think we should add an agenda item regarding the
27 Proposed Rule to add three new Federal Subsistence
28 Board members and whether or not we want to provide
29 comment on that proposed rule.

30
31 CHAIRMAN HERNANDEZ: Okay, thank you,
32 we'll add that, proposed rule.

33
34 Anything else.

35
36 Patty.

37
38 MS. PHILLIPS: Thank you, Chairman
39 Hernandez. Can we add the Council member compensation
40 letter that's on the table. Thank you.

41
42 CHAIRMAN HERNANDEZ: Okay, thank you.

43
44 Harvey.

45
46 MR. KITKA: Thank you, Mr. Chair. Can
47 we add the Redoubt seine fishery or do you want that
48 back in the State Board -- it's kind of going before
49 the State.

50

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1 CHAIRMAN HERNANDEZ: I'm not sure what,
2 is that a discussion or action.

3

4 MR. KITKA: I'm not too sure whether it
5 would be -- I think it would be an action, but it
6 doesn't come until the State Board recommendations.

7

8 CHAIRMAN HERNANDEZ: Okay. That sounds
9 like a Board of Fish proposal that we might add. Yeah,
10 that'll come under an existing topic so we'll just
11 address it when we get to the generating proposals to
12 the State Board of Fish, it'll be on there. You can
13 bring it up then.

14

15 Anybody else.

16

17 Albert.

18

19 MR. HOWARD: Mr. Chairman. I don't
20 know if this Council wants to discuss asking the
21 Secretary for more resources for OSM, so when we submit
22 a proposal our proposal would be supported by OSM data
23 and not the State's. So we can -- because -- we can
24 discuss it during that time.

25

26 CHAIRMAN HERNANDEZ: Sounds like maybe
27 a letter would be requested.

28

29 MR. HOWARD: Yes. And it can be short,
30 Mr. Chair.

31

32 CHAIRMAN HERNANDEZ: Okay. We can add
33 a letter on.

34

35 MR. HOWARD: Okay. Thank you, Mr.
36 Chair.

37

38 CHAIRMAN HERNANDEZ: Thank you.
39 Anybody else.

40

41 Cathy.

42

43 MS. NEEDHAM: Thank you, Mr. Chair.
44 Can we add to the agenda, discussion item regarding
45 some of the other potential All-Council actions
46 regarding caribou and/or bycatch.

47

48 CHAIRMAN HERNANDEZ: Yes, we can add
49 that. Are you taking notes of these, DeAnna, for

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1 revisions.

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MS. PERRY: Yes.

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CHAIRMAN HERNANDEZ: Very good.

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Anybody else.

8

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(No comments)

10

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CHAIRMAN HERNANDEZ: Okay. So we have
a motion to adopt the agenda as a guide and a second,
call for the question.

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16

MR. HOWARD: Question.

17

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CHAIRMAN HERNANDEZ: Okay. All in
favor of adopting the agenda as a guide with these
additions say aye.

21

22

IN UNISON: Aye.

23

24

CHAIRMAN HERNANDEZ: Anybody opposed
say no.

25

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(No opposing votes)

27

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CHAIRMAN HERNANDEZ: Okay, got the
agenda. Next item of business is it's time to elect
officers for the Council, so DeAnna I will turn that
over to you.

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MS. PERRY: Thank you, Mr. Chair.
Again, for the record my name is DeAnna Perry, Council
Coordinator for the Southeast Subsistence Regional
Advisory Council. In accordance with the Council
Charter, Council members annually elect a Chair, Vice
Chair and Secretary for a one year term.

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I would like to open the floor for
nominations of the Council Chair. These nominations
need not be seconded so are there any nominations for
the Chair position.

44

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Member Howard.

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MR. HOWARD: Thank you, Madame Chair.
I'd like to nominate Don Hernandez.

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1 MS. PERRY: Thank you, Member Howard.
2 Any other nominations.

3
4 (No comments)

5
6 MS. PERRY: Okay. Member Douville.

7
8 MR. DOUVILLE: Madame Chair, I move
9 that nominations close and cast a unanimous ballot for
10 Don Hernandez.

11
12 MS. PERRY: Thank you, Member Douville.
13 We have one nomination for the Chair and a request for
14 a consent vote, any opposition.

15
16 (No opposition)

17
18 MS. PERRY: Hearing none, Mr. Chair,
19 you can use that fancy gavel of yours once again.

20
21 (Laughter)

22
23 MS. PERRY: And go ahead and conduct
24 the election for Vice Chair and Secretary, please.

25
26 CHAIRMAN HERNANDEZ: Okay. Thank you
27 all. Nominations for Vice Chair.

28
29 Albert.

30
31 MR. HOWARD: Thank you, Mr. Chairman.
32 I'd like to nominate Cathy Needham.

33
34 CHAIRMAN HERNANDEZ: Thank you. Any
35 other nominations.

36
37 (No comments)

38
39 CHAIRMAN HERNANDEZ: Hearing none --
40 oh, Cal.

41
42 MR. CASIPIT: I move that nominations
43 be closed and a unanimous ballot be voted for Ms.
44 Needham as Vice Chair.

45
46 CHAIRMAN HERNANDEZ: Thank you, Cal.
47 The nominations are closed and a request for a
48 unanimous ballot, is anybody opposed.

49
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1 (No opposition)

2

3 CHAIRMAN HERNANDEZ: Nobody opposed,
4 congratulations Cathy you're now the Vice Chair.

5

6 Now we need a nomination for Secretary.

7

8 Cathy.

9

10 MS. NEEDHAM: Mr. Chair, I nominate
11 Frank Wright, Jr.

12

13 CHAIRMAN HERNANDEZ: Are there any
14 other nominations.

15

16 Albert.

17

18 MR. HOWARD: Mr. Chair, I move to cease
19 nominations and ask for a unanimous consent. Thank
20 you, Mr. Chair.

21

22 CHAIRMAN HERNANDEZ: Thank you, Albert
23 and we have Frank Wright nominated and a request for a
24 unanimous approval. Is anybody opposed.

25

26 (No opposition)

27

28 CHAIRMAN HERNANDEZ: Okay, hearing
29 none, Frank Wright will continue on as our Secretary.
30 Congratulations Frank wherever you are.

31

32 (Laughter)

33

34 CHAIRMAN HERNANDEZ: Okay, next item.
35 We need to review and approve the minutes of the
36 previous meeting. In order to do that we'll need a
37 motion to discuss it. So do we have a motion.

38

39 Albert.

40

41 MR. HOWARD: Thank you, Mr. Chairman.
42 I move to adopt meeting minutes for October 26th
43 through the 29th -- or the 24th through the 26th, 2023
44 meeting.

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46 CHAIRMAN HERNANDEZ: Thank you, Albert.

47

48 MR. SANDHOFER: Second.

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1 favor of approving the previous minutes from our
2 October meeting with those minor corrections say aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN HERNANDEZ: Anybody opposed
7 say no.

8

9 (No opposing votes)

10

11 CHAIRMAN HERNANDEZ: Okay. The minutes
12 approved. Okay. At this point we get to do our
13 Council member reports and we'll go around the table
14 and I will start on my right with Cathy Needham, our
15 Vice Chair.

16

17 MS. NEEDHAM: Thank you, Mr. Chair. I
18 think in the interest of time for our packed agenda and
19 trying to get things done in four hours I'd like to
20 defer my Council report until our fall meeting.

21

22 Thank you.

23

24 CHAIRMAN HERNANDEZ: Okay, thank you,
25 Cathy.

26

27 Patty.

28

29 MS. PHILLIPS: Thank you, Mr. Chair. I
30 would say that our deer hunt was successful and I
31 appreciate the support of the Council in submitting the
32 proposal for Lisianski Inlet through the wildlife
33 proposals. Thank you.

34

35 CHAIRMAN HERNANDEZ: Thank you, Patty.

36

37 Harvey.

38

39 MR. KITKA: Thank you, Mr. Chair. I,
40 too, would like to wait until our next meeting to give
41 a report.

42

43 CHAIRMAN HERNANDEZ: Okay, thank you,
44 Harvey.

45

46 Ted, how about you.

47

48 MR. SANDHOFER: Thank you, Mr. Chair.
49 Ted Sandhofer from Petersburg. This is my first
50

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1 meeting and I just wanted to say that.

2

3 Just a couple things.

4

5 You know there is some concern about
6 the sea otter populations moving in to those waters
7 around the central, southeast inner channels. Stikine
8 sockeye harvest was good this year. Of course, the
9 chinook salmon was closed because of emergency orders.
10 Moose populations are generally good so are the deer
11 populations in most areas. And, you know, there is a
12 lot of talk about the Ketchikan non-rural determination
13 discussion.

14

15 That's all I've got, thank you.

16

17 CHAIRMAN HERNANDEZ: Thank you, Ted.

18

19 John, go ahead.

20

21 MR. SMITH: Okay. I'd like to do the
22 same as Cathy and wait until the next session.

23

24 Just for -- as far as, you know, I
25 represent Juneau, I saw a lot of salmon, it was pretty
26 average year, it was okay for the community.

27

28 As far as deer you really have to work
29 there in that location. There's a lot of people there
30 but they are there, I seen lots of different signs,
31 even myself, getting out, but some of my other family
32 and other relatives in the community were very
33 successful but, of course, they had to work for it.

34

35 Other than that, you know, there's not
36 much subsistence in Juneau there so it's like -- as far
37 as numbers people were pretty busy.

38

39 So, happy day, thank you folks.

40

41 CHAIRMAN HERNANDEZ: Thank you, John.

42

43 Albert, go ahead.

44

45 MR. HOWARD: Thank you, Mr. Chair. I'm
46 going to start my timer for five minutes, taking the
47 two minutes you took from me earlier, so.

48

49 So, Mr. Chair, the concern at home is

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1 king salmon, we want the ability to fish for king
2 salmon like we've always done so that's one.

3
4 The second one is the overfishing of
5 crab, dungeness crab in areas we normally sustain
6 ourselves with are being hit pretty hard by commercial
7 pots.

8
9 I think the toughest thing this winter
10 was hunting on Admiralty and my reason for that was is
11 I've spoke at every meeting that I don't hunt Admiralty
12 and I leave it for the residents that can't afford the
13 gas to go across. That was always my reasoning. But
14 this year I actually stayed and hunted Admiralty
15 because of the proposal we submitted. I wanted to see
16 the impact that proposal was having. And, Mr.
17 Chairman, that had a negative impact. The State of
18 Alaska came out with a YouTube video that said that
19 Admiralty Island has the highest population of Sitka
20 black-tailed deer in Southeast Alaska to counter what I
21 was trying to accomplish with the proposal we
22 submitted. So what that had done is -- my son and I
23 came across Juneau hunters from the north, they came
24 down from the north and it was -- we were fortunate
25 that they don't hunt like we do. They had a 20 foot
26 boat, put the dingy in the water, and we were watching
27 them do that while we were going towards the deer they
28 were after -- long story short, I got the deer. But
29 the unintended consequence of that proposal has taught
30 me something. To be careful of what I ask for because
31 the end result was we had more hunters than we tried to
32 prevent. And I'm smarter from that lesson because now
33 I'm looking at another route and hopefully that
34 accomplishes what I'm trying to accomplish. I'm going
35 to get the tribe to let me bring the students and talk
36 about the impact it's having on their ability to hunt.
37 I intentionally wanted to set those three bays aside
38 for the young generation because they're running around
39 in 16 food Lunds and they can hide out of the weather
40 in that and by golly Albert can go get them and I know
41 they're safe. That was one of the intentions.

42
43 And, Mr. Chair, I appreciate your time
44 and I'm under the clock.

45
46 CHAIRMAN HERNANDEZ: Thank you, Albert.
47 And, yeah, I mean Council members you can take some
48 time for your reports there if you can, that was just
49 a, you know, suggestion so.

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1 Mike, go ahead.

2

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

4 Most of us survived the winter and we're looking
5 forward to fish eggs and that will conclude my report
6 until the next meeting.

7

8 Thank you.

9

10 CHAIRMAN HERNANDEZ: Thank you, Mike.

11

12 Louie, go ahead.

13

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

15 I'll wait until the fall meeting for a report.

16

17 CHAIRMAN HERNANDEZ: Thank you, Louie.

18

19 Calvin.

20

21 MR. CASIPIT: Thank you, Mr. Chair. I

22 think I will wait as well until the next meeting to
23 give a full report. But I did want to mention one
24 thing and I'm really pleased about this. Is that
25 household harvest surveys will be conducted next week
26 in Gustavus, the principle investigator will be there
27 next week and be conducting those household surveys and
28 those will be the first ones done in Gustavus since the
29 '80s. Last century.

30

31 (Laughter)

32

33 CHAIRMAN HERNANDEZ: Okay, thank you,
34 Cal. As far as the Chair's report. We haven't had any
35 Board meetings since we previously met, that'll happen
36 in a few weeks. I'll be attending the Subsistence
37 Board Wildlife Meeting and will advocate for our
38 proposals.

39

40 You know, just a brief word on the deer
41 hunting season which ended here this fall. I think
42 it's pretty generally acknowledged that the hunting was
43 pretty poor in Unit 2 this season so we'll probably be
44 continuing to address that in the future.

45

46 And we had our wolf trapping season
47 conclude, it was another one month season and they took
48 70 wolves, which is pretty much real close to what
49 they've been taking for the last three years now so

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1 maybe some people might interpret that as being fairly
2 stable population and take. So we'll probably hear
3 more about that in the fall as well.

4

5 So thank you all, Council members.

6

7 We can move on to our first action
8 item, which will be to review and approve our annual
9 report and to explain what we need to do there I'll go
10 back to our Council Coordinator, DeAnna, go ahead.

11

12

13 MS. PERRY: Thank you, Mr. Chair.
14 You'll see an explanation of what our annual reports
15 are about on Page 17 of your Council meeting book.
16 It's a way for the Regional Advisory Councils to bring
17 subsistence uses and needs to the Secretaries
18 attention. In light of our limited time, normally I
19 kind of go through a list of what this Council wanted
20 to put in their annual report which is starting in your
21 meeting books on Page 19. That's a draft from the
22 discussion we had at our last meeting. Again, in the
23 interest of time I'm not going to go through the whole
24 list but I trust that everybody's had a chance to look
25 that over.

25

26

27 So, yes, Mr. Chair, the next thing to
28 do would be to put a motion on the floor to adopt that.
29 And as a reminder, we can add language or make some
30 edits to the annual report but this time around we're
31 unable to add any additional topics, however I'm
32 standing by to make a list of those for the next annual
33 report if you'd like.

33

34

35 Thank you, Mr. Chair.

36

37 CHAIRMAN HERNANDEZ: Okay. Thank you,
38 DeAnna. So we'll need a motion to discuss the annual
39 report.

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Albert.

MR. HOWARD: Mr. Chair, I move to adopt
the annual report.

CHAIRMAN HERNANDEZ: Thank you.

MS. NEEDHAM: Second.

CHAIRMAN HERNANDEZ: We have a second

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1 from Cathy. Okay. So as DeAnna said, hopefully the
2 Council members have reviewed the draft annual report
3 and I guess I'll ask at this time if there are any
4 comments, questions or additions.

5

6 Patty, go ahead.

7

8 MS. PHILLIPS: Thank you, Chairman
9 Hernandez. Would it be appropriate to add request for
10 a special meeting of the Southeast RAC to discuss the
11 Tongass National Forest Plan Revision in a meeting all
12 to itself, could that be added into the annual report
13 or would that be separate action?

14

15 CHAIRMAN HERNANDEZ: I think DeAnna
16 mentioned that we probably couldn't add anything at
17 this time, is that correct, DeAnna, or do we have some
18 leeway there.

19

20 MS. PERRY: Mr. Chair. Yes, Member
21 Phillips, we would be able to add that because it is an
22 existing topic so I would just suggest that that's an
23 additional language edit or addition, it's not really
24 adding a complete topic. So that is -- or would fall
25 under Topic 6 on Page 23 in your meeting book.

26

27 CHAIRMAN HERNANDEZ: Okay. Any -- do
28 you want to make any more clarification on that?

29

30 MS. PHILLIPS: Mr. Chair, would that
31 need to be a motion, or a change to the motion, or --
32 and the meeting wouldn't need to be in person, it could
33 be, you know, remotely or telephonically, but, anyways,
34 thank you, Mr. Chair.

35

36 CHAIRMAN HERNANDEZ: I think my
37 understanding would be that we'd have a motion to
38 review the annual report and that gives us an
39 opportunity to, you know, make some changes within the
40 existing report so this is just a discussion item to do
41 that and then we'll have a vote on any other
42 suggestions anybody else has as well all inclusive, I
43 would assume.

44

45 So is there any other -- Albert, go
46 ahead.

47

48 MR. HOWARD: Mr. Chair, would that be
49 an amendment to the main motion to add that into this,

50

0019

1 it's just a question?

2

3

CHAIRMAN HERNANDEZ: Cathy, go ahead.

4

5

MS. NEEDHAM: Thank you, Mr. Chair.

6 The topic is actually in our annual report and all
7 DeAnna would be adding is that we would request that we
8 have a meeting so in our annual reports we're allowed
9 to have these topics in there and make an ask of the
10 Board and the ask wasn't in there previously but we
11 could easily just make the ask. If you look at some of
12 our other annual report items, you know, it says they
13 do have specific asks at the end of each thing so it
14 would just be clarifying that we want to do that.

15

16

CHAIRMAN HERNANDEZ: Albert, follow up.

17

18

19

20

21

22

MR. HOWARD: Yeah, Mr. Chair, I mean as
the motion maker I could change the language of the
original motion to adopt the annual report as amended
by the Council, and the second, then if the second
agrees then we could just do it.

23

24

Thank you, Mr. Chair.

25

26

27

CHAIRMAN HERNANDEZ: Yeah, that might
be a clarification, who seconded it, was that?

28

29

MS. NEEDHAM: I did.

30

31

CHAIRMAN HERNANDEZ: Do you concur,
Cathy.

32

33

34

MS. NEEDHAM: I concur.

35

36

37

38

CHAIRMAN HERNANDEZ: Okay. Thank you.
Yeah, that might be a cleaner motion, thank you,
Albert.

39

40

41

42

Patty, a thought here, do you want to
add in like a timeframe, when you think this should
happen, or what?

43

44

45

46

47

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MS. PHILLIPS: Thank you, Mr. Chair.
We'll leave that to your discretion, they'll probably
be contacting you about when the public comment period
is open and availability of Forest Service to provide
us Staff.

0020

1 CHAIRMAN HERNANDEZ: Yeah, I think
2 you're probably right. I think they would probably
3 discuss that as a response to the annual report so
4 we'll deal with it at that time.

5
6 Okay, any other changes, amendments to
7 the annual report, additions within the existing
8 topics.

9
10 Patty.

11
12 MS. PHILLIPS: Thank you, Mr. Chair. I
13 was wondering if Mr. Casipit's remarks about the
14 unguided issue, we could put that as an ask. It's Item
15 No. 7.

16
17 MR. CASIPIT: Yeah, I reviewed that
18 paragraph and that's pretty much consistent for what
19 I've been talking with the panels and the advisory
20 committees to the Board on that issue of unguided
21 rental boats, or unguided sport -- or non-resident
22 sportfishermen. So I pretty much stuck to the draft
23 language that DeAnna had provided me last time. So
24 during my -- I stuck with that -- stuck with this.

25
26 MS. PHILLIPS: Mr. Chair.

27
28 CHAIRMAN HERNANDEZ: Go ahead, Patty.

29
30 MS. PHILLIPS: I didn't explain myself.
31 So we could add an ask, which is what you were asking,
32 you know, for more resources so that we could continue
33 to tackle this issue.

34
35 MR. CASIPIT: No, all I -- earlier all
36 I was asking for was that the Council reauthorize me to
37 participate in these meetings.

38
39 MS. PHILLIPS: Oh, I see.

40
41 MR. CASIPIT: Representing you guys at
42 these meetings, so I really -- you know that's what my
43 ask was.

44
45 CHAIRMAN HERNANDEZ: Okay. I think
46 we've clarified that. We'll stick with Item 7 as it's
47 written in the draft. So anybody else.

48
49 (No comments)

50

0021

1 CHAIRMAN HERNANDEZ: Are we ready to
2 approve the annual report with a vote.

3
4 (No comments)

5
6 CHAIRMAN HERNANDEZ: I'll call for the
7 question.

8
9 MR. KITKA: Question.

10
11 CHAIRMAN HERNANDEZ: Okay. All in
12 favor of approving the draft annual report making it a
13 final report with the amendments that were suggested
14 here in our motion say aye.

15
16 IN UNISON: Aye.

17
18 CHAIRMAN HERNANDEZ: Is there anybody
19 opposed say no.

20
21 (No opposing votes)

22
23 CHAIRMAN HERNANDEZ: Okay. DeAnna, the
24 annual report's been approved. Next item is the one
25 we've all been waiting for, this is our -- beginning
26 our proposal process and is that going to be introduced
27 by OSM Staff. This is for Federal fisheries proposals.
28 Do we need an introduction on that or?

29
30 MS. PERRY: Mr. Chair. We usually have
31 a presentation on the status of Southeast fisheries
32 before we jump into the call for proposals so I think
33 Mr. Musslewhite will provide that for us.

34
35 CHAIRMAN HERNANDEZ: Okay, very good.
36 Mr.....

37
38 MR. MUSSLEWHITE: Thank you, Mr. Chair.
39 I do have a PowerPoint prepared and I think we're still
40 trying to figure out how to get the projector going. I
41 haven't heard an update on that yet.

42
43 REPORTER: They have not gotten back
44 with me.

45
46 MR. MUSSLEWHITE: So just give me one
47 second, I'm going to see if we can make it work, thank
48 you.

49
50

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1 (Pause)

2

3 MR. CROSS: Sorry about that, yeah,
4 we're trying to figure out how to use the projector.

5

6 (Pause)

7

8 MR. CROSS: So for the record my name
9 is Rob Cross -- oh, I can hold on a second.

10

11 (Pause)

12

13 CHAIRMAN HERNANDEZ: Okay, just while
14 they're getting ready there I see preliminary to
15 actually putting forward the proposals we do have, it
16 looks like, several presentations here from the Staff
17 that will kind of inform us on various issues and then
18 after we hear the presentations then the Council
19 members will have an opportunity to put forward
20 proposals. So first we have some presentations on
21 current information and updates. So whenever that's
22 ready.

23

24 MR. CROSS: Yes, Mr. Chair, for the
25 record my name is Rob Cross with the Forest Service.
26 Did you want me to do the special action report first?

27

28 CHAIRMAN HERNANDEZ: You could do that
29 first if you'd like.

30

31 MR. CROSS: Okay. Okay, thank you, Mr.
32 Chair. So, again, for the record my name is Rob Cross
33 and I'm the Subsistence Program Manager for the Tongass
34 National Forest. Since our last meeting the Tongass
35 has taken one fisheries special action and six wildlife
36 special actions. Public meetings were held in Sitka
37 and Craig prior to the wildlife temporary special
38 actions.

39

40 And so the fisheries special action was
41 District 1 eulachon were closed prior to the season due
42 to ongoing conservation concerns. But, again, the Unuk
43 River remains open to limited harvest by Federally-
44 qualified users.

45

46 And then Unit 4 mountain goats continue
47 to be managed closely on Baranof Island in
48 participation with ADF&G through in-season management
49 of small harvest zones. So Rosenberg Lake, Indian
50

0023

1 River, Upper Blue Lake, Upper Benzmen, and Upper
2 Katlian zones were closed once the quotas were met.

3

4 And then lastly the Unit 2 wolves were
5 managed through special action setting the season
6 length.

7

8 And that concludes my report on ins-
9 season management.

10

11 CHAIRMAN HERNANDEZ: Okay, thank you,
12 Rob. Is there anything else you can present now?

13

14 MR. CROSS: Yes, Mr. Chair. I can
15 present the call for Federal fish and shellfish
16 regulatory proposals and then if it's all right with
17 you we'll go through our presentations and then pass it
18 back to the Chair for developing Federal fish and
19 shellfish proposals.

20

21 CHAIRMAN HERNANDEZ: Okay, go ahead.

22

23 MR. CROSS: Okay. So I'm happy to
24 announce that after a long delay the Federal
25 subsistence fisheries regulations that were developed
26 during the previous fisheries cycle, the 2023 to 2025
27 were finalized and published in the Federal Register on
28 February 29th. So with this completed we're now
29 beginning to move into the new fisheries cycle, which
30 will be the 2025 to 2027. And we anticipate that the
31 proposed fish rule will be published in the next few
32 weeks. Once that proposed fish rule is published we'll
33 begin accepting proposals to change Federal subsistence
34 fisheries regulations so the Council may want to take
35 some time during this meeting to think about fisheries
36 proposals that they'd like to submit as a Council. And
37 I know that some of the Council met prior to this
38 particular meeting and developed some draft proposals
39 and so we can present those as you guys would like.

40

41 And that concludes that report.

42

43 CHAIRMAN HERNANDEZ: Okay, thank you,
44 Rob. Anything else to report on here at this time?

45

46 MR. CROSS: Mr. Chair, I don't know if
47 we know how to turn the projector on.

48

49 CHAIRMAN HERNANDEZ: Yeah, all right.

50

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1 MR. CROSS: I don't know if we've
2 gotten to the bottom of that so it could be a pretty
3 dry Southeast Alaska fisheries report with no -- with
4 no charts or slides.

5
6 I can do the Makhnati Island herring
7 update if you'd like to jump to that one.

8
9 CHAIRMAN HERNANDEZ: Sure, go ahead on
10 that one.

11
12 MR. CROSS: Okay. And I apologize
13 about not -- about the IT issues. Okay, so I'll be
14 presenting a summary of the analysis for Fisheries
15 Closure Review FCR25-03 and the analysis for this
16 closure review begins on Page 44 of your meeting book.

17
18 First, I would like to state that I
19 recognize -- or, we, as the Staff, recognize that this,
20 like many other resources are very culturally
21 significant and represent a lot more than just a food
22 source, and so for that reason my Staff, in particular,
23 Ashley Bulwerk, has reached out to the Sitka Tribe of
24 Alaska directly to inform them of the upcoming closure
25 review really early in this process to try to solicit
26 comments from the tribe and give them plenty of time to
27 draft comments and submit those. And also the analysis
28 is just one aspect of the Board's decisionmaking
29 process and it may not always meaningfully express the
30 cultural significance of this resource as much as
31 public comments, comments from the tribe and then input
32 from the Regional Advisory Council. And I would just
33 like to state that this is not yet an action item but,
34 again, we're hoping that presenting it early will
35 provide ample time to get as much feedback from the
36 Regional Advisory Council and the community and the
37 tribe as possible to inform this process.

38
39 So, okay, so FCR25-03 is a review of
40 Federal subsistence fishery closure to the harvest of
41 herring and herring spawn to non-Federally-qualified
42 users in waters under Federal subsistence fisheries
43 jurisdiction in the Makhnati Island area and that's Map
44 1 on Page 44. It's the Board's policy that the Federal
45 public lands and waters should be reopened when the
46 closures are no longer necessary and that closures will
47 be reviewed at least once every four years. The
48 purpose of this review is to determine if the Makhnati
49 Island herring -- Makhnati Island area herring and
50

1 herring spawn closure to non-Federally-qualified users
2 is still warranted.

3
4 So public testimony at the Southeast
5 Council meetings since the early 2000s has consistently
6 indicated that the herring needs of subsistence users
7 were not being met in the area of the current closure.
8 Beginning in 2007 several Makhnati herring proposals
9 were submitted and considered by the Board resulting in
10 a closure in 2015. The closure adopted as FP15-17 was
11 last reviewed as FCR21-22 during the 2021 fisheries
12 regulatory cycle. The Southeast Council supported
13 maintaining the closure at this time due to the
14 cultural importance of herring roe harvest. The
15 significant testimony heard from local users and recent
16 difficulties meeting their subsistence needs for
17 herring and generally depressed state of the herring
18 population in Southeast Alaska. The Board reviewed and
19 adopted maintaining the closure as part of the
20 consensus agenda during the 2021 fisheries regulatory
21 cycle. In 2012 the Board of Fish passed a regulation
22 to close a 10 square nautical mile area to commercial
23 herring fishing in Sitka Sound to quote/unquote reduce
24 perceived conflict between the commercial fishery and
25 the subsistence fishery. This area is shown on Map 3
26 on Page 50 of your meeting book. In 2018 the Board of
27 Fish expanded this commercial herring fishery closure
28 area in Sitka Sound by an additional 6.5 square
29 nautical miles. Waters closed to commercial herring
30 harvest in Sitka Sound by the Board of Fish currently
31 encompasses a total of 16.5 square nautical miles.

32
33 This closed area includes a large
34 portion of the waters under Federal subsistence
35 fisheries jurisdiction in the Makhnati Island area
36 addressed by the closure review. The areas of the
37 current State and Federal closures are shown on Map 4
38 on Page 53 of your meeting book.

39
40 The annual biomass of mature herring
41 returning to spawn in Sitka Sound has generally
42 exhibited an increasing trend over the last 40 years of
43 commercial fishing. And there was a short period of
44 decline beginning in 2012 followed by a significant
45 increase in 2019. In 2018 the total amount of mature
46 herring biomass returning to Sitka Sound was estimated
47 to be roughly 56,000 tons down from a high of 117,000
48 tons in 2009. In 2019 the total amount of mature
49 herring biomass returning to Sitka Sound was estimated
50

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1 at 155,000 tons. Since 2019 the estimated annual
2 mature biomass has been above the historical average.

3
4 In a recent ADF&G study local
5 respondents unanimously asserted that the herring spawn
6 in Sitka Sound is not as dense as it was in the past.
7 The herring spawn -- the spawns are shorter in duration
8 and the spawn has diminished from historic areas such
9 as the southern Sitka Sound. In addition, several key
10 respondents indicated that the timing of the commercial
11 sac roe fishery has impacted the subsistence harvest of
12 herring eggs as the two fisheries coincided with one
13 another in the past, though, since the 1990s the
14 commercial sac roe fishery has generally taken place
15 before the subsistence herring egg harvest.

16
17 In 2022 ADF -- there was an ADF&G study
18 that showed approximately 90 percent of the 20
19 respondents stated that they harvest enough herring
20 spawn for their household and 70 percent of the 19
21 respondents said that they harvested enough to share
22 with others. For years where this data is available,
23 an average of approximately 80 percent of harvesters
24 have reported that they were able to harvest enough
25 herring spawn for their own households and an average
26 of about 86 percent reported that they were able to
27 harvest enough to share with others.

28
29 ADF&G researchers have asked Sitka
30 Sound harvesters to identify the locations of their
31 herring spawn harvest in 2006, 2009 and then every year
32 since 2011, and the harvest in Makhnati Federal waters
33 occurred in the last, in at least six of the last 15
34 years by an average of 1.4 percent of harvesters --
35 let's see -- of harvesting households who agreed to
36 provide their harvest location. So no harvest was
37 reported within the Federal Makhnati closure area in
38 2022. And it should be noted that not all harvesters
39 agreed to provide ADF&G researchers with their harvest
40 location data or the amounts that they harvested at
41 these locations in a yearly survey. So the actual
42 amount of subsistence herring spawn harvest in that
43 area might be much higher.

44
45 If this closure remains in place the
46 harvest of herring and herring spawn in the Federal
47 public waters of Makhnati Island area will remain
48 closed to all but Federally-qualified subsistence
49 users. If the closure is rescinded Federally-qualified
50

1 subsistence users and non-Federally-qualified
2 subsistence users will be able to harvest herring and
3 herring spawn in the waters under Federal subsistence
4 fisheries jurisdiction in the Makhnati Island area.

5
6 The OSM preliminary conclusion is to
7 rescind the closure due to the increasing trend in
8 Sitka Sound herring biomass over the last 40[sic] years
9 particularly since 2019. From 2018 to 2020 there was
10 little or no commercial harvest due to lack of suitable
11 sized fish or commercial markets. Yet subsistence
12 herring roe harvest in Sitka Sound and the number of
13 harvesting households have generally decreased since
14 the monitoring began in 2002. The Board of Fish took
15 significant action to reduce conflicts between purse
16 seine sac roe fishery and the subsistence harvesting
17 including closing a large area important to subsistence
18 harvesters and the closure was to commercial fishing in
19 2012. And then increasing the area of this commercial
20 closure in 2018, and, again, that's Map 4. This closed
21 area includes most of the waters under the Federal
22 subsistence fisheries jurisdiction in the Makhnati
23 Island area and for this reason the Federal closure
24 appears to provide minimal additional advantage for
25 subsistence users. And, again, by statute and Board
26 policy closures to fishing on Federal public waters
27 should be reopened as soon as practicable once the
28 conditions that originally justified the closure have
29 changed to such an extent that the closure is no longer
30 necessary.

31
32 So due to overlapping and substantially
33 larger State commercial closure zone, the generally
34 increasing trend in mature herring biomass returning to
35 Sitka Sound, the relatively lower level of reported
36 subsistence harvest participation in recent years and
37 the reasons documented for reduced harvest
38 participation by recent ADF&G subsistence herring spawn
39 studies the continuation of the Federal closure does
40 not appear to be warranted at this time.

41
42 Thank you.

43
44 CHAIRMAN HERNANDEZ: Okay, thank you,
45 Rob. Keeping in mind that the Council won't actually
46 be deliberating on this closure review until our fall
47 meeting, at this time do the Council members have
48 questions for Rob on the analysis.

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1 Harvey.

2

3

4 MR. KITKA: Thank you, Mr. Chair. The
5 move to open Makhnati Island is far too soon to open
6 the area. They haven't allowed the herring to come to
7 spawn to this place that they have historically spawned
8 for thousands of years. They blocked the area off in
9 their seining process and made the herring move a
10 different direction. Even though last year we were
11 able to get them to fish in different areas it allowed
12 just one thin layer of eggs on everything in that area.
13 So we -- it's still not enough for us to go harvest in
14 that area. We used to be able to harvest trees in a
15 portion of that that was quiet. But since the oyster
16 farm brought in some invasive species we're not allowed
17 to go in there and do that anymore but we still go out
18 -- we still got a place where we get macrocystis kelp
19 and the herr kelp, what is the reason -- I think that
20 it should stay closed. I think, you know, when we get
21 it back to where it's supposed to be, it's a safer area
22 for our small boats to be able to go and harvest their
23 eggs and not having to go out into the rougher waters.

23

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So this is my point of view and I'm
sure it's shared by most of our Sitka people.

27 Thank you.

29 CHAIRMAN HERNANDEZ: Okay. Thank you,
30 Harvey. Cal, go ahead.

32 MR. CASIPIT: Well, I just wanted to
33 mention, too, kind of what Harvey was saying, that area
34 is kind of like a Refuge for the fish and the people,
35 right. It's a place where they're not going to have to
36 deal with big seine boats and all the activities that
37 that brings around. So, yeah, I sure hope that you can
38 develop some more information about the importance of
39 that area as a Refuge for both people and fish.

41 Thank you.

43 CHAIRMAN HERNANDEZ: Thank you, Cal.
44 Anybody else. John, go ahead.

46 MR. SMITH: Thank you, Mr. Chairman. I
47 just got a question about what Harvey was saying about
48 how they're blocking off with the net, maybe they're
49 blocking those areas, is that legal to do, is that a

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1 normal procedure? Or just a thought.

2

3 CHAIRMAN HERNANDEZ: Do you have a
4 response to that Rob, or are you familiar enough with
5 what happens over there?

6

7 MR. CROSS: Mr. Chair. I don't know
8 that I have a response to that. It's generally, you
9 know, they're not -- they're not setting up nets
10 blocking it, it's a seine fishery so, you know, I -- if
11 I could speak for Member Kitka I think what it is is
12 the fishing pressure itself is blocking off the area,
13 but maybe Member Kitka has a better response than
14 myself.

15

16 CHAIRMAN HERNANDEZ: Yeah, go ahead,
17 Harvey, if you want to answer that question.

18

19 MR. KITKA: In response to John, Mr.
20 Chair, I wanted to -- beings as John used to seine, he
21 knows that when the seine boats go out and they block
22 an area where the fish travel and they come through in
23 certain spots, they come through those islands in a
24 certain way and they seem to come through one special
25 pass, and when the seine boats start making set after
26 set after set in that spot and they stop the fish from
27 coming that way. They make it go a different direction
28 so they don't come to Sitka Sound.

29

30 CHAIRMAN HERNANDEZ: John, follow up --
31 okay, Rob.

32

33 MR. ROB: Oh, I was just going to say,
34 just a reminder that it's not an action item but this
35 is the kind of feedback that is really important to us
36 that we need to hear from the community, from the
37 Regional Advisory Council and from the tribe and so I'm
38 really glad that it's stimulating this conversation
39 because, again, this is exactly the kind of information
40 that we need to be incorporating into this and that
41 needs to be incorporated into the Regional Advisory
42 Council's recommendation and the Federal Subsistence
43 Board decision.

44

45 CHAIRMAN HERNANDEZ: John, go ahead.

46

47 MR. SMITH: Yeah, just understanding
48 seining and it's just a perspective, (In Tlingit), but
49 you know giving the chance of the herring people to
50

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1 actually have a chance against their nets and giving
2 them somewhat of a survival chance, you know, of making
3 sure that their nets are at a certain depth, you know,
4 because of course at a certain point the herring are
5 going to figure out, hey, we're going to dive, so
6 they're going to dive, so what does the fisherman do,
7 he adds more length on his net so he can manage that
8 and does other things to preserve that. But make note
9 that even though that you have all these fishermen that
10 are out there, they're trying to work and help each
11 other. So maybe he's making a set over here, cutting
12 that corner off so that the fish doesn't go that way
13 but they're just trying to pretend that they're sitting
14 there but they're really part of the event to actually
15 -- what do they call it -- corral them, you know, when
16 we do animals, I mean could we do that with caribou and
17 other -- other -- you know, moose, and other animals to
18 -- is that legal to do so thinking that doing that same
19 thing, but I don't know if they're doing that. That
20 would be the observation of the Fish and Game or even
21 maybe the local people to keep an eye on that, if
22 they're actually doing that.

23

24 Just a perspective and something to
25 think about.

26

27 Thank you.

28

29 It's competitive.

30

31 CHAIRMAN HERNANDEZ: Thank you.

32 Anybody else. Mike, go ahead.

33

34 MR. DOUVILLE: Thank you, Mr. Chairman.
35 There was mention of some restriction in Whiting
36 Harbor, I'd like that further explained and where is it
37 restricted?

38

39 CHAIRMAN HERNANDEZ: Rob, are you
40 familiar with that?

41

42 MR. CROSS: Through the Chair. Member
43 Douville. I will actually have to look that up for
44 you, and, again, since this is so early in the process
45 I can definitely get that information for you and
46 specifically before we meet on this again and it
47 becomes an action item.

48

49 CHAIRMAN HERNANDEZ: Mike, follow up.

50

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1 MR. DOUVILLE: Okay. One more
2 question, like on the southern end of the Federal
3 closure there's -- it turns white there in a long strip
4 and I was wondering what that is and how you would
5 refer to it.

6
7 (Pause)

8
9 CHAIRMAN HERNANDEZ: Do you see that on
10 the map there, Rob?

11
12 MR. CROSS: Mr. Chair.....

13
14 MR. DOUVILLE: It's on Page 53 of the
15 meeting book.

16
17 MR. CROSS: Thank you. Member
18 Douville, can you restate the question for me real
19 quick.

20
21 MR. DOUVILLE: I was just asking the
22 difference in shading.....

23
24 MR. CROSS: Oh, I gotcha.

25
26 MR. DOUVILLE: That strip right there.

27
28 MR. CROSS: Yeah, thank you. Through
29 the Chair. Member Douville. So that's showing the
30 part of the Federal closure that's not overlapped by
31 the State closure so when I was giving the report and
32 saying that much of the Federal closure is overlapped
33 by the State closure to commercial fishery, the only
34 part that isn't overlapped is the part that's hashed
35 and not covered by the grey shading.

36
37 MR. DOUVILLE: Okay, thank you. Yeah,
38 okay, so now I understand it better. The whole grey
39 area is where the State overlaps in that section. I
40 can understand it better now, thank you.

41
42 CHAIRMAN HERNANDEZ: Thank you, Mike.
43 Any other questions.

44
45 Albert.

46
47 MR. HOWARD: So all the data you're
48 using to come to your conclusion or the State's
49 conclusion to reopen it and then -- because there's no
50

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1 concern, this is -- Mr. Chairman, this is a good
2 example of what I've talked about. Many occasions we
3 introduce something and we have a reason why we do it
4 and we all believe in each other's local knowledge of
5 an area. Mr. Kitka mentioned that there's nothing to
6 warrant an opening because there's not enough there to
7 harvest for the subsistence user, yet you're hearing a
8 recommendation that it should be open based on State
9 data. So, Mr. Chair, this is just an example of why I
10 ask for more resources for OSM so they can come to
11 their own conclusion and support what Mr. Kitka's
12 saying.

13
14

Thank you, Mr. Chair.

15
16

CHAIRMAN HERNANDEZ: Just to confirm,
17 Rob, would you say that most of your data on this does
18 come from the State or do you have people out there?

19
20

MR. CROSS: Mr. Chair, so it does come
21 from the State but it's a State survey that was done
22 surveying subsistence harvesters in Sitka.

23
24

CHAIRMAN HERNANDEZ: Right, thank you.
25 Any other questions.

26
27

MS. PHILLIPS: Mr. Chair.

28
29

CHAIRMAN HERNANDEZ: Patty, go ahead.

30
31

MS. PHILLIPS: Thank you, Mr. Chair.
32 So on Map 1, the area outside the red and the blue
33 lines, non-Federally-qualified harvesters can harvest?

34
35

MR. CASIPIT: Page 44.

36
37

MS. PHILLIPS: Page 44, yes, thank you.
38 Is that what.....

39
40

MR. CROSS: Through the Chair. Member
41 Phillips. So the red and the blue are collectively --
42 the red area and the blue area are collectively the
43 Federal jurisdiction so the only area that's subject to
44 this closure.

45
46

MS. PHILLIPS: But my question is
47 outside of the red and the blue lines is non-Federally-
48 qualified users can harvest?

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1 MR. CROSS: That's correct. Except
2 that there is a restriction that's shown on Map 4 and
3 that's a restriction, or closure to commercial harvest.

4
5 MS. PHILLIPS: Mr. Chair, follow up.

6
7 CHAIRMAN HERNANDEZ: Yeah, go ahead,
8 Patty.

9
10 MS. PHILLIPS: You know I would go with
11 the recommendation of our elder who knows the Sitka
12 area but I would keep the closure in place, that would
13 give the priority, meaningful preference to the
14 Federally-qualified harvesters within the Makhnati
15 Island area Federal waters and the non-Federally-
16 qualified harvesters would have areas where they could
17 meet their harvest needs.

18
19 Thank you.

20
21 CHAIRMAN HERNANDEZ: Anybody else.

22
23 Albert, go ahead.

24
25 MR. HOWARD: Thank you, Mr. Chair.
26 Just a quick question. Is there data on non-Federally-
27 qualified harvesters because I've seen -- first hand
28 seen a big vessel come in and take all my trees out
29 before I got to it. So I'm just wondering is there any
30 data that -- as an example, if Albert Howard owned a 58
31 foot wooden limited entry boat, and I came in and
32 filled my hatch, is there any data on that, because
33 that seems to have an impact on the amount of fish the
34 subsistence user can take.

35
36 MR. CROSS: Through the Chair. Member
37 Howard. I think if I understand your question
38 correctly, that would be a non-Federally-qualified
39 harvester that's commercial fishing, or is -- is that
40 what you're saying?

41
42 CHAIRMAN HERNANDEZ: Albert.

43
44 MR. HOWARD: Mr. Chair, what I'm saying
45 is is there -- there's non-Federally-qualified
46 harvesters that do the same thing that subsistence
47 users do, as an example, if a friend of mine goes in
48 and sets a bunch of trees out so they can take it home
49 to Angoon and Albert comes in with his big boat and
50

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1 takes all them trees, that doesn't show up in your
2 data, or the State's data, which dilutes the data
3 altogether, at some point, what would happen, I
4 believe, and then in some instances people blame the
5 subsistence user because we're taking all the herring
6 eggs after they spawn, but we're not taking the fish,
7 just the eggs so the fish can return. So there's a
8 difference there. I think the data may be diluted if
9 you don't even account for the people that don't report
10 it and that makes it look like we're taking more than
11 we actually are.

12

13 So, thank you, Mr. Chair.

14

15 CHAIRMAN HERNANDEZ: Thank you, Albert.
16 And I had a question my own self that was very similar
17 to what Albert is asking. And, you know, the State has
18 a commercial closure but that area could also be
19 subject to harvest by non-Federally-qualified
20 subsistence harvesters and I don't know if there's very
21 many of those, people that might come from Juneau, say,
22 in a big boat that are not Federally-qualified so they
23 could harvest there. I don't know, I think the other
24 part of Albert's question was they do subsistence
25 herring, the harvester's surveys, do they just do those
26 for people in Sitka or if people come from elsewhere to
27 harvest; is that information captured by anybody? So
28 there's a couple of questions there I think that Albert
29 and I both had.

30

31 MR. CROSS: Yeah, Mr. Chair. I would
32 have to look and see if that data's available. I'm --
33 you know the surveys that were done were in Sitka for
34 subsistence harvesters within Sitka. And, also, the
35 State data, to Member Howard's question or comment, the
36 State data that we're using for subsistence harvest was
37 a survey to see how subsistence harvesters felt about
38 the amount of herring roe that they were getting so
39 that was the data that was used to show that, you know,
40 it's roughly 80 percent of harvesters are reporting
41 that they're getting enough herring eggs. So I'm not
42 sure that there's -- I don't necessarily know how to
43 address an issue, if there is an issue, of folks from
44 Juneau or Ketchikan going to Sitka and taking
45 somebody's trees. I don't actually really know the
46 laws on that and I would have to look into that. But
47 it's not necessarily that there's a concern that
48 there's overharvest by Federally-qualified harvesters,
49 it's whether those Federally-qualified harvesters are
50

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1 getting enough to meet their needs.

2

3

4 And, again, so that's why I just -- I
5 employer the RAC to go to their communities, to go to
6 the tribe and to work with them to develop comments
7 that address the things that aren't in this regulatory
8 -- in this analysis, in this closure review. Because
9 that's the things like what Member Kitka brought up as
10 far as the corridors that these fish are using and
11 local traditional knowledge that isn't necessarily
12 captured in here that's going to be very important for
13 the Regional Advisory Council and the Federal
14 Subsistence Board to use to make a decision on this.

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CHAIRMAN HERNANDEZ: Thank you, Rob. I think that's what we're kind of getting at here is just if there's any additional information that we think needs to be added. So do you have anything else to add?

MR. CROSS: No, Mr. Chair.

CHAIRMAN HERNANDEZ: Okay. We'll call on Cathy, go ahead.

MS. NEEDHAM: Thank you, Mr. Chair. So along those lines, when people in Sitka are saying that they are -- or 80 percent are saying that they're receiving enough to meet their needs, I'm assuming that's to meet their household needs but in that data, or is there data like regarding customary trade needs, are those needs being met outside of just individual households within Sitka.

Thank you.

MR. CROSS: Yeah, through the Chair. Member Needham. So it's 86 percent that reported that they were able to harvest enough to share with others. That would be Table 2. But I will preface that with there are limitations to how many people felt comfortable responding to that so I believe, you know, for the first one in 2022 it was 20 respondents, 90 percent of 20 respondents stated that they harvest enough herring spawn for their household and 79 percent of the 19 respondents said that they harvested enough to share with others.

CHAIRMAN HERNANDEZ: Harvey, go ahead.

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1 MR. KITKA: Thank you, Mr. Chair. To
2 save on time, is this going to come up before our
3 Council again so we can talk it over? Right now I
4 think we need to move on.

5
6 CHAIRMAN HERNANDEZ: The answer to your
7 question, Harvey, yes, this will come before us in our
8 fall meeting and at that time we will be making our
9 recommendation on this closure and so this is just
10 information that Rob is providing to us now to prepare
11 us for that. And, Rob, I guess my other question is, I
12 mean, you know, you've done this analysis and we're
13 kind of suggesting, you know, maybe some additional
14 topics of research or, are you going to be amending
15 this analysis there for us in the fall, is this just
16 preliminary?

17
18 MR. CROSS: Mr. Chair. Yes, so I've
19 written down some of the data gaps that were
20 identified, or some of the questions that we had, I
21 don't know if all that information exists anywhere but
22 that is something that we can look into. Dr. Roberts
23 and myself will look into that.

24
25 CHAIRMAN HERNANDEZ: Okay. So we may
26 see a slightly different analysis come the fall it
27 sounds like, possibly, depending on.

28
29 John, go ahead.

30
31 MR. SMITH: Yeah, just an observation I
32 made and just so you can confirm to me here. And I'm
33 looking on Page 55 and there's a chart there of the
34 biomass and the herring biomass and the roe biomass,
35 you know, and then you have this poundage and this
36 tonnage here, and, you know, all the way from 1980 to
37 2022, that's just like amazing between 2019 and 2020
38 how we got up into 250,000 tons, and, you know, just
39 like tripling what they averagely get. So, you know,
40 I'm really concerned about that. You know when I was a
41 young man they used to have herring this big and they
42 were the old-timers and those were the elders that kept
43 them in balance, so I really -- my team, I just want us
44 to notice that, and maybe we put a tonnage limit on
45 these folks because, wow, I like to see that comeback
46 like that but let's like split it in half and be
47 respectful to have some of them survive so that the
48 herring people so that they can come back stronger.
49 Maybe keep it under, you know, right in between 100,000
50

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1 and 150,000 dump it right in the middle and if they do
2 real well that -- you know, they've been surviving for
3 that long with that much herring, I just feel that's a
4 -- quite a bit. And I don't even think even the
5 fisheries can handle all that and we don't want any of
6 that to go thrown away but just -- just a perspective.
7 Maybe I'm wrong though.

8

9 CHAIRMAN HERNANDEZ: Okay. I think --
10 one more, go ahead, Patty.

11

12 MS. PHILLIPS: Thank you, Chairman
13 Hernandez. In terms of customary trade. I live in
14 Pelican and, you know, I like the statements from the
15 Division of Subsistence, from the harvesters they were
16 able to interview but there's a significant number of
17 harvesters that they haven't interviewed and they would
18 not want to be interviewed, they're very private about
19 their harvest efforts, and probably some of the harvest
20 that gets shared with me in Pelican comes from
21 harvesters who do not want to talk about it with others
22 but, you know, we'll get boxes of -- seafood boxes
23 shipped via Seaplane Services from Sitka to Pelican,
24 we'll get boxes of herring eggs on fishing boats from
25 Sitka to Pelican, they're probably not harvesters who
26 report their harvest. We also have Tlingit and Haida
27 Central Council shipping over boxes of herring eggs for
28 their tribal members and that gets distributed through
29 the community. There's a significant amount of sharing
30 and I'm glad to see the Division of Subsistence has
31 talked about it, but I think it's coming from
32 harvesters who aren't being interviewed.

33

34 Thank you.

35

36 CHAIRMAN HERNANDEZ: Thank you, Patty.
37 I think this is all good and relevant information that
38 we're passing on to be included and a lot of it will
39 probably have to come from the, you know, local
40 testimonies during the course of our deliberations most
41 likely. Rob, did you have a response to that?

42

43 MR. CROSS: Yes, Mr. Chair. I just --
44 in response to Member Phillips' comment, you're
45 absolutely right, I mean we can't look up data that
46 doesn't exist and we can't force people to report on
47 things that are voluntary. So, again, I would just
48 implore that that's data that we don't have access to
49 unless people submit comments and mention those things
50

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1 as to why it's culturally significant and why this
2 closure matters to them.

3

4

Thank you.

5

6

CHAIRMAN HERNANDEZ: John, go ahead.

7

8

MR. SMITH: That really concerns me.

9 But, I mean, maybe I'm hearing this wrong, whatever
10 comes from the sea, the land, the air, you know,
11 whether we're -- from anywhere, everybody needs to
12 report what they receive, even if they're getting it
13 from somewhere else. I think the people that harvest
14 it need to report that. But even people that get that.
15 How do we get -- take for instance, I'm out in the
16 boat, I'm coming into the harbor and all they want to
17 know is how many fish but I got five crab onboard, they
18 didn't worry about the crab but that's an issue on the
19 table. So I encourage a push for data through all the
20 community, anybody who touches, no matter commercial,
21 this, this, this, even if it's just subsistence it's
22 got to be put on data to help us make better decisions.

23

24

Gunalcheesh. Ho Ho.

25

26

CHAIRMAN HERNANDEZ: Thank you, John.

27

Any other Council members.

28

29

(No comments)

30

31

CHAIRMAN HERNANDEZ: Okay, I think we
32 understand what the procedure here is. That was a lot
33 of information that we got a chance to pass on and,
34 Rob, thank you for bringing that to us at this time so
35 we had an opportunity to do that. We appreciate the
36 pre-briefing, I guess, we'll call this.

37

38

Are you ready for your fisheries report

39

-- nope.

40

41

(Laughter)

42

43

CHAIRMAN HERNANDEZ: I think I see a --
44 maybe I see a thumb's up there. Because we do have one
45 more -- one more item.....

46

47

MR. MUSSLEWHITE: We're hoping it
48 works. We've got paper backup too.

49

50

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1 CHAIRMAN HERNANDEZ: I think we do have
2 one more item that you could do without -- are you
3 going to do an update on the Taku fishery or?

4
5 MR. CROSS: Mr. Chair. So there's a
6 slide presentation for that as well.

7
8 CHAIRMAN HERNANDEZ: Okay.

9
10 MR. CROSS: But I can give the
11 Fisheries Resource Monitoring Program update and a call
12 for volunteers for priority information needs.

13
14 MR. SMITH: Jake's got it over there.

15
16 (Laughter)

17
18 MR. CROSS: No, it's back there.

19
20 (Laughter)

21
22 CHAIRMAN HERNANDEZ: Let's.....

23
24 UNIDENTIFIED VOICE: Maybe if you stand
25 on my shoulders we might be able to see.....

26
27 CHAIRMAN HERNANDEZ: Let's move ahead
28 with anything that doesn't require an audio visual aide
29 here perhaps and we can.....

30
31 MR. CROSS: Okay, thank you, Mr. Chair.

32
33 CHAIRMAN HERNANDEZ: Oh, they did get
34 it.

35
36 (Laughter)

37
38 CHAIRMAN HERNANDEZ: I guess we do have
39 it on the screen, so, okay, we'll do that now before we
40 lose it.

41
42 (Laughter)

43
44 (Pause)

45
46 MR. MUSSLEWHITE: Can everyone see that
47 okay.

48
49 (Laughter)

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1 (Pause)

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MR. MUSSLEWHITE: Okay, thank you, Mr. Chair and members of the Council. Sorry about all the delays there. So as a warm up for the various Federal and State fisheries cycle and everything I'm just going to give you a quick synopsis of essentially the last year of 2023 fisheries, catch and escapement and so on throughout Southeast Alaska.

So our first slide there is, you probably heard me talk about taking Angoon kids out beach seining, so just a quick shot of dragging sockeye up on the beach there at Basket Bay.

I'll start off with eulachon monitoring on the Unuk. And so this is all the information for basically about a year ago just now so the 2023 results. So as you remember the surveys that are done on the Unuk are -- you know, what I would say is qualitative rather than quantitative so we don't end up with an escapement estimate or anything like that like we get with weir counts and that sort of thing. But we do have boots on the ground to document, you know, relative abundance of fish and what we can see given the conditions and everything like that. So we kind of have a tiered scale of what they see.

So last year was, as you can see at the bottom there is what we call moderate, you know, so they were on site there just about a year ago now, March 13th through 27th and I think it was, unsurprisingly quite a bit of ice and, you know, challenging weather as there often is at that point. So moderate year in terms of return there. And, of course, as we've had for the past number of years, the Unuk only was open to Federally-qualified harvesters with a limit of one five gallon bucket. 17 permits were issued and one with reported harvest. So that's, again, the regime we're working in -- under again this coming year, just real soon.

Okay. So roughly working north to south here, starting at the Situk up at Yakutat. Definitely a good news/bad news situation last year. Great year for sockeye with about 128,000 fish passing through the year, well above the escapement goal. Almost twice the upper limit of the escapement goal. On the other hand there's only 144 chinook passed

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1 through the year so, you know, well below the
2 escapement goal range of, you know, it's like 400 to
3 1,000 fish so not a good year for chinook on the Situk.

4
5 Up in the Haines area, northern Lynn
6 Canal. Pretty decent year for sockeye on both the
7 Chilkoot and Chilkat systems. You know well within the
8 escapement goal range. We don't actually seem to deal
9 with the Chilkoot and Chilkat a lot in our program
10 because it's not a lot of Federal waters up there but
11 these are major producers for folks around there, you
12 know, roughly 4,000 sockeye a year, you know, going to
13 subsistence users out of those systems so it was a
14 decent year up there this past year.

15
16 Then the Taku River, just to kind of
17 warm you up for what Rob will probably go through a
18 little more but, you know, the Taku River, the
19 longstanding closure has just been rescinded so, you
20 know, we've been in -- but since it is a TransBoundary
21 River there's lots of Pacific Salmon Treaty issues,
22 things like that. The existing fishery there is a
23 personal use fishery that is almost exclusively Juneau
24 folks. So, you know, we're going to need to develop a
25 specific regulation for that which we'll be addressing
26 later. And, you know, but it will be sort of in-season
27 management until an actual specific -- Taku specific
28 regulation kicks in.

29
30 In the Hoonah area, at Neva Lake, we
31 seemed to have really stabilized right around four to
32 5,000 sockeye coming back. This was the first year
33 that the harvest limit was 20. I saw quite a bit more
34 people fishing this year. I don't have any official
35 data on that yet but just my observations. I almost
36 never the past few years saw anybody fishing and this
37 time I did, you know, fairly often so that seemed like
38 a good sign. It felt like we had decent escapement
39 and, you know, some more interest in harvest there
40 which was definitely the intent. And then the closure
41 in the freshwater there, it continued after the closure
42 review that we just recently had.

43
44 And then down in the Angoon area at
45 Sitkoh Lake continue to run the FRMP funded project
46 there. I've been switching that to -- it's been
47 remotely monitored, I've been switching that to
48 Starlink, which has been an adventure in and of itself
49 and, you know, had lots and lots of issues with that
50

0042

1 this year and so ended up having to make a lot of
2 guesses but with lost data but there's lots of fish in
3 the lake there and so I think we -- from everything I
4 can tell we had a pretty decent escapement into Sitkoh
5 Lake this past year.

6
7 And then also in the Angoon area, I put
8 this one up just because to remind folks of what we
9 don't know, which is the escapement into Kanalku. So
10 we haven't really had a project there since 2017. Our
11 only way to take the temperature of that system is to
12 see what people are catching essentially. So harvest
13 there has been sort of stable, but declining, harvest
14 and effort there. So that's our main way to keep an
15 eye on that system. And I hope in the future to get
16 more information about escapement in the Kanalku
17 system.

18
19 And, again, you know, just like to talk
20 about this, you know, we did for our second year taking
21 kids, the AYS, Angoon Youth Stewards, crew out beach
22 seining at Basket Bay. And, again, we made this a --
23 both a field and a paper exercise where we had the kids
24 go through the process of getting proxy permits. Pick
25 an elder, go do all the paperwork, get a proxy permit
26 and bring fish back to those elders and such. And then
27 you can see everyone pitched in on the dock, cleaned
28 the fish and everything so, yeah, it's -- I feel really
29 good about doing that, it's a hell of a lot of fun,
30 honestly.

31
32 Moving on to Sitka area. The Klag Bay,
33 which is an FRMP project run by Sitka Tribe. Last year
34 the subsistence and sportfisheries there were closed by
35 emergency order and especially since in 2022 there was
36 probably -- I think it was the lowest escapement seen
37 so, you know, this is a system that we had been keeping
38 an eye on and I was glad to see that that was closed
39 fairly early in the season and I think because of that
40 the escapement did come up a fair bit from some of
41 these previous years. However, there was like an
42 anoxicis event that killed a bunch of fish, as you can
43 see, like 1,300 fish, about half of which were sockeye
44 in late August due to high temperatures and low flows
45 there. So we're looking at whatever we can do in that
46 to, you know, perhaps run the weir differently so fish
47 don't stack up in places, things like that. And then
48 we had a -- based on on-site harvest surveys about
49 2,200 fish harvested there.

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1 And then the big news, of course, was
2 Redoubt. I think Ashley sprinkled some magic dust on
3 there because we had 153,000 fish through the weir, a
4 record escapement. Our biggest issue was trying to
5 figure out how we could kill them all so they didn't
6 all make it in the lake and over escape. So, yeah, as
7 you can see many multiples of the -- you know, even
8 upper end of the escapement goal there. All the
9 harvest limits, we pulled out all the stops and, you
10 know, so it was at max throttle on the State side and
11 Federal limits were liberalized to 50 a day with no
12 annual limit. But so, yeah, good news there in terms
13 of sheer number of fish coming back. What remains to
14 be seen is what 153,000 fish in the lake will do to
15 subsequent production.

16
17 So, yeah.

18
19 MR. CASIPIT: Sorry to interrupt you,
20 but is that lake still being fertilized?

21
22 MR. MUSSLEWHITE: It has been
23 fertilized. Things are sort of up in the air with
24 funding that project right now so it remains to be seen
25 if fertilization is going to continue.

26
27 MR. CASIPIT: But this return was
28 fertilized is what I'm saying?

29
30 MR. MUSSLEWHITE: Yes.

31
32 MR. CASIPIT: Okay.

33
34 MR. MUSSLEWHITE: Yeah. Yeah. Moving
35 on to Central Southeast, Petersburg/Wrangell area. The
36 Stikine River, the big system there. So fairly decent
37 year as far as I can tell. 109 permits, you know, it's
38 about two-thirds Wrangell folks, one-third Petersburg
39 folks in general with 1,410 fish harvested but as has
40 been, you know, for a fair while now the chinook season
41 was closed there on the Stikine.

42
43 And, finally, moving on down to
44 Ketchikan, Prince of Wales area, the Hetta Lake, which
45 is an FRMP project run by Hydaburg Cooperative, you
46 know, over close to 13,000 sockeye there for a weir
47 count, almost 2,400 harvest, which is good to see
48 because there has been a couple disastrously low years
49 seen, you know, just over the past few. So it's good
50

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1 to see some healthier escapements coming back into that
2 system.

3

4

5 And then the other FRMP project run by
6 Hydaburg is at Eek Lake where they saw just under 500
7 fish and harvest surveys showed about 210. So that has
8 been of an alternative source of sockeye for a lot of
9 Hydaburg folks but it's kind of a small run so I think
10 a very susceptible to overharvest there. So I actually
11 went down there and helped them set that up with the
12 video weir and cameras and stuff this year. So I
13 really enjoy working with the Hydaburg folks down
14 there, they do a really good job of running those
15 projects.

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I'm sure you've already all forgotten
but I made a couple predictions last time I gave this
fisheries report and so I always like to -- and the two
predictions I made were there was a dismal pink
forecast for 2023 and to me that means less seining
which means more sockeye making it back to the streams,
and so I predicted that we'd have a bad pink year but a
good sockeye year because of it and turns out I was
wrong about the pinks, they came back in a way, way
stronger than anyone expected given the forecast and
stuff.

(Laughter)

MR. MUSSLEWHITE: But actually still
saw a decent sockeye return, so at least through the
systems I'm most familiar with throughout northern and
southeastern -- seems like throughout Southeast in
general.

The other bold prediction I made was
that chinook would continue to be in the toilet and
that we would have closures on the Stikine and Situk
and various other things and I was right.

(Laughter)

MR. MUSSLEWHITE: So unfortunately that
trend continued.

Yeah, so that concludes my report, and
I'd be happy to take any questions, comments, anything
like that.

0045

1 CHAIRMAN HERNANDEZ: Okay, thank you,
2 Jake. so we'll take some questions here. I got one
3 from Cathy and then Mike it looks like. Okay, Mike
4 first, go ahead.

5
6 MR. DOUVILLE: Thank you, Chairman
7 Hernandez. I got a couple questions about the Situk
8 and it looked like it had a good sockeye return this
9 year but the king salmon window, when do the king
10 salmon enter that system, is it the same time as
11 sockeyes or after or is there -- I'm assuming there's a
12 commercial fishery in that river also.

13
14 MR. MUSSLEWHITE: Yeah, thank you.
15 Through the Chair. Member Douville. Yeah, there's
16 substantial overlap there between the chinook return
17 and the sockeye return. So that's been an issue when
18 harvesting kind of the early part of the sockeye run,
19 is they have to keep things closed, you know. I'm not
20 super familiar with the exact timing on that system but
21 that's definitely been an issue. If that helps, yeah.

22
23 And there is commercial fisheries,
24 generally they close a big area in front of there to
25 both commercial, sport and subsistence, everything's
26 been pretty well shut down during that chinook window
27 the past number of years.

28
29 CHAIRMAN HERNANDEZ: Follow up, Mike.
30 Go ahead.

31
32 MR. DOUVILLE: Thank you. Is there any
33 interception of those kings that went in the sockeye
34 fishery?

35
36 MR. MUSSLEWHITE: I'm not familiar
37 enough to know exactly. I believe there is at least
38 some but it's fairly minimal. I think most of the
39 fishing is sort of right out in front and not as much
40 in the river and everything. So once they're through
41 the weir I believe they're essentially, you know,
42 beyond where most of the fisheries are but, yeah, thank
43 you.

44
45 MR. DOUVILLE: Thank you.

46
47 CHAIRMAN HERNANDEZ: Cathy, go ahead.

48
49 MS. NEEDHAM: Thank you, Mr. Chair. I
50

0046

1 noticed on your slide for the Unuk that you said there
2 -- it wasn't an escapement estimate but about 500 to
3 1,000 eulachon back into the Unuk and you considered
4 that moderate and I'm wondering if you have like a
5 scale, like what would be considered small versus
6 what's considered moderate and then what, you know,
7 like what you use for that and why, what seems to be
8 such a little amount of fish would be considered
9 moderate?

10

11 MR. MUSSLEWHITE: Yeah, through the
12 Chair. Member Needham. So I pulled that back up so
13 you can see. So the description of the moderate bracket
14 of the abundance there, as you can see, is like some
15 high density schools of say 500 to 1,000 fish, you
16 know, spread out here and there so I would take that to
17 mean if you were walking around and you see, oh, here's
18 500 fish, here's a thousand fish in pockets, that's how
19 you -- you would describe that as a moderate return.
20 So it's not just 500 to a thousand fish in the entire
21 return. If that makes sense.

22

23 CHAIRMAN HERNANDEZ: Okay, go ahead,
24 Cathy, follow up.

25

26 MS. NEEDHAM: Okay, that makes a little
27 more sense. So then what would be the next step up,
28 and what brackets would you expect to kind of see then?

29

30 MR. MUSSLEWHITE: I could pull up -- it
31 would take me a minute but I could pull up the report
32 at some point and show you, they do have kind of these
33 qualitative descriptions of each of their brackets, you
34 know, in an attempt to keep it consistent. So, you
35 know, I don't exactly -- you know, I don't know what
36 they are off the top of my head though.

37

38 MS. NEEDHAM: Well, I think what I'm
39 getting at too is like what's historical. Like, this
40 is what we're seeing now, what -- if we're trying to
41 rebuild this stock what are we hoping to get to?

42

43 MR. MUSSLEWHITE: I think that this is
44 probably a case study in shifting baseline syndrome
45 where what -- now we look at this and we say, oh,
46 that's good, like hey I actually see some eulachon in
47 there but, you know, I know in one of these
48 presentations I showed a graph that showed the
49 commercial historical harvest back in the '60s, '70s,
50

0047

1 '80s and such and then the current subsistence harvest
2 and then with like a magnifying glass just to show the
3 tiny bar next to the big bar. So this is definitely
4 one of those situations where we're looking at, you
5 know, a tiny fraction of what used to be there, I
6 believe, and now the whole thing has shift -- the
7 reference point has shifted, if that makes sense --
8 does that help? And it sounds like Rob has more
9 information than I do.

10

11 CHAIRMAN HERNANDEZ: Go ahead, Cathy,
12 one more, follow up here.

13

14 MS. NEEDHAM: I guess the -- is there
15 an objective, are we trying to reach a specific point,
16 do we have that set, is there kind of a management
17 objective to where a sustainable yield type of
18 information?

19

20 MR. CROSS: Yeah, through the Chair.
21 Member Needham. Again, for the record my name is Rob
22 Cross. So to answer your first question, we have
23 absent, weak, moderate, and then it goes to good and
24 then, again, these are sort of ball park visual
25 estimates -- good would be a thousand to 10,000 fish,
26 abundant is large, high density schools of greater than
27 10,000 fish so really it all comes back to, first of
28 all, we're speaking in relative terms, right, as you
29 mentioned this is nowhere near the abundance that we
30 were seeing. I don't know that 20 years ago anybody
31 would have called a thousand fish moderate whatsoever.

32

33 And as far as the objective goes, at
34 least from a Federal management standpoint, with this
35 being closed through in-season management actions
36 repeatedly due to a conservation concern, our objective
37 is to manage to, you know, the statement in ANILCA that
38 says when necessary to restrict the taking of fish and
39 wildlife and so really our benchmark is when we hear
40 from our Federal subsistence users or we see that
41 they're meeting their needs and it's not necessary to
42 restrict the taking to subsistence users anymore, then
43 that's when we'll be looking at this fishery having a
44 potential harvestable surplus in terms of State fishery
45 or potential commercial fishery. But, really at this
46 point, we're trying to index this system through visual
47 surveys and it is a bit subjective but anybody who's
48 been out there, which I have not been out there, but
49 anybody who's been out there, you know, assured me that
50

0048

1 it's a very braided system, it's very difficult to, or
2 really unimaginable to try to put up some sort of weir,
3 mark/recapture, they have very low site fidelity so
4 they might end up in one branch of the river but not
5 another one year or a totally different river system
6 the next year. So, again, there's a lot of challenges
7 there but this is really just our best effort to try to
8 quantify this and moderate is certainly not moderate in
9 terms of historic returns.

10

11 CHAIRMAN HERNANDEZ: Okay, thank you,
12 Cathy. Patty and then I saw Ted and Louie. So Patty
13 you can go first.

14

15 MS. PHILLIPS: Thank you. On the Situk
16 weir, when do you start counting and when do you end
17 counting?

18

19 MR. MUSSLEWHITE: Yeah, thank you for
20 that question Patty. This is the one system I don't
21 really know much about other than checking the website
22 for the weir counts every year so.....

23

24 (Laughter)

25

26 MR. MUSSLEWHITE:but let me go
27 back there and I think it does have the dates on there
28 that we will be able to see. Yeah, I know they put it
29 in like early May, I believe they put it in, if not
30 late April for the -- and you can -- it looks like,
31 yeah, so they show here, for chinook they -- you know,
32 they put it in -- I don't know if the weir actually
33 goes in -- a lot of that is sometimes based on
34 conditions, you know, ice and stuff even, but -- so
35 it's roughly early to mid-May is typically when they
36 have the weir in.

37

38 CHAIRMAN HERNANDEZ: Go ahead, Patty.

39

40 MS. PHILLIPS: Thank you, Jake. Could
41 you pull up the Hetta slide please. I was wondering --
42 I need to see the slide for my question. Thank you.

43

44 MR. MUSSLEWHITE: Sure.

45

46 MS. PHILLIPS: So it says escapement
47 and harvest, 500 -- so it says 558 escapement in 2021,
48 so when would that -- the return of the -- you know,
49 the spawn from 2021, when would they be returning?

50

0049

1 MR. MUSSLEWHITE: In about four to five
2 years from now, so it -- in '26, '27, basically in
3 there -- or -- yeah, '25/26.

4
5 MS. PHILLIPS: So we won't know the
6 status of that until they return?

7
8 MR. MUSSLEWHITE: Correct. And I'm not
9 familiar with how the age composition at Hetta goes
10 but, you know, often that ends up -- the effects of
11 that are spread out over a couple years often which
12 buffers it a little but I assume we will see a shadow
13 from that low year, yeah.

14
15 CHAIRMAN HERNANDEZ: Cathy, go ahead.

16
17 MS. NEEDHAM: Thank you, Mr. Chair.
18 Just to kind of elaborate a little bit on what Jake
19 said, not necessarily about the age classes, but when
20 you have a low escapement like this, if you can count
21 back you can see the -- it looks like -- there was a
22 low escapement four to five years before that as well
23 so you can kind of see the dips and they've been
24 experiencing this every four to five years. So when we
25 get to the point where we think we're going to see that
26 2021 year class come back in four, in five years, what
27 the community does is a volunteer closure on harvest
28 until they reach an escapement of a thousand fish past
29 the weir before they open it up for subsistence
30 harvest. So they are using that data from year to year
31 to sort of predict out what they expect their
32 escapement to be and then they are trying to take some
33 voluntary community in-season management in order to
34 assure that on years that they believe they're going to
35 get a low return, that they get some escapement first.

36
37 Thank you, Mr. Chair.

38
39 CHAIRMAN HERNANDEZ: Thank you, Cathy.

40
41 Ted, go ahead.

42
43 MR. SANDHOFER: Yeah, hey, Jake, you
44 know, curious about that Redoubt system. 153
45 escapement. I know we liberalized the take, is there
46 any concerns with what that system can handle, what's
47 the historic, you know, especially with the artificial
48 fertilization of that lake, just kind of curious?

49
50

0050

1 Thank you.

2

3

4 MR. CROSS: Thank you, Member
5 Sandhofer. Through the Chair. Yeah, I mean we have
6 our resident expert, Ashley Bulwerk here if -- maybe
7 she can throw something at me if I'm wrong, but in that
8 system, usually when we see anything over 50,000 fish
9 return we start to see diminishing returns from that
10 and that would be from red superimposition so just the
11 physical square footage of spawning gravel and you'll
12 start to see fish spawn successfully and then more fish
13 come up and clear that spawning bed out and then spawn
14 again. So I would say really the high water mark is
15 probably 50,000 fish so that was actually a bit of a
16 concern this year having so many fish come in and so
17 that's why we did a special action to put no annual
18 limit for the Federal fishery. But one issue in that
19 particular system is that access to the Federal fishery
20 is not ideal. There's not a whole lot of people that
21 have boats up in that lake and so we're not seeing that
22 fishery really get exploited on the Federal side of
23 things, it's mostly as a State personal use fishery.

23

24

CHAIRMAN HERNANDEZ: Okay, John.

25

26

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MR. MUSSLEWHITE: So through the Chair.
Member Smith. So the fishery at Redoubt is managed
under a very established management plan that has
various tiers that use the projected escapement from
the weir count, so when they -- when we know it's going
to be 15,000, 20,000, 30,000, when it's projected, then
the harvest limits go up and a commercial fishery kicks
in and, you know, the community harvest fishery kicks
in, all the various tiers. So it's all very set out in

0051

1 this, you know, management plan. So it will vary from --
2 the limits will vary from year to year based on the
3 projected escapement.

4
5 MR. SMITH: Could we get that, on the
6 data?

7
8 MR. MUSSLEWHITE: The management plan?

9
10 MR. SMITH: Yeah. How much each year,
11 like, you know, 2021 how many fish were allowed; you're
12 talking about last -- 2023, right, for 50 fish, but
13 what was it for 2021, was it 20 fish, or was 2019, you
14 only get 15 that year?

15
16 MR. MUSSLEWHITE: Yeah, actually I
17 think it's been at that highest state level, not the 50
18 day, no annual limit, that was a new thing on the Fed
19 side. But it's been on the highest tier for awhile
20 because I think 40,000 fish is the highest bracket, you
21 know, that triggers the -- I know somebody who knows.

22
23 (Laughter)

24
25 MR. SMITH: Yeah, because what I see is
26 there's -- what 100,000 escape but then you -- you're
27 -- what -- oh, I'm looking at it wrong, sorry, that's
28 the harvest, this side is -- 100,000 escaped but then
29 you got a 160,000 escape the next year right after so,
30 you know, it should have changed, right -- yeah?
31 Sorry.

32
33 CHAIRMAN HERNANDEZ: Go ahead, Ashley.

34
35 MS. BULWERK: Hi, for the record this
36 is Ashley Bulwerk. Yeah, so the management for the
37 subsistence take always starts off at a set level and
38 then through the management plan, alongside the State
39 harvest it gets bumped up when we hit those levels. So
40 as you look at those numbers there, the years that it's
41 over, I think it's 20,000 fish, I don't have it in
42 front of me, that gets bumped up to the upper level of
43 take. And so the 50 per day this last year, was the
44 first time we've ever done that. But you can -- I
45 don't have the actual like increases in front of me but
46 you can use those sort of escapement numbers to
47 estimate which years it did get bumped up. The only
48 ones that it might not have would be ones that would be
49 close to that line, right. But certainly anything over
50

0052

1 30,000 and 40,000 those were all years where the
2 fishery was liberalized sort of by July 15th.

3

4 MR. SMITH: Myself. I'd like to see
5 that, that -- on the chart, to each year, I mean I'd
6 just request that in a positive way because it -- to
7 me, it helps me understand it more but I don't know if
8 others need that or not, or the community does or not,
9 but it helps me to understand that. And plus I believe
10 it's good data.

11

12 Just -- thank you.

13

14 CHAIRMAN HERNANDEZ: Thank you, John.
15 Louie you had your hand up.

16

17 MR. WAGNER: Thank you, Mr. Chair.
18 I'll be brief.

19

20 REPORTER: Louie, your mic.

21

22 MR. WAGNER: Sorry. Back on the Unuk
23 there I talked to John Heinz now several times, he was
24 up there with boots on the ground and couldn't see much
25 because of the ice but there was spawn everywhere that
26 they could see and the seals were going underneath and
27 feeding on the eulachon. So that makes it very -- you
28 can't 'give an estimate when there's ice covering the
29 river. And Wrangell had the same problem. Because if
30 we have to, we can call a friend up there and he'll
31 send us some eulachon down, especially when we couldn't
32 get them out of the Unuk. But this year should be
33 better and should be able to see everything, you know,
34 and I don't think they were able to get up the main
35 river at all last year, they were just up the slough
36 there. So that takes a big part of the eulachons that
37 go up there and over in the Kluhini, not all the time,
38 it's just every once in awhile and then one year they
39 all went up in there and there was no room for them to
40 all spawn, none went on the main river. It was really
41 something. That was the late '80s, oh, '85 to '88, I
42 guess.

43

44 But I'm hoping -- I should get up there
45 in time. I didn't get up there in time last year and
46 there were still eulachon running but there wasn't
47 enough to try to fish. So I'm counting on this year
48 and like I was telling, Rob, I'm going to have Sonja, I
49 don't know her last name, she's -- she works for our
50

0053

1 indigenous transboundary and I guess she also has a
2 photographer who wants to come up so we're going to do
3 the best we can to get some good news out of this, and
4 some good pictures, and hopefully show what I've always
5 been saying, you know, because I've spent 61 years up
6 there and when we tie our fishing boat in the river on
7 our log up there, way up near high water mark and tide
8 goes out, you know, fish will run during the night.
9 They come up with the tide. They always come up with
10 the tide, they don't buck the shallow tide up, so --
11 and those, they'll spawn and they'll leave again, they
12 won't be there in the morning. Sometimes they stay,
13 sometimes they don't, I don't know depends on how many
14 coming in to spawn I guess. But you really have to be
15 there and know where to look to really be able to
16 manage this properly. And like I say with all that ice
17 the last two years all I could see was a really good
18 spawning.

19

20 Thank you.

21

22 Thank you, Mr. Chair.

23

24 CHAIRMAN HERNANDEZ: Thank you, Louie.
25 I think we need to move on. We still have one more
26 report to hear before we get to our proposals and Rob,
27 do you have that one.

28

29 (Pause)

30

31 MR. CROSS: Thank you, Mr. Chair.
32 Again, for the record my name is Rob Cross. I'm the
33 Subsistence Program Manager for Tongass National
34 Forest. And I'm just going to give a short brief on
35 the Taku River Federal salmon fishery and the next
36 steps.

37

38 So when the Taku River salmon fishery
39 closure review was presented to the Federal Subsistence
40 Board they voted to rescind the closure due to the
41 existing directed commercial and in-river personal use
42 fisheries, lack of a conservation concern for Taku
43 River sockeye and the overall requirements of the
44 Alaska National Interests Lands Conservation Act to
45 provide subsistence priority. This decision defaulted
46 to fishery harvest regulations to the general Federal
47 Southeast regulations. The Federal Subsistence Board
48 can review future proposals to set system specific
49 regulations. But, however, the general regulations
50

0054

1 that this fishery defaulted to are much too liberal for
2 a TransBoundary river system that's subject to the
3 Pacific Salmon Treaty. And so for that reason, Scott
4 Ayers, the Acting Deputy Assistant Regional Director
5 for the Office of Subsistence Management have been
6 working with the Pacific Salmon Commission's
7 TransBoundary River Panel to work through a temporary
8 in-season management plan for the Taku River and this
9 is going to be used as a stop-gap measure until the
10 Federal Subsistence Board votes on a set of regulations
11 for the Taku River Federal fishery.

12

13 So we presented the proposed in-season
14 plan to the U.S. Panel -- U.S. TransBoundary River
15 Panel in early December. We then adjusted the plan
16 based on some concerns that we heard from the U.S.
17 Panel. We presented the adjusted plan to the U.S.
18 Panel again in Seattle in early January and then to the
19 Bilateral U.S./Canadian TransBoundary River Panel. The
20 Bilateral Panel had some additional concerns that we
21 addressed in the third iteration of the in-season
22 management plan. We presented the latest plan to the
23 Bilateral Panel in February and we are still waiting
24 for approval from the Pacific Salmon Commission. And
25 presently the temporary in-season management plan is to
26 match the State personal use fishery just to ease this
27 process along and get approval from the Pacific Salmon
28 Commission to have the fishery and then to solicit
29 proposals for the Taku River regulations which
30 hopefully happen at this meeting and that will allow
31 the Federal Subsistence Board to determine what a
32 meaningful subsistence priority should be and not the
33 in-season manager.

34

35 And Scott Ayers and I presented this
36 information to the Federal Subsistence Board at their
37 work session in February here in Anchorage and informed
38 the Board that they may need to defer the proposal --
39 proposals affected by the Pacific Salmon Treaty until
40 consultation with the TransBoundary River Panel had
41 been completed, and, again, that's on any proposed Taku
42 River regulations that would go through this process.

43

44 So the following presentation, and I'll
45 try to go through it fairly quickly because there's
46 going to be some information that most people know here
47 is what we presented to the TransBoundary River Panel.

48

49 I'm running two computers here.

50

0055

1 So these regulations only apply on the
2 Federal public waters of the Taku River and that's
3 waters located landward of the mean high tide line or
4 up stream of a straight line drawn from headland to
5 headland across the mouth of the river as it flows into
6 the sea and downstream of the U.S./Canada border. And
7 so this is roughly the same footprint of the State
8 personal use fishery.

9
10 So, again, in-season managers have been
11 delegated management authority by the Federal
12 Subsistence Board to take management actions necessary
13 to ensure the conservation of a healthy fish
14 population, the continuation of subsistence, the
15 continued viability of a fish population, reasons of
16 public safety and specifically, in this situation, to
17 adhere to the terms of the Pacific Salmon Treaty. The
18 Federal season will be managed by in-season managers
19 through special actions until, again, the Taku specific
20 regulations are put in place. And this table shows
21 that general harvest regulations as they defaulted
22 after the rescinding of the closure, compared to the
23 actions proposed to be taken by the in-season manager
24 until a proposal is passed.

25
26 So real quickly, there's no directed
27 chinook fishery in the general regulations and
28 therefore it would remain closed. The directed coho
29 salmon season will be closed on the Taku River.
30 Sockeye season dates will match the State personal use
31 fishery to avoid incidental harvest of chinook. And
32 I'll just point out that the personal use sockeye
33 season start dates were selected based on the annual
34 chinook run timing and it's a really effective measure
35 to avoid incidental harvest of chinook because by the
36 time that this season -- the sockeye season starts,
37 roughly 100 percent of the large chinook have passed by
38 the Canyon Island fishwheel, they're basically passed
39 through the fishery and it's led to an average of about
40 10 incidentally caught chinook per year although in the
41 personal use fishery they're allowed to keep two a day.
42 So it's been a really effective measure. Sockeye
43 harvest limits, they default to the adjacent personal
44 use fishery annual limits and those are 10 for a
45 household of one and 20 for a household of two or
46 greater. The nets will be limited to 15 fathom set
47 gillnets and harvesters will be required to be present
48 while harvesting. ADF&G fishwheel buffers listed in
49 the personal use fishery regs will be adopted through
50

0056

1 in-season management as well. And then incidental
2 chinook and coho harvest retention will be limited to
3 two and six per day respectively and, again, that
4 matches the personal use fishery. And then any other
5 conservation concerns that arise can be addressed by
6 the in-season manager.

7

8 (Pause)

9

10 Okay, there we go.

11

12 MR. CROSS: Okay, an important
13 component of the general Federal Southeast regulations
14 is the prohibition of accumulating State and Federal
15 harvest limits. You can accumulate Federal harvest
16 limits with State sport harvest provided that it does
17 not occur on the same day, and then Federally-qualified
18 harvesters may harvest for another Federally-qualified
19 harvester from Southeast through the designated
20 harvester program. Although they can only possess two
21 harvest limits at any time and may only fish with one
22 limited gear such as one gillnet.

23

24 And then this map shows the rural and
25 non-rural communities in the vicinity of the Taku
26 River. Again, it's all rural residents of Southeast
27 Alaska that are eligible to harvest fish in the Federal
28 public waters of Southeast Alaska under the subsistence
29 regulations. And this is all residents of Southeast
30 except residents of Juneau and Ketchikan. And the
31 reason why I put this up there is just to kind of show,
32 like the closest rural community or one of the closest
33 Federally-qualified communities would be probably
34 Gustavus and that's about 60 air miles away from the
35 mouth of the river so, although we do expect that there
36 will be some participation in this system by Federally-
37 qualified users, it's not expected to be a large
38 amount. And particularly under the current in-season
39 management plan, since it mirrors the personal use
40 fishery, we expect little or no additional harvest from
41 this fishery because you cannot accumulate both
42 personal use and Federal subsistence. It is possible
43 that through the designated harvester program that
44 might lead to a little bit more additional harvest
45 since folks can harvest for other rural residents and
46 have two harvest limits on them at any time.

47

48 Okay, so this is a fairly boring slide
49 because it's a comparison between the State and Federal
50

0057

1 fisheries and, again, the plan is to match them through
2 in-season management. But since we're soliciting
3 proposals for the Taku River, hopefully during this
4 fish cycle, I just wanted to put this up here to show
5 folks, you know, sort of what the starting point is for
6 setting a subsistence preference or subsistence
7 priority. So, again, neither fishery has a directed
8 chinook or coho harvest although you're allowed to
9 retain incidentally caught fish. The sockeye season
10 dates and limits would be identical. Net length will
11 be identical. The State does not have a mesh size
12 restriction for the sockeye season so that's something
13 to keep in mind, because again they're using that
14 timing window to avoid chinook harvest. In other
15 analogous systems like the Stikine we use a mesh size
16 restriction because there's a little bit of overlap
17 between the chinook and the sockeye run so that's
18 something to be considered if the proposed season dates
19 will overlap with the chinook harvest. That's a very
20 large concern for both the U.S. and Canada because that
21 is a stock of conservation concern, or that -- that
22 chinook run is not doing very well. And then, again,
23 net tending requirements will be adjusted to require
24 harvesters to be present when fishing. On the --
25 again, on the other TransBoundary River system where we
26 have a fishery we do two times -- the nets need to be
27 checked at least two times per day. And then the
28 fishwheel buffers, we're going to match that. That's a
29 100 foot buffer, and that's really important to the
30 State and to Canada and to ourselves, as well, because
31 we really don't want people putting a net directly
32 below an escapement estimation method so basically we
33 don't want people corking the fishwheel so that we can
34 get a good estimate of how many fish are returning.

35

36 Okay.

37

38 And then Yes. and Federal managers will
39 meet prior to the season to discuss pre-season
40 forecasts and potential conservation concerns. This is
41 something that our program is pretty well versed in,
42 doing this on the Stikine River, and we have a really
43 good working relationship with the State there and
44 provide pretty constant updates of in-season effort and
45 harvest and we know, you know, really what's going on
46 with our fishery and what's going on with the
47 commercial fishery as well as far as the strength of
48 the run. In-season and post-season monitoring, the
49 Federal fishery will be done by requiring a Taku River
50

0058

1 harvest permit. And I think, you know, sort of the
2 thinking behind that was a lot of our harvest, our in-
3 season harvest estimation is me calling people on the
4 phone and so if we just have a general FFSEO(ph) for
5 salmon permit that's for everybody in Southeast Alaska
6 for, you know, any system that doesn't have a specific
7 permit then I'll be calling all of you quite regularly
8 to see if you're fishing the Taku River and so I'm not
9 sure that most folks would appreciate that level of
10 interaction with me. And then, of course, the annual
11 harvest reporting is also a permit requirement for all
12 of our permits. And then, finally, post-season annual
13 report of subsistence harvest and participation will be
14 provided to the State prior to the TransBoundary River
15 Panel meeting.

16
17 And then I guess I'll add a little bit
18 off script here, but going through this process of
19 presenting the Taku River fishery to the TransBoundary
20 River Panel, both Scott Ayers and I have realized that
21 there's a real need for us to be present at those
22 meetings and we've gotten a lot of support on both the
23 OSM side and the Forest Service side, and I believe the
24 ADF&G side as well to be more present at these
25 meetings, because bringing up subsistence issues is
26 very important for these systems and, you know, I think
27 the closure to Federal subsistence on the Taku River
28 largely went unnoticed for quite awhile until we
29 started doing these closure reviews. So I think just
30 having a presence there and the constant reminder that
31 Federal subsistence is a priority will help to sort of
32 ease this process in the future.

33
34 So once, again, this is an in-season
35 management plan. It's a stop-gap measure. I know that
36 it's not affording a whole lot of subsistence priority
37 but this is to try to get it through this process and
38 then allow the Regional Advisory Council, or
39 yourselves, to set what you believe a meaningful
40 priority would be and then work that through the
41 Federal Subsistence Board process. So I know that we
42 did meet with some of the Regional Advisory Council
43 members prior to this session and we do have that
44 proposal written up and that's something I believe is
45 later on the agenda to go through.

46
47 So that's all I have.

48
49 CHAIRMAN HERNANDEZ: Okay, thank you,
50

0059

1 Rob. Is that all the fisheries reports you have that
2 would be relevant to us developing proposals at this
3 time, I think it might be.

4

5 MR. CROSS: Mr. Chair, yes, it is. And
6 if I could, I'll just add, you know, for the fisheries
7 update that we just did we've been working with our GIS
8 shop, with the folks that actually know how to use
9 computers, unlike myself, and they've developed an
10 interactive map that anyone in the public, as soon as
11 it's published, anyone in the public, including
12 yourselves, can just click on any one of the systems
13 that we monitor and you can see the escapement as we're
14 reporting it by week and then you can also see the
15 escapement by year, you can see harvest. There's also
16 a section on there that shows the current regulations
17 so for like Redoubt where we have changes in the bag
18 limits, that will be present on there, and there will
19 also be a contact slide for an area that shows who the
20 project manager is, both the Forest Service and the
21 cooperater. So that's something that should be out by
22 the spring and prior to any of our monitoring systems.

23

24 CHAIRMAN HERNANDEZ: Okay, thank you.
25 I think what I would like to do is -- while these
26 presentations are fresh in our minds, if we could go
27 through our Federal proposals and then hopefully take a
28 short break and then come back and develop State
29 proposals. Is everybody ready to proceed here for just
30 a little bit longer before we take a break, are we
31 okay.

32

33 (Council nods affirmatively)

34

35 CHAIRMAN HERNANDEZ: Okay. So this is
36 our opportunity to develop proposals to the Federal
37 Subsistence Board for fisheries. Do we have some, we
38 have to make a motion, get them on the floor and
39 discuss them.

40

41 Cal, go ahead.

42

43 MR. CASIPIT: I move that the Council
44 submit a proposal to implement Federal fisheries on the
45 Taku River and we'll be talking about the specifics
46 there but my intention was -- as much as possible match
47 what we're doing on the Stikine, as much as possible,
48 at the same time trying to make it a little easier to
49 get it through the Pacific Salmon Treaty process.

50

0060

1 CHAIRMAN HERNANDEZ: Thank you. We
2 have a motion, do we have a second.

3
4 MR. SMITH: Second.

5
6 CHAIRMAN HERNANDEZ: Okay. Further
7 discussion. Cal, you kind of outlined what we'd like
8 to do. Do we.....

9
10 MR. CASIPIT: Yeah. Rob, if you want
11 to go back to the -- where we had that -- I like that
12 table you had, it's easier for me to work off of.

13
14 CHAIRMAN HERNANDEZ: We did, in a work
15 group, develop what we think this proposal might look
16 like so we'll put that up for Council members to
17 consider and make any comments or suggested changes
18 that you have and that's how we'll proceed. So is our
19 wording up there yet.

20
21 MR. CASIPIT: Yes, Mr. Chair, it is up
22 there. The -- now if folks remember, the Stikine
23 regulations, those season dates for each species are
24 slightly different. I know in the Stikine fishery
25 there's a little bit of overlap between chinook and
26 sockeye even though that fishery is closed pre-season
27 and there was a little bit of overlap on the coho as
28 well in the Stikine. We chose to take those overlap
29 areas away because we thought it might be easier to
30 negotiate through the Treaty process.

31
32 The 15 fathom set gillnet, I guess that
33 comes from a suggestion from the Treaty people to help
34 them be more comfortable with -- you know, 50 fathoms
35 was a little too much for them, the general regulation.

36
37 Although they didn't -- we didn't --
38 although I'm not sure the Treaty people said anything
39 about mesh sizes but, again, those are consistent with
40 the mesh sizes that are in the Stikine fishery.

41
42 We added the 100 yard fishwheel buffer
43 because, again, that was another item that the panel
44 thought would be needed.

45
46 These other two on the incidental catch
47 being retained, I feel pretty strongly that people
48 should be able to keep their incidental catch of those
49 species, especially since it would be consistent with
50

0061

1 the way we manage the Stikine. That might not make it
2 through those Treaty folks.

3

4 And then the net tending requirement is
5 consistent with the Stikine.

6

7 And, you know, returning the fish tags
8 is pretty standard practice in subsistence fisheries as
9 well.

10

11 So that's kind of basically what we
12 came up with. It's -- like I said it's not exactly
13 like the Stikine but we were trying to make it easier
14 to get through negotiations.

15

16 CHAIRMAN HERNANDEZ: Thank you, Cal.
17 Questions from the Council.

18

19 Cathy.

20

21 MS. NEEDHAM: Thank you, Mr. Chair. I
22 don't have a question but I was also on the work group
23 that kind of looked at this and I just wanted to add
24 that when we thought about like the harvest limits that
25 you see on the screen before you, we talked a lot about
26 making sure -- because any subsistence user that would
27 go to the Taku to actually utilize it we wanted to make
28 sure that they had a meaningful number to go for,
29 right, like we didn't want to have lower limits than
30 what it would be worth their effort to actually make
31 the trek all the way up the Taku for that so that's why
32 you see the harvest limits as being five for chinook,
33 40 per year, and for sockeye, and 20 per year for coho
34 as a kind of place to start. And they might, you know,
35 negotiating, we're asking for more because we're saying
36 that people will -- that will provide an opportunity
37 for people to actually make the effort to go that far
38 and hopefully -- we didn't want to go less because if
39 we went less then who really wants to trek all the way
40 up the Taku to get just 20 fish.

41

42 So, thank you, Mr. Chair.

43

44 CHAIRMAN HERNANDEZ: Thank you, Cathy.

45

46 Patty.

47

48 MS. PHILLIPS: Thank you, Chairman
49 Hernandez. So is that five chinook, five chinook per
50

0062

1 year or per day?

2

3 MR. CASIPIT: That was per year. We
4 probably should fix that, right, the chinook limit.

5

6 (Laughter)

7

8 MR. CASIPIT: Yeah, that fishery is
9 probably going to be closed in-season before the season
10 starts for the near future.

11

12 CHAIRMAN HERNANDEZ: Right. You know
13 there's always a potential that there could be a king
14 fishery at some point. There was a king fishery on the
15 Stikine when it originally opened, I believe, before
16 the crash. So we want to get that into regulation
17 knowing that it most likely would be closed by special
18 action in the near future.

19

20 John.

21

22 MR. SMITH: Yeah, I just want to maybe
23 get some confirmation on -- my concern is the 5.5 on
24 the mesh size. As a fisherman that's -- that's pretty
25 big and I don't know about others, you know, of the
26 limit of the size, you know, four -- 4.5 you're still
27 going to catch a legal sockeye, am I right, if you have
28 a 5.5 there's going to be a lot of the smaller ones
29 that are (makes noise) right through the mesh, and all
30 you're going to catch is these big ones. So just to
31 look at that, I don't know what the -- what the history
32 says through the years of what it changed but, no offen
33 -- you can leave it there, that's fine, but I'm just
34 curious about that and just have a conversation because
35 if you have 5 -- you're going to lose a lot of fish
36 then.

37

38 CHAIRMAN HERNANDEZ: Cal.

39

40 MR. CASIPIT: Thank you, Mr. Chair.
41 Mr. Smith. I was earlier talking about trying to be
42 consistent where we can with the Stikine River and
43 that's the same mesh restriction for sockeye on the
44 Stikine.

45

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

48

49 MR. CROSS: That's a maximum mesh size

50

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1 so you can go smaller, that's just the maximum.

2

3 MR. SMITH: Oh. Can we put that in
4 there just so people don't get confused, like me, yeah,
5 thank you.

6

7 CHAIRMAN HERNANDEZ: Yeah.

8

9 MR. SMITH: Maybe a little asterisk
10 mark. Thank you. Appreciate it.

11

12 CHAIRMAN HERNANDEZ: Patty.

13

14 MS. PHILLIPS: Thank you, Chairman
15 Hernandez. So it says there by Federal subsistence
16 permit, I mean what's the deal, the Federal subsistence
17 permit, you can't do this fishery unless you register
18 so does it say that somewhere?

19

20 CHAIRMAN HERNANDEZ: Rob.

21

22 MR. CROSS: Yes. Through the Chair.
23 Member Phillips. So, yes, this will require a Taku
24 River permit. It's just a -- you know folks can call
25 and get it or go into a Forest Service office and get
26 it but the main reason for that is there's concerns
27 that the levels of participation will be much higher
28 than we're expecting it to be. It's also an extremely
29 allocated fishery having a commercial fishery, a
30 personal use fishery and then a Federal subsistence
31 fishery and then further up stream the Canadian fishery
32 and First Nations fishery. So having a Taku specific
33 permit will allow us to track how many people are
34 planning on participating in it, how many people do
35 participate and then what the overall harvest is
36 because it's very hard to tease that out from a permit
37 that covers all of Southeast Alaska being the FFSE04.

38

39 CHAIRMAN HERNANDEZ: Patty, follow up.

40

41 MS. PHILLIPS: Thank you. And I
42 appreciate that explanation Rob. So let's say I want
43 to go fish this as -- under Federal subsistence, so I
44 -- it says somewhere that I have to get a Federal
45 registration permit and so then I have to call where to
46 get it and then am I required to turn it in -- so is
47 the regulations going to say all that?

48

49 MR. CROSS: Yes. Through the Chair.

50

0064

1 Member Phillips. Yeah, that's all under permit
2 requirements and, yes, it will be required to be
3 returned but they have postage on the back so -- or
4 I've been posting my work cell phone number on the
5 front door at offices and people can just call in their
6 reports or call any Forest Service office.

7

8 MS. PHILLIPS: Is there a cost for you
9 to get the permit?

10

11 MR. CROSS: No, it will not.

12

13 CHAIRMAN HERNANDEZ: Okay. Thank you,
14 Patty. Ted.

15

16 MR. SANDHOFER: Yeah, thank you, Mr.
17 Chair. Yeah, I'm going to support this proposal. I
18 think I -- I utilize the Stikine area fishery and it
19 works real good. I know the in-season manager can
20 adjust things if there's a conservation issue and I
21 think it's a good thing to give this opportunity to
22 people on the north end of the Tongass.

23

24 Thanks.

25

26 CHAIRMAN HERNANDEZ: Thank you, Ted.
27 Any other Council member questions.

28

29 MS. PHILLIPS: I have a question.

30

31 CHAIRMAN HERNANDEZ: Go ahead, Patty.

32

33 MS. PHILLIPS: So do I need a sportfish
34 license to do this Federal fishery?

35

36 MR. CROSS: Through the Chair. Member
37 Phillips. No, you do not. For Federal fishing you're
38 not required to have a State fishing permit, it's for
39 most Federal hunts you're required to have a State
40 hunting permit, but -- or a State hunting license but
41 you're not required to have that for fishing.

42

43 CHAIRMAN HERNANDEZ: Okay. Any other
44 questions.

45

46 (No comments)

47

48 CHAIRMAN HERNANDEZ: Okay, maybe we're
49 ready to put this proposal to a vote. I think I can do
50

0065

1 a voice vote on this. So the motion was to put in a
2 proposal for a Federal fishery on the Taku River,
3 details are on the screen. All in favor say aye.

4

5 IN UNISON: Aye.

6

7 CHAIRMAN HERNANDEZ: Is there anybody
8 opposed, say no.

9

10 (No opposing votes)

11

12 CHAIRMAN HERNANDEZ: Okay. We have a
13 proposal to present. And now are there any other
14 suggested proposals.

15

16 Cathy.

17

18 MS. NEEDHAM: Thank you, Mr. Chair. I
19 move to submit a proposal to close the Unuk River
20 eulachon for harvest to non-Federally-qualified users.

21

22 CHAIRMAN HERNANDEZ: Thank you, Cathy.

23

24 MR. SMITH: Second.

25

26 CHAIRMAN HERNANDEZ: Thank you, John.
27 Okay, open for discussion. And I guess we'll give the
28 Council's rationale for this proposal, Cathy do you
29 want to do that -- or I should do that.....

30

31 MS. NEEDHAM: Yeah.

32

33 CHAIRMAN HERNANDEZ: Okay, thank you.

34

35 (Laughter)

36

37 CHAIRMAN HERNANDEZ: So the issue here
38 for the Unuk River is we essentially had a request from
39 Mr. Wagner to see if we can increase the harvest for
40 the Unuk River. And as the regulations are right now
41 that fishery is an open fishery with no limits or
42 restrictions. However it has been either closed or
43 severely restricted to subsistence users for a number
44 of years by special action, in-season management. So
45 we were looking for any ways that we could possibly --
46 and I also want to add it's been closed to both
47 subsistence and non-subsistence by the State and
48 Federal managers. So we wanted to see if there was a
49 way to possibly be able to increase the harvest

50

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1 opportunity for subsistence users by providing some
2 kind of a meaningful priority for that fishery.

3

4

5 And I guess after a lot of discussion
6 we kind of realized that given the severe restrictions
7 that are already in place on that fishery, really the
8 only option we had was if we were to close it to non-
9 subsistence users that might allow the managers to
10 allow an increased harvest to the subsistence users if
11 we knew that -- or the State would not be able to open
12 a concurrent non- -- State managed fishery at the same
13 time if we opened our fishery. So we would just close
14 it to all other users and possibly we could have a
15 little larger harvest.

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So it's kind of a blanket proposal,
just a closure to non-Federally-qualified users. And
it may not, you know, depending on conditions we don't
know that it would change things, it would still be
under in-season management and managed by, you know,
special action but it might give us some more options.

So questions on that.

Go ahead, Patty.

MS. PHILLIPS: Thank you, Chairman
Hernandez. I believe the Ketchikan Indian Association,
don't they do a monitoring of the eulachon and don't
they get a, you know, small harvest for their tribal
members?

CHAIRMAN HERNANDEZ: I believe you are
correct. Well, I know they help with the monitoring
and we, of course, very much appreciate that, and, yes,
I think you're also correct or Rob, you can answer
that, but as it is now they are eligible to harvest as
well and, of course, they are not subsistence qualified
so there is the issue. It's like, unfortunately they
would be the ones who would have to be restricted if we
had any opportunity to increase the subsistence
harvest.

Rob, you might have some more comment
on that.

MR. CROSS: Yeah, thank you, Mr. Chair.
Member Phillips. So, yes, we do partner with the
Ketchikan Indian Community for monitoring on this

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1 system but with the recent closures that we've been
2 doing, the in-season management actions, that's closing
3 all of District 1 to all but Federally-qualified users
4 and only on the Unuk River. So the only people that
5 are currently eligible to harvest the five gallons are
6 Federally-qualified users which would not be the vast
7 majority of Ketchikan although there are rural areas
8 within Ketchikan.

9
10 CHAIRMAN HERNANDEZ: So further
11 qualification, but that's all in-season management, we
12 don't have a closure on regulation that's an in-season
13 decision, correct?

14
15 MR. CROSS: That's correct.

16
17 CHAIRMAN HERNANDEZ: Any other
18 questions.

19
20 Ted, go ahead.

21
22 SANDHOFER: Thank you, Mr. Chair. Do
23 we have any information on the break out of the harvest
24 at present between rural residents and non-rural
25 residents, I'm just kind of curious who we will be
26 affecting and how much?

27
28 MR. CROSS: Through the Chair. Member
29 Sandhofer. That's a real softball question because
30 it's only Federally-qualified harvesters that are able
31 to harvest right now. I'll say historically I don't
32 have those numbers in front of me so the last time that
33 it was open or the last time that folks were harvesting
34 back in 2005, I can find that information out.
35 Although I think the majority of that harvest was
36 seining out in saltwater. So short answer it's 100
37 percent Federally-qualified harvesters right now. The
38 State does have the ability to open, I believe it's a
39 50 pound limit for State harvesters right now, or State
40 subsistence harvest but, again, we're using in-season
41 management actions to close it to all but Federally-
42 qualified harvesters and only on the Unuk River.

43
44 CHAIRMAN HERNANDEZ: John, go ahead.

45
46 MR. SMITH: Just to add to his question
47 to get an idea is there any of that same question on
48 the Chilkoot/Chilkat or the Stikine or -- that
49 shares.....

50

0068

1 MS. PHILLIPS: Mr. Chair. Call for the
2 quest -- I mean I ask that we not divert from our
3 subject.

4
5 CHAIRMAN HERNANDEZ: Yeah, let's keep
6 it to the Unuk. Okay, anybody else.

7
8 Patty, go ahead.

9
10 MS. PHILLIPS: I would just like to
11 clarify that we're putting a proposal forward and then
12 Staff will do an analysis, from which we can find out
13 more about that and ask more questions and then the
14 public will have an opportunity to comment.

15
16 So I'll support the motion.

17
18 Thank you.

19
20 CHAIRMAN HERNANDEZ: Thank you. Thank
21 you, Patty. And we're just discussing whether or not
22 this is a proposal that the Council would like to put
23 forward. So any other questions or opinions on what we
24 should do with this. This is a time to -- if you don't
25 like this idea this would be the time to speak up so --
26 Ted, go ahead.

27
28 MR. SANDHOFER: Thank you, Mr. Chair.
29 I'm still a little -- so we're getting cooperation from
30 the Ketchikan Indian Association and there's no benefit
31 to them for this cooperation at this time, I mean since
32 you said it's only Federally-qualified people that are
33 harvesting, I'm just trying to think this out.

34
35 MR. CROSS: Yeah, through the Chair.
36 Member Sandhofer. Yes, that's correct. So they are
37 helping with the monitoring of this system. I -- you
38 know it would be my assumption that because it's a very
39 culturally significant resource to all the communities
40 in that area that it's everyone's hope that this
41 resource is going to come back to a point to where it
42 can be used by all the user groups and all the
43 communities.

44
45 CHAIRMAN HERNANDEZ: Louie, question or
46 comment.

47
48 MR. WAGNER: Yeah, I'd like to
49 just.....
50

0069

1 REPORTER: Turn on your mic first
2 Louie.

3
4 MR. WAGNER: Ted, they received a
5 \$650,000 grant about three years ago and I think it's
6 getting close to running out. I don't know if it's
7 renewable or not.

8
9 Thank you.

10
11 CHAIRMAN HERNANDEZ: Thank you, Louie.
12 Any other comments or questions from Council members on
13 this proposal.

14
15 (No comments)

16
17 CHAIRMAN HERNANDEZ: I think I can call
18 for the question. I think on this one, DeAnna, I might
19 do a roll call. I'm sensing there may be some -- so go
20 ahead and do a roll call vote on this. Then the motion
21 was to put forward a proposal from the Southeast RAC
22 that would close eulachon fishing on the Unuk River to
23 non-Federally-qualified fishers.

24
25 MS. PERRY: Thank you, Mr. Chair. We
26 do have one new Council member, so I would just like to
27 remind everyone you can vote for, against or abstain,
28 so at this time I'll do the roll call.

29
30 Cal Casipit.

31
32 MR. CASIPIT: Yes.

33
34 MS. PERRY: Michael Douville.

35
36 MR. DOUVILLE: Yes.

37
38 MS. PERRY: Jim Slater.

39
40 (No comments)

41
42 MS. PERRY: Absent.

43
44 Ted Sandhofer.

45
46 MR. SANDHOFER: Yes.

47
48 MS. PERRY: Albert Howard.

49
50

0070

1 MR. HOWARD: Yes.

2

3 MS. PERRY: Patricia Phillips.

4

5 MS. PHILLIPS: Yes.

6

7 MS. PERRY: Louie Wagner, Jr.

8

9 MR. WAGNER: Yes.

10

11 MS. PERRY: Harvey Kitka.

12

13 MR. KITKA: Yes.

14

15 MS. PERRY: John Smith, III.

16

17 MR. SMITH: Yes.

18

19 MS. PERRY: Cathy Needham.

20

21 MS. NEEDHAM: Yes.

22

23 MS. PERRY: Larry Bemis, absent.

24

25 Frank Wright, absent.

26

27 Don Hernandez.

28

29 CHAIRMAN HERNANDEZ: Yes.

30

31 MS. PERRY: Thank you, Mr. Chair, it
32 passes unanimously.

33

34 CHAIRMAN HERNANDEZ: Thank you. I will
35 check one more time, is there any Council members who
36 have any other motions to put forward for a Federal
37 fisheries proposal.

38

39 Albert.

40

41 MR. HOWARD: Thank you, Mr. Chair.
42 Just an idea. We have a lot of riverboats running up
43 into one small system in Angoon. They're using jet
44 boats and it isn't any residents of Angoon, it isn't
45 even residents of Alaska doing it. So I'd like to p ut
46 a stop to that if that is possible through this
47 process. It can be short and to the point. But
48 something has to be done because they're running
49 through spawning beds and everything else and there's
50

0071

1 no regard for what's happening around them when they're
2 doing it. And, you know, residents of Angoon don't do
3 it, if we want to get to where they're going we walk.
4 So is it something we may consider, Mr. Chair, or we
5 can do it at a future meeting.

6
7 Thank you, Mr. Chair.

8
9 CHAIRMAN HERNANDEZ: Thank you, Albert.
10 This is an opportunity to put forward a proposal if
11 you'd like to make a motion we'll consider it.

12
13 MR. HOWARD: Mr. Chair. I'd like to
14 make a motion that this Board puts a proposal together
15 to prevent any more jet boat traffic on the Hasselborg
16 River in Angoon.

17
18 Thank you, Mr. Chair.

19
20 CHAIRMAN HERNANDEZ: Thank you. Do we
21 have a second.

22
23 MR. KITKA: Second.

24
25 CHAIRMAN HERNANDEZ: Second by Harvey.
26 Just a second, we might have some questions on this --
27 Harvey.

28
29 MR. KITKA: I'd just like to know when
30 the spawning is taking place. I realize jet boats,
31 even though they don't have propellers in the water,
32 stir up the bottom quite a bit and can cause some
33 problems in the spawning beds. I'd just like to know
34 when the spawning is taking place.

35
36 CHAIRMAN HERNANDEZ: Before we get to
37 that I guess I do have a basic question and I'm -- I
38 know these are Federal waters that you are referring to
39 Albert, which is under our jurisdiction, I'm not sure
40 that the Federal system does methods and means, I think
41 it has to involve take, is that correct, Rob?

42
43 MR. CROSS: Yes, Mr. Chair. So this is
44 a call for fisheries proposals so it would have to be a
45 proposal to change a fishery regulation. And I'll have
46 to check, that might be an issue that can be brought up
47 to the Ranger of that area because that might be
48 something that they're able to do but I'm not sure.
49 But outside of this process they might be able to do
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1 that.

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CHAIRMAN HERNANDEZ: I think that's a clear answer, Albert. I think it's kind of beyond what our purposes are essentially. So, go ahead.

MR. HOWARD: Thank you, Mr. Chair. Can we language it as -- we recognize that jet boats aren't a gear type that should be used on the river, it is a gear. They're using it, you can't tell me that -- otherwise they wouldn't get any fish if they didn't go up there that way. So it's being used not only as a mode of transportation but it's also -- you could call it a gear type or whatever it is. We tried to talk to a Monument Ranger about this and then they told us it's not in their jurisdiction and then the next time it -- Federal waters or streams, and that's a stream. I'm just trying to find a solution to a current problem like I always do, Mr. Chair.

CHAIRMAN HERNANDEZ: I understand that and I believe it is a problem. I think it's a problem kind of throughout the region, actually. You know, jet boats on spawning grounds just not a good idea and I don't know how that's dealt with in other areas because it is an issue. And, maybe, Rob, you might, you know, Petersburg Creek, there's jet boats running all over up there on the spawning grounds. I don't know what's been done but you might be familiar with that.

MR. CROSS: Yes, Mr. Chair, and I might actually refer to Member Sandhofer on this having been a recent Ranger. But I think that's more of an access and land management issue. We don't usually, or I can't think of an example in Southeast where we list vehicle types as a method and means or gear type, but, again, that could be a land management issue and a restriction that the Ranger might be able to impose. But maybe Member Sandhofer or Casipit might know.

CHAIRMAN HERNANDEZ: Cal, are you prepared to answer.

MR. CASIPIT: You know, I'm kind of interested in submitting something like this. Because, you know, these are basically non-residents of Alaska, right, going up into Federal waters in a jet boat to go fishing, in Federal jurisdiction, sportfishing, right, I mean that's what I'm assuming is going on. so we

0073

1 should be able to close that activity, I would think.
2 If we can't, what's the harm in submitting it, it gets
3 kicked off to the land manager and they have to deal
4 with it, at least we've brought it up as a problem for
5 Angoon and we're trying to address it as a Council.

6
7 I think it's reasonable to submit even
8 if they say no, at least we've brought it to the
9 Board's attention, to the land manager's attention, to
10 a higher level and maybe nothing happens but at least
11 we've said something and tried to do something about
12 it.

13
14 Anyway, thank you.

15
16 CHAIRMAN HERNANDEZ: Thank you, Cal.
17 I'm still not sure that a proposal is the best way to
18 do that. There might be a better method. John, go
19 ahead.

20
21 MR. SMITH: I really like that because
22 even the jet boat, but even the prop boat, but even
23 noise and sound, they've done that before where they
24 were pile driving in Haines and other areas where they
25 drove them up into the other creek in history. And so
26 I really think I'm in agreement of somewhere -- putting
27 that in there, I believe that's a good decision, maybe
28 not this year but later, however that'd work, but I
29 think that is important.

30
31 CHAIRMAN HERNANDEZ: Okay. Albert,
32 just a second. I don't know, my suggestion might be
33 write up a proposal, put it in, let them come back to
34 us and tell us if it's at all possible or suggest
35 another way. And let's see, Patty, did you have your
36 hand up?

37
38 MS. PHILLIPS: Can we just have a.....

39
40 REPORTER: Patty, mic.

41
42 MS. PHILLIPS: Sorry. Thank you, Tina.
43 Can we just close the waters of Hasselborg Lake to all
44 -- to non-Federally-qualified harvest?

45
46 CHAIRMAN HERNANDEZ: I'll take that as
47 a suggestion and maybe go to -- Brent, go ahead.

48
49 MR. VICKERS: Hello, this is Brent

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0074

1 Vickers, Office of Subsistence Management. So two
2 things.

3
4 First of all, I do agree with what Rob
5 has said but if you would like to submit a proposal, it
6 goes through a validation process and we can get back
7 to you, you know, once the -- soon after, let's say the
8 close of the proposal period saying that this was not
9 valid for these reasons. So you can, at least, through
10 that get a reason why and we would have to look at it
11 and make sure there is an actual reason why it's valid
12 or not valid. So you can just submit it, it's not
13 going to cost us at Office of Subsistence Management
14 too much to get our regulation specialists to say this
15 is why it's not.

16
17 Second thing is, I don't know this
18 system, I don't know anything, but along the lines of
19 Council Member Phillips was saying, maybe there's out
20 of the box ways you can think about reducing interest
21 in going up the river at specific times or something
22 like that, that would have something to do the fishing
23 itself.

24
25 Thank you.

26
27 CHAIRMAN HERNANDEZ: Thank you, Brent.

28
29 Mike.

30
31 MR. DOUVILLE: Thank you, Mr. Chair.
32 Just closing a fishery would not restrict anybody from
33 running up rivers should they choose to just for the
34 fun of it or have a picnic or whatever.

35
36 CHAIRMAN HERNANDEZ: I agree, thank
37 you.

38
39 MR. DOUVILLE: I don't know if this
40 system is outboard friendly, could you make it up there
41 with an outboard, but because we don't know what we can
42 do with this wouldn't it be pertinent to ask the
43 Federal Board how to proceed?

44
45 CHAIRMAN HERNANDEZ: I guess I'm
46 hopeful that if we put in a proposal they might come
47 back to us with a suggestion. I don't know if that
48 would happen, I guess that would be our hope.

49
50

0075

1 Albert.

2

3

4 MR. HOWARD: Thank you, Mr. Chair. You
5 know how we put proposals in and we ask for gear
6 changes, this could be asking for a gear change, that
7 they no longer allow a jet boat to go up into the
8 system. There are spots in that system that are from
9 here to there and there's spots in the system that are
10 even closer than that. So, you know, there's also --
11 and we've never been able to exercise anything in
12 Monument language but it also states for the quiet
13 enjoyment, there's no quiet enjoyment if you're sitting
14 there having a picnic and a jet boat goes flying by
15 with a bunch of guests in there with rods hanging out
16 of the sides, so this could be considered a gear type
17 change. But I've also put the thought process of
18 having been in search and rescue that you allow in
19 emergency instances where life is endangered you allow
20 a boat up there, but that would be the only reason I
21 would consider even letting one go flying by me like
22 they do, if it's an emergency where someone's life is
23 at stake.

23

24

25

26 But there's absolutely no reason to
27 have a jet go up there, none.

26

27

28

29

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31

32

33 I've guided up there and I -- you know
34 me and my stories, I actually put an elder gentleman in
35 a canoe and pulled him up there so he wouldn't slip and
36 fall in. The end of that story is he was getting out
37 and slipped and fell in.

32

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(Laughter)

41 MR. HOWARD: But, Mr. Chair, I
42 appreciate you guys considering this and what I
43 appreciate about this Council is we find a way to
44 either do it or don't and we discuss it until you
45 convince me it shouldn't happen.

40

41

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49

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Thank you, Mr. Chair.

CHAIRMAN HERNANDEZ: Thank you.

Mike.

MR. DOUVILLE: Okay. It wasn't
explained to me if it's outboard friendly or not, it's
jet boat friendly obviously.

0076

1 CHAIRMAN HERNANDEZ: Anybody. Albert,
2 can he run up there with an out -- conventional
3 outboard or does it have to be a jet?

4
5 MR. HOWARD: We've done it but it's
6 always usually in September and it's a little tiny
7 outboard, it's not a 30, 40 horse outboard with a jet
8 on the bottom of it, and when you do it in a smaller
9 boat with a five horse, four horse outboard, you end up
10 walking at some point because that little outboard
11 won't -- and that's no big deal, but them jets are
12 something else and in my mind they just do it to abuse
13 the system. You don't really give them the true
14 Alaskan experience of walking up or paddling up in
15 canoe.

16
17 So, thank you, Mr. Chair.

18
19 MS. PERRY: Mr. Chair.

20
21 CHAIRMAN HERNANDEZ: Yeah, DeAnna.

22
23 MS. PERRY: Yeah, I just needed to be
24 clear before we get any more discussion, Albert made
25 the motion and then I didn't hear a second, I know Cal
26 said he would be interested, I didn't know if that was
27 the second or.....

28
29 CHAIRMAN HERNANDEZ: No, Harvey.

30
31 REPORTER: Yes, Harvey made the second.

32
33 MS. PERRY:if I just didn't hear
34 it.

35
36 CHAIRMAN HERNANDEZ: Harvey.

37
38 MS. PERRY: Harvey, thank you very
39 much.

40
41 CHAIRMAN HERNANDEZ: Okay. Louie.

42
43 MR. WAGNER: Thank you, Mr. Chair. I'd
44 just like to offer as back in 2000/2001, I'm sure it
45 went through the Council but it did go through the
46 Board, they stopped the airplanes from landing up in
47 the Unuk River because of the noise and it drives
48 everything -- it drives the eulachons right up on the
49 bank, so the Forest Service acted right away and the
50

0077

1 Fish and Game acted. They have to land out at the
2 mouth of the river to put their stuff in the skiffs and
3 go up in the skiffs. So that's kind of sort of been
4 done already.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN HERNANDEZ: Thank you.

9

10 Cathy.

11

12 MS. NEEDHAM: Thank you, Mr. Chair.
13 I'd like to consider us taking a break and having a
14 little bit of time to craft whatever proposal that we
15 want to put forward because right now we just have some
16 general language and we need to kind of vote on this.
17 We're just submitting a proposal at this time and so we
18 just need to know what that looks like so that we can
19 vote on it, but I think we need a little bit of time
20 because this came up at the table and we haven't had a
21 chance to have language in front of us like we did the
22 other two proposals.

23

24 Thank you, Mr. Chair.

25

26 CHAIRMAN HERNANDEZ: Thank you, Cathy.

27

28 Patty.

29

30 MS. PHILLIPS: I was just reading

31 in.....

32

33 REPORTER: Patty. Patty, your mic.

34

35 MS. PHILLIPS: Thank you, Mr. Chair. I
36 was just reading the harvest of fish and wild -- fish
37 and shellfish booklet online and under regulations for
38 Kodiak area subsistence fishing, the following
39 restrictions apply to the take of salmon. So from June
40 1 to September 15th you may not use salmon seine
41 vessels to take subsistence salmon for 24 hours before,
42 during or for 24 hours after any State open commercial
43 salmon fishing period. The use of skiffs from any type
44 of vessel is allowed.

45

46 So I mean they have a specific thing
47 about a type of vessel for the Kodiak area.

48

49 CHAIRMAN HERNANDEZ: Okay. I think we

50

0078

1 do need to take a break.

2

3 MS. PHILLIPS: Thank you.

4

5 CHAIRMAN HERNANDEZ: I was all ready to
6 take a break before Albert brought that up.

7

8 John, one more question.

9

10 MR. SMITH: Thank you very much. Just
11 even to a point to where there's at least a speed limit
12 to the people that are going up there, you know,
13 bringing up their motor, putting that in the
14 stipulation for the people who are harvesting there.

15

16 Gunalcheesh. Uh.

17

18 CHAIRMAN HERNANDEZ: Okay. Let's take
19 a 10 minute break. Maybe Albert can talk to a few
20 folks about some workable language and then we'll come
21 back.

22

23 (Off record)

24

25 (On record)

26

27 CHAIRMAN HERNANDEZ: Thank you, Council
28 members. I think we have enough Council members to get
29 back to work here, we might be missing one.

30

31 Okay. I know there was a lot of
32 discussions out there in the hall on what to do with
33 this. Do we have a consensus. We do have a motion on
34 the floor so we will have to take some action, so with
35 that in mind what did we come up with?

36

37 Harvey.

38

39 MR. KITKA: Do we need to have a second
40 on that motion that's on the floor?

41

42 CHAIRMAN HERNANDEZ: No, we have a
43 second.

44

45 MR. KITKA: I'll second it if we need
46 to.

47

48 CHAIRMAN HERNANDEZ: We have a motion
49 and a second so we're into discussion but we do need to

50

0079

1 act on the motion in one way or another. So do we have
2 language we could put forward as a proposal and, if
3 not, I would suggest that we just vote to take no
4 action on the motion. So either come up with a clear
5 proposal or take no action, I think those are the
6 options.

7

8 Albert.

9

10 MR. HOWARD: Thank you, Mr. Chair.
11 Maybe a letter asking for direction because this is an
12 issue that happens in Federal waters under a State
13 fishery. So you end up with a Catch-22. We can't call
14 it making changes to the gear in a fishery because it's
15 not a -- it isn't a Federal fishery and I don't want to
16 restrict any Federally-qualified fishermen from going
17 up there in a jet boat because that's not what I'm here
18 for, to restrict that, unless it's causing a
19 conservation concern then you take a look at it and you
20 can justify it.

21

22 Thank you, Mr. Chair.

23

24 CHAIRMAN HERNANDEZ: Thank you, Albert.
25 So that's kind of my understanding. In the Federal
26 process we really don't have a good option. Could
27 potentially try a proposal to the State to try and get
28 them to do something so we can consider that, but
29 that's not where we are right now. So do we.....

30

31 MS. PERRY: Is he withdrawing his
32 motion.

33

34 CHAIRMAN HERNANDEZ: What's that?

35

36 MS. PERRY: Is he withdrawing his
37 motion?

38

39 CHAIRMAN HERNANDEZ: So would you like
40 to withdraw the motion or ask for a no action vote or,
41 I guess it would be amended to what take no action or
42 just withdraw, what would be.....

43

44 MS. PERRY: If you want to vote then
45 we'll just need -- it would be best to just vote it
46 down unless he wants to withdraw with the concurrence
47 of the second.

48

49 CHAIRMAN HERNANDEZ: Okay. Would you

50

0080

1 like to withdraw the motion with the concurrence of the
2 second? I guess that would probably be the way to go.

3

4

5 MR. HOWARD: Mr. Chair. I agree with
6 withdrawing the motion but I'd like to leave here with
7 something because typically before I come up I'll visit
8 with the tribal council and ask what they would like to
9 see and this was one of them along with all the State
10 proposals that nothing happened with, I was told I
11 needed to do it myself because it's State. So I'll
12 withdraw that motion and I appreciate you guys talking
13 about it because you help me, point me in the right
14 direction on where I need to go next.

14

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Thank you, Mr. Chair.

CHAIRMAN HERNANDEZ: Thank you. I believe Harvey you were the second, do you concur?

MR. KITKA: Yes.

CHAIRMAN HERNANDEZ: Yes, thank you. Okay. And, yes, we can take that up as perhaps a letter from the Council to the Monument Manager, I guess. We could do that. We'll add that to the end of the agenda. Okay, thank you, Albert.

So now the next action item would be the call for proposals to the State Board of Fisheries, fishery proposals. DeAnna, do you have something to say about that?

MS. PERRY: Mr. Chair, I believe Jake Musslewhite is going to lead us in that discussion.

CHAIRMAN HERNANDEZ: Okay. Thank you, Jake, go ahead.

MR. MUSSLEWHITE: Yes, thank you, Mr. Chair. for the record, again, my name is Jake Musslewhite, Biologist for the Forest Service. Yes, I have been working with various members of the Council to craft some potential Board of Fish proposals and we'll bring up sort of a cheatsheet that we could look at, I think there may be paper copies floating around as well of this.

The first one is to create a subsistence king salmon fishery. This Council

0081

1 submitted a proposal in the last cycle to remove the
2 restriction for the Department issuing subsistence
3 permits for king salmon but that just then leaves a
4 potential for that so it does not create a fishery,
5 opens the door, but this proposal would be then to
6 actually create that subsistence king salmon fishery.
7 This comes at an interesting time for the king salmon
8 fishery in Southeast Alaska because right now all the
9 fisheries are governed under the King Salmon Management
10 Plan, which is, you know, had a lot of changes and
11 stuff lately and I believe now is under a version that
12 sunsets in 2025. And so I would predict that this next
13 Board of Fish cycle, that we're writing this proposal
14 for, there is going to be an awful lot of interest in
15 modifying that. So it's kind of coming in at a time
16 where it's destruction and rebuilt so I see this as an
17 opportunity.

18

19 There's a lot of moving parts in king
20 salmon management in Southeast Alaska. So I spent some
21 time and tried to figure out and craft a way to put
22 this altogether in the middle of all those moving
23 parts.

24

25 So I've got these steps right here and
26 all the various things, if you want to try to follow
27 along and then we can modify them as the Council
28 wishes.

29

30 So the first step is to modify the King
31 Salmon Management Plan, that's that 5AAC 29.060 to add
32 a specific allocation for king salmon for a subsistence
33 fishery. Right now the way it's done is there are
34 percentage allocations given to each of the net
35 fisheries, to the purse seine fishery, to the drift
36 gillnet fishery, to the setnet fishery and those are
37 taken off the top. The Pacific Salmon Commission,
38 under the Salmon Treaty, issues Alaska their allocation
39 and then the State of Alaska, you know, divvies that
40 up. So it's the formula used to divvy that up. So I
41 would propose that we add a subsistence allocation,
42 similar to the ones that are now in the management plan
43 for net fisheries and so those are all taken off the
44 top and then the remaining allocation is split 80/20
45 between the commercial troll and the sportfishery. So
46 we'll stay out of the 80/20 mess, which is sort of the
47 front line right now, and try to, you know, just stay
48 in the -- off of that, you know, 80/20 mess in a way.

49

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0082

1 So a question is, how many fish would
2 we ask for in an allocation, you know it could be a
3 percentage. I stuck in here a 5,000 fish, but that
4 would be at the will of the Council to decide what is
5 appropriate.

6
7 The next step would then be to
8 establish a subsistence permit for king salmon, similar
9 to what you'd get if you're going to fish for sockeye
10 or something like that, you know, with a net somewhere.
11 So it would be a household permit, you know, just like
12 the ones we already see in all the other State managed
13 fisheries.

14
15 There is still left in regulation a two
16 fish limit. It's sort of -- it's written as that, you
17 know, any king salmon caught in directed fisheries for
18 other species may be retained but with a two fish
19 limit. So that still is sort of in there and that
20 would be up to the Council to decide to whether address
21 that or to remain with that two fish limit.

22
23 And then, of course, to establish
24 household annual limits for king salmon.

25
26 So as you can see there's lots of
27 moving parts to add here so we'd also have to just
28 tweak a lot of the language throughout the regulations,
29 such as adding those specific fisheries in each
30 regional summary and making rod and reel a legal gear
31 type, which it currently is not for subsistence
32 fisheries.

33
34 And then I would suggest and, again,
35 subject to the will of the Council that this
36 subsistence fishery would use the open seasons and
37 areas that are subject -- that are already laid out in
38 sportfish management. Most of the inside waters and
39 areas close to king salmon spawning rivers and
40 everything are closed during a lot of the, you know,
41 spring and early summer when those king salmon are
42 migrating. You know, so like as a Juneau resident most
43 of the inside Juneau area is closed during May, June,
44 that sort of thing. And I would suggest maintaining
45 those because those are all based on conservation
46 concerns, you know, which are, as we've seen with king
47 salmon stocks throughout Southeast Alaska, are pretty
48 valid.

49
50

0083

1 And then also add, is is common, to
2 most of our subsistence permits, that you would --
3 could not harvest sportfishing and subsistence king
4 salmon in the same day.

5
6 And then the final bit of the puzzle
7 would be to allow any allocation that is not used in
8 this designated subsistence fishery to get swept into
9 the troll fishery somehow at the end of the season,
10 which is a provision that is already in the King Salmon
11 Management Plan for other stuff. Because the worse
12 thing you can do in all this is to leave Treaty fish
13 allocation on the table. So, you know, some mechanism
14 to allow those to be harvested in other fisheries if
15 they weren't harvested in the subsistence fishery I
16 think would be advisable.

17
18 So I think in all the changes that are
19 about to happen which are somewhat unforeseeable in
20 king salmon management, I think there's going to be
21 some move to in-season management of the sportfishery.
22 That's where all the friction is right now, you know,
23 in recent years the sportfishery has gone over their
24 allocation which has been taken out of the troll
25 allocation which makes people about as happy as you
26 think they would be, and so the current -- there is no
27 provision right now, as I understand it, for in-season
28 management of the sportfishery, I suspect it's moving
29 that way. I also suspect that there will be provisions
30 in any future management plans to close non-resident
31 fishing while keeping resident fishing open. I think
32 that's going to be a likely feature, but we don't know.
33 So I see this as a possible mechanism to allow
34 subsistence users to continue fishing for king salmon
35 if the sports season is closed in-season due to going
36 over their allocation, you know, is one possible
37 advantage of this.

38
39 But really maybe I believe maybe the
40 biggest advantage is that it just identifies king
41 salmon as a subsistence resource with its own
42 allocation and identified use.

43
44 Right now it's already being used as a
45 subsistence resource but all of that happens under
46 sportfish regulation, which works okay, but, you know,
47 having it designated as a subsistence resource with its
48 own allocation gets that toe in the door and is a
49 symbolic victory if nothing else.

50

0084

1 So I do have, you know, these
2 provisions in here. And I'm, you know, I'll open it to
3 the Council for discussion about changing any of them
4 or tweaking the exact numbers but this is what I put
5 together in discussions with other folks about a way to
6 try to create a subsistence fishery for king salmon.

7
8 CHAIRMAN HERNANDEZ: Okay, thank you,
9 Jake. The way to proceed would be to put a motion on
10 the floor to craft a proposal and then under discussion
11 we would hammer out the details.

12
13 Albert.

14
15 MR. HOWARD: Thank you, Mr. Chair. I'd
16 like to make a motion to craft a proposal to recognize
17 king salmon as a subsistence fishery, or -- yeah.

18
19 CHAIRMAN HERNANDEZ: Well, you need to
20 be a little more clearer than that, it's already been
21 recognized as a subsistence fishery, we need to
22 establish some.....

23
24 MR. HOWARD: An allocation for it?

25
26 CHAIRMAN HERNANDEZ: Yeah.

27
28 MR. HOWARD: So you want me to.....

29
30 CHAIRMAN HERNANDEZ: Management -- what
31 are we talking, management strategy, management plan,
32 what would be the best way to call this?

33
34 MR. MUSSLEWHITE: Yeah, correct,
35 basically we would be adding an allocation into the
36 King Salmon Management Plan for subsistence and also, I
37 mean we would have to go -- about 10 different regs
38 we'd have to hit to really make this whole machine work
39 together but, yes.

40
41 MS. PHILLIPS: Could you give us
42 language.

43
44 MR. HOWARD: Well, Mr. Chair, would it
45 be a motion to craft a proposal that gives the
46 subsistence user an allocation?

47
48 CHAIRMAN HERNANDEZ: I think that would
49 be adequate -- no?

50

0085

1 MR. MUSSLEWHITE: Yes, I mean I would
2 be prepared to, you know, I set these out as sort of a
3 model with the anticipation that some of the
4 particulars may be tweaked but I would be more than
5 prepared to write out all the specific regulations,
6 which most of them I have listed here and.....

7
8 (Whispered conversation)

9
10 MR. MUSSLEWHITE: Oh, I'm sorry.

11
12 (Whispered conversation)

13
14 CHAIRMAN HERNANDEZ: We're just looking
15 for the best wording for the motion, what are we trying
16 to accomplish here, establish a management.....

17
18 MR. MUSSLEWHITE: I would say to
19 establish an allocation and management plan to modify
20 regulations to provide for subsistence king salmon
21 fishery in Southeast Alaska.

22
23 CHAIRMAN HERNANDEZ: Okay. Albert, you
24 want to state that as a motion.....

25
26 (Laughter)

27
28 CHAIRMAN HERNANDEZ:as a Council
29 member.

30
31 MR. HOWARD: So moved, Mr. Chair.

32
33 (Laughter)

34
35 MR. SANDHOFER: Second.

36
37 CHAIRMAN HERNANDEZ: Ted, did you.....

38
39 MR. SANDHOFER: I second that, Mr.
40 Chair.

41
42 CHAIRMAN HERNANDEZ: Okay. Thank you.
43 So now we can get further into discussion on the
44 details.

45
46 Harvey.

47
48 MR. KITKA: Is this going to be open to
49 the other communities that don't have a subsistence for
50

0086

1 king salmon? There is communities that already have a
2 subsistence except for some communities that don't have
3 -- what do -- they don't have a subsistence for king
4 salmon like -- like Sitka and Hoonah?

5

6 CHAIRMAN HERNANDEZ: I think what we
7 need to consider here is this is a State proposal,
8 correct me if I'm wrong, but under the State regs all
9 Alaska residents would be eligible for this subsistence
10 fishery on king salmon?

11

12 MR. MUSSLEWHITE: Yeah, that's correct,
13 Mr. Chair.

14

15 CHAIRMAN HERNANDEZ: Okay. So under
16 State regs, Harvey, everybody's eligible.

17

18 MR. KITKA: Okay.

19

20 CHAIRMAN HERNANDEZ: John.

21

22 MR. SMITH: Yeah, I see your numbers
23 here that the -- you -- 5,000 fish, you said five fish
24 to 10 fish and then you had some dates, so that's what
25 we need to talk about right now, am I right, and these
26 numbers here is that the minimum that's been on the
27 table before or?

28

29 CHAIRMAN HERNANDEZ: John, I was going
30 to make a suggestion, that we go through these bullet
31 points kind of one by one. So let's say our first
32 topic would be, how about this 5,000 fish allocation,
33 shall we talk about that first and yea or nay on that,
34 not as a formal vote but just get a consensus on that.
35 So let's start there, let's have a discussion on the
36 5,000 fish allocation. Do we have any opinions on
37 that?

38

39 John.

40

41 MR. SMITH: Yeah, so is that a normal
42 number right there or is that the average or is that
43 low or is that high, can you give us an idea?

44

45 MR. MUSSLEWHITE: Well, there isn't one
46 right now so there is no low, high, we're making
47 something that hasn't existed in the past.

48

49 MR. SMITH: Got it.

50

0087

1 MR. MUSSLEWHITE: You know, the other
2 net fish allocations are percentages. Like drift
3 gillnet is 2.9 percent, and since the allocation can
4 vary by 100,000 fish then, you know, that could mean
5 quite a bit of difference. So we have the option of
6 either suggesting a percentage of the overall
7 allocation or suggesting a number. Like for instance
8 one of the allocations set out for net fisheries is --
9 for the setnet fishery, 1,000 fish. We can follow that
10 model. If we have a set number then we aren't going to
11 fluctuate with the overall allocation, which could be a
12 good thing, it could be a bad thing, so, you know.

13
14 CHAIRMAN HERNANDEZ: Right. I think I
15 would prefer a hard cap, myself, a number.

16
17 Albert, you have an opinion on that?

18
19 MR. HOWARD: Mr. Chairman, if they're
20 doing every other fishery at a percentage, based on the
21 Treaty numbers then maybe we should ask for a
22 percentage because our percentage could go up or down,
23 depending on any changes to the Treaty. As an example,
24 I mean, what percent is 5,000 of the current?

25
26 CHAIRMAN HERNANDEZ: Could I jump in
27 here. You might want to check, I thought the net
28 fisheries had a 20,000 fish cap, maybe somebody knows
29 that, a 20,000 fish allocation.

30
31 (Whispered conversation)

32
33 MR. MUSSLEWHITE: Yeah, Mr. Chair, I
34 just pulled up the current formula that's in the King
35 Salmon Management Plan right now. So, for example,
36 what we would be proposing is something between three
37 and four, you know, the three net fisheries and then a
38 subsistence allocation and then 80/20 after that.

39
40 MR. CASIPIT: I had a question.

41
42 CHAIRMAN HERNANDEZ: Cal, go ahead.

43
44 MR. CASIPIT: A quick question. So the
45 purse seine fishery, that is allocated before the 80/20
46 split?

47
48 MR. MUSSLEWHITE: Correct. So the
49 Pacific Salmon Commission generates an estimate of
50

0088

1 overall abundance.....

2

3 MR. CASIPIT: Yeah, I get that.

4

5 MR. MUSSLEWHITE:and gives them a
6 number.

7

8 MR. CASIPIT: So that's taken off the
9 top?

10

11 MR. MUSSLEWHITE: Correct. As is the
12 drift gillnet and set gillnet.

13

14 MR. CASIPIT: So I'm assuming -- down
15 below it says troll fishery 80 percent after the net
16 fishery allocation, one above, so it only -- and then
17 the same thing with the 20 percent for the sportfishery
18 so basically the purse seine fishery comes off the top,
19 correct?

20

21 MR. MUSSLEWHITE: I see what you're
22 saying but I believe they take all those net fisheries
23 off and then split the remaining 80/20.

24

25 MR. DOUVILLE: Mr. Chairman.

26

27 CHAIRMAN HERNANDEZ: Mike, go ahead.

28

29 MR. DOUVILLE: So far as I know the
30 80/20 does not apply. I don't know how old this
31 regulation is but to remove the 80/20 and it reads more
32 like an average of 20 percent. So that allows them not
33 to have to, in-season manage, and they can go over or
34 they could go under, so the 80/20 is not a solid
35 number. But they want to average 20. So it's allowed
36 the sportfishery to go over their allocation.

37

38 MR. CASIPIT: Oh, that's how that.....

39

40 MR. DOUVILLE: So in only one year
41 since they cooked this deal up did they -- it's hard
42 for me to explain. We had a poor -- or we had a spread
43 out king salmon run and the season stayed open for a
44 long time and I don't think that we even caught our 80
45 percent, or the remainder because it was just so spread
46 out and we didn't even catch all of ours. I don't know
47 it worked something like that. And I don't know if
48 they made that permanent at the last meeting or it was
49 supposed to sunset in a couple years but I don't know

50

0089

1 if that still applies. So some of the rules may have
2 been changed and we don't know what they are, I don't
3 anyway right at this point.

4

5 CHAIRMAN HERNANDEZ: John, and then
6 Ted.

7

8 MR. SMITH: Yeah, I would suggest the
9 5,000 and if we were to put a percentage like it would
10 be a 1.5 percent, that's -- I'm just throwing that up
11 there.

12

13 CHAIRMAN HERNANDEZ: Okay, thanks,
14 John.

15

16 Ted.

17

18 MR. SANDHOFER: Yeah, thank you, Mr.
19 Chair. You know I think we're getting wrapped around
20 the wheel a little bit here, you know, we got the State
21 to recognize the chinook as a subsistence species. Now
22 we're just trying to get an allocation and some kind of
23 season. So I think rather -- if it's five, or 10 or
24 20, you know, I don't think it's as much is as
25 important as just getting something on the table. And
26 I think 5,000 is a good way to get a start and then we
27 -- I mean we can always, the next cycle ask for more if
28 that is not enough. But I just think we're getting
29 wrapped around the wheel a little bit here.

30

31 Thank you.

32

33 CHAIRMAN HERNANDEZ: Thank you, Ted.

34

35 Albert.

36

37 MR. HOWARD: Thank you, Mr. Chair. I'm
38 doing the math here, you got 80/20 and then you have
39 11.2 so that's 111.2 percent. Just an observation, Mr.
40 Chair, but I think we still should ask for a percent of
41 it because, you know, when the Treaty happens, they
42 take a number -- I'll give you an example, 70,000 kings
43 we'll give to Alaska and you can do whatever you want
44 with it. By asking for a percent of that you and I get
45 a percent of it besides when we're trolling. If we
46 don't ask for a percent and we only ask for 5,000, the
47 State's going to hold us to that 5,000 all the time.
48 But if they -- if the Treaty says, oh, geez, there's so
49 much king salmon we'll give you 200,000, we still have
50

0090

1 500,000 with no change in our percent. So I think a
2 percent would benefit us or it still demonstrates that
3 we're trying to be a part of the process and when
4 there's a conservation concern and the number they
5 allocate Alaska is smaller, ours is smaller. So we're
6 playing by their rules but if you get five percent and
7 they give us 200,000 kings, we still get 5,000.

8

9 So I think percent would be better.

10

11 Thank you, Mr. Chair.

12

13 CHAIRMAN HERNANDEZ: Yep, thank you,
14 Albert.

15

16 Patty.

17

18 MS. PHILLIPS: Thank you, Mr. Chair.
19 Well, on the Stikine River we say five king salmon
20 annual, five chinook from May 15th to June 20, and then
21 we have other areas of the state, and I don't know if
22 they fall under the Pacific Salmon Treaty, but we have
23 Kodiak that says, chinook, Womens Bay, bag and
24 possession limit of two fish no size limit, no annual
25 limit, and then we have Cook Inlet chinook July 1 to
26 July 15th, two fish for each permitholder, one
27 additional fish for each household member. And then
28 for Cook Inlet Kenai, chinook, July 1 to 15th, fish may
29 be retained if most current pre-season forecast from
30 the State of Alaska Fish and Game projects in-river run
31 to be within or above optimal escapement. So I mean
32 why can't we just say two fish, you know, I mean that's
33 what I get under sport. I get two fish a day, no
34 annual limit, under sport, and you're asking me to be
35 restricted with subsistence, we're not supposed to be
36 restricting subsistence. But, you know, I'm just
37 throwing that out there I'll do what you guys want but
38 I mean we could always further expand it once we get it
39 in place. But I don't know.

40

41 CHAIRMAN HERNANDEZ: Does the Treaty
42 require us to have an allocation, fishery?

43

44 MR. MUSSLEWHITE: The Treaty just sets
45 an allocation to the Southeast Alaska fisheries, it's
46 then up to the State of Alaska to divvy those up to
47 various user groups.

48

49 CHAIRMAN HERNANDEZ: Right, you said

50

0091

1 that, so it may not be necessary for us to set an
2 allocation but the Board is probably going to want to
3 set an allocation.

4

5 MR. MUSSLEWHITE: Yeah, I think the
6 allocation part of the formula is important because
7 it's -- I mean this is a hyper allocated resource and
8 like this is the way subsistence users carve out their
9 piece of turf, this is the way I see it, if that makes
10 sense.

11

12 MR. DOUVILLE: Mr. Chair.

13

14 CHAIRMAN HERNANDEZ: Mike, go ahead.

15

16 MR. DOUVILLE: This is an answer to
17 Patty. Sometimes it's two and sometimes it's one but
18 under the subsistence rule it would allow you to get up
19 to whatever number in one day so you didn't have to
20 continuously run out to get your one fish and so on, it
21 would have an advantage in that respect but that was
22 sort of the idea.

23

24 MS. PHILLIPS: Thank you.

25

26 CHAIRMAN HERNANDEZ: Okay. We need a
27 consensus here.

28

29 Cathy.

30

31 MS. NEEDHAM: Thank you, Mr. Chair. I
32 would -- I think I would support a percent, just
33 because then in high forecast years it would move up
34 and there'd be a little more opportunity potentially.
35 And I also want to be clear that I support this sort of
36 off the top suggestion that the proposal has come
37 forward with, so that it comes off the top so we don't
38 get into the mess later regarding the allocation
39 between the commercial and sportsfishing piece of
40 things.

41

42 And in terms of the right percent I'm
43 actually not sure where to go with that but 1.5 was
44 thrown out there, it's a good place to start.

45

46 MR. MUSSLEWHITE: If I may I wish I had
47 close at hand history of the number of fish that were
48 actually allocated but it's typically 150,000 and a
49 high year would be 200,000, maybe a little more, I mean
50

0092

1 just to give you an idea of what to work backwards to
2 what percentage you might choose.

3

4 CHAIRMAN HERNANDEZ: Harvey.

5

6 MR. KITKA: I would probably support a
7 percentage. I think that as long as it's not less than
8 the sportfishing. We wouldn't want to make it more
9 restrictive to subsistence.

10

11 CHAIRMAN HERNANDEZ: Albert.

12

13 MR. HOWARD: I did my math wrong, give
14 me a minute, Mr. Chair.

15

16 (Laughter)

17

18 CHAIRMAN HERNANDEZ: Okay. I'm hearing
19 some consensus on a percentage and 1.5 percent was
20 thrown out as a suggestion. So like I say we're not
21 voting on these but I'll just maybe say that that's the
22 best suggestion we have so far. Any objections to
23 that.

24

25 Albert, go ahead.

26

27 MR. HOWARD: Thank you, Mr. Chair, I
28 corrected my math. At 1.5 percent of 150,000 fish,
29 according to my phone is 2,250 fish so I'm starting to
30 like the 5,000 fish.

31

32 (Laughter)

33

34 MR. HOWARD: So maybe.....

35

36 (Laughter)

37

38 MR. HOWARD: I don't know, maybe we
39 should be asking -- I mean if this -- Mr. Chairman if
40 this is going to affect all of Southeast and
41 everybody's going to get their share of it, whether
42 they're Federally-qualified or not, I have a hard time
43 seeing people not supporting this and the thing that
44 I'm excited about, about this, is the word,
45 subsistence, we could sell it that way for now but in
46 times of conservation by golly we're going to have our
47 share of it and then it's going to become rural and
48 non-rural if the State continues to go down the road
49 they're on now. They're already recognizing Federally-

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0093

1 recognized tribes, and the reason they're doing that is
2 because of the financial situation of the State. So
3 they're going to need Federal monies and the IRAs can
4 provide that that isn't provided by the State anymore.
5 So, anyway, I don't know where that's going.

6

7

(Laughter)

8

9 CHAIRMAN HERNANDEZ: Okay. Just bear
10 in mind who we're dealing with here, this is the Board
11 of Fish.

12

13

(Laughter)

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MR. CASIPIT: Thank you, Mr. Chair. I
would suggest something, like a hybrid of the two.
Perhaps it's 5,000 fish or five percent, whichever is
more, that way you got at least 5,000 and if the
allocation goes up you get a little bit more because of
the percentage part of it. So that's just my
suggestion.

CHAIRMAN HERNANDEZ: Okay. Albert.

MR. HOWARD: Mr. Chairman, I guess I
have a question. Is there data somewhere that says how
many residents of Southeast Alaska purchase a sportfish
license and a king salmon stamp. That will tell you
how we're going to divide 2,500 fish. It may end up
being we all get half a fish apiece. So it's something
to add to the formula. Somewhere in the State there's
got to be a number that says how many king salmon
stamps are sold to residents and that gives you the
user group we're working with. Because if we're --
yeah, we could quite possibly end up with half a piece
of fish if we don't do this right.

0094

1 Thank you, Mr. Chair.

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3

CHAIRMAN HERNANDEZ: Well, we only got
4 about an hour to do this right so, you know, we can't
5 go investigating too deep here, we got to come up with
6 a suggestion.

7

8

Patty.

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MS. PHILLIPS: But you got to remember
that residents are in non-rural areas too. But,
anyways, why don't we go with 4.3, what seiners get, off
the top.

(Laughter)

MS. PHILLIPS: But I would agree to
what Cal suggests, I mean it just moves us forward
anyways.

CHAIRMAN HERNANDEZ: Okay. I'm seeing
some agreement there.

Louie.

MR. WAGNER: On the old man license
that we get now for being a senior, we don't have to
buy the fish tag so when you become an old fart, that's
what we call the license.

(Laughter)

MR. WAGNER: Thank you, Mr. Chair.

CHAIRMAN HERNANDEZ: Thank you. Cal,
what was your suggestion again, 5,000 or what?

MR. CASIPIT: I just made a suggestion
of 5,000 -- you know, the off the top allocation would
be 5,000 fish or five percent, whichever is more.

CHAIRMAN HERNANDEZ: Are we good with
that?

MR. CASIPIT: I see Jake grimacing but
he's Staff.

(Laughter)

0095

1 MR. MUSSLEWHITE: If I may, Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Go ahead.

4

5 (Laughter)

6

7 MR. MUSSLEWHITE: As I was thinking
8 through this, here was my strategic thinking, is asking
9 for a large allocation off the top is scary because
10 this is a pie that everyone is looking at really hard.
11 And if I could remind folks that 95 percent of the time
12 you can harvest the king salmon -- the opportunity
13 would be no different fishing under sport regs. So
14 most of the time, subsistence users can suck up that 20
15 percent allocation going under sportfishing. This, I
16 see, as the little stash out back in case that
17 sportfishery allocation is exhausted then it's, you
18 know, a back up plan to keep the season open for
19 subsistence users. So if I may suggest that it may be
20 more strategic to have a smaller allocation ask, which,
21 you know, would allow it to have a higher chance of
22 passing and then get essentially a foot in the door and
23 use it as -- see it as an emergency thing. That -- I
24 hope folks are following me on that.

25

26 I mean I understand asking for a larger
27 allocation as well but, yeah, just making that
28 suggestion.

29

30 CHAIRMAN HERNANDEZ: Okay.

31

32 Cal.

33

34 MR. CASIPIT: You know to me, I guess,
35 that would make sense if there was a rural priority
36 under State regs but there's not. I mean we're
37 essentially talking about the same -- the same people,
38 you know, Alaska residents in Southeast. I don't know.
39 I like the idea of a percentage because that way it --
40 and having like -- to mean 5,000 and five percent makes
41 sense because we've got a floor and we get to go up if
42 the allocation goes up.

43

44 CHAIRMAN HERNANDEZ: Albert.

45

46 MR. HOWARD: Thank you, Mr. Chair. My
47 friend Google and I were sitting here and the State of
48 Alaska sells 82,000 licenses in Southeast. I'm sure
49 that includes when everyone comes up to fish and 47

50

0096

1 percent of them by king salmon stamps, that equals
2 38,540. So divide 5,000 by 38,000 and that's -- I
3 don't know. I'm just helping with the math and through
4 the process.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN HERNANDEZ: Okay. Mike.

9

10 MR. DOUVILLE: Thank you, Mr. Chair.
11 Wouldn't you be looking at how many subsistence and
12 personal use permits are issued as opposed to get any
13 sort of number like that as opposed to a sportfishing
14 license?

15

16 CHAIRMAN HERNANDEZ: Jake.

17

18 MS. PERRY: Mr. Chair, I would
19 encourage us to try to make some sort of decision. I
20 think we're going to lose Staff here shortly and we are
21 over our meeting time and we still have quite a bit of
22 action items to get through. So I just want to let
23 folks know that we are not getting through our agenda
24 as quickly as I had hoped and I don't want us to lose
25 Staff support and we do have required action items
26 we've got to get through.

27

28 Thank you.

29

30 CHAIRMAN HERNANDEZ: Yep, that's a
31 reality.

32

33 MR. DOUVILLE: Mr. Chair.

34

35 CHAIRMAN HERNANDEZ: Mike.

36

37 MR. DOUVILLE: I believe we are
38 struggling and there's a whole lot of information that
39 we don't have to craft a -- what would hopefully be a
40 viable proposal so we're struggling here because
41 there's a lot of stuff that we don't know. So even
42 though we miss the cycle it might make sense to do
43 enough research, we know what we want to do, to try to
44 craft this at our next meeting.

45

46 CHAIRMAN HERNANDEZ: It might be what
47 we have to do.

48

49 Albert.

50

0097

1 MR. HOWARD: Mr. Chair. I think as a
2 starting point just to get this on the table with the
3 rulemakers, I think Mr. Casipit's suggestion is a good
4 one, five percent and I'd like to say 10,000 but -- but
5 just to get it on the table, just to get it in the
6 door. We can always address it again later if it
7 doesn't suit our needs that we intend to end up with.

8
9 Thank you, Mr. Chair.

10
11 CHAIRMAN HERNANDEZ: Okay, we have two
12 suggestions and I need to hear what the Council's
13 wishes are here, we've got two opposing suggestions.
14 One is to table or move ahead.

15
16 Patty.

17
18 MS. PHILLIPS: I want clarification,
19 does our next meeting allow us to put proposals in or
20 this is it, this is the timeline.

21
22 CHAIRMAN HERNANDEZ: This is State, so
23 this is like a once in a three year opportunity.

24
25 MS. PHILLIPS: Okay.

26
27 CHAIRMAN HERNANDEZ: So.....

28
29 MR. KITKA: Mr. Chair.

30
31 CHAIRMAN HERNANDEZ: Harvey.

32
33 MR. KITKA: I think I like Albert,
34 5,000 fish on a subsistence permit and if you got say
35 40,000 sportfishermen out there, that doesn't give us a
36 whole lot, I think maybe the 10 percent -- or the
37 10,000 and a percentage, and it sounded good like what
38 Cal proposed, five percent would be a starting point,
39 anyway.

40
41 CHAIRMAN HERNANDEZ: Okay. Let's put
42 that in the proposal. We still have to talk about a
43 possession limit and rod and reel as gear in order to
44 get this proposal fully fleshed out. So we have some
45 suggestions there, can we move ahead with that.

46
47 Albert.

48
49 MR. HOWARD: Mr. Chair. Instead of
50

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1 mentioning rod and reel, how about we just mention
2 under the same condition sportfish is except it's a
3 subsistence allocation for Southeast residents.

4

5 MR. MUSSLEWHITE: Yeah, thank you, Mr.
6 Chair. A lot of these provisions are what I would
7 consider housekeeping, like the little regulatory
8 tweaks that we would have to do to make this all fit
9 into the existing structure so I can deal with a lot of
10 those. I just kind of needed direction from the
11 Council of some of the big picture items. So, yeah,
12 that's fine we can work with that.

13

14 CHAIRMAN HERNANDEZ: Okay. So is that
15 allocation, is that the major big picture that we need
16 to establish?

17

18 MR. MUSSLEWHITE: Yes, Mr. Chair. The
19 allocation was one. I mean an annual household limit
20 was, you know, possibly, I'd hate to suggest dragging
21 another number around or anything, but that was one
22 thing. I think it might be possible to just have the
23 Council approve something like this in concept and we
24 can workshop some of the finer details, if that -- if
25 the Council likes the overall model of this, you know,
26 we can submit a proposal and these things tend to morph
27 as they go anyway it feels like. So, you know.

28

29 CHAIRMAN HERNANDEZ: Let's get a
30 suggestion for an annual limit, a household limit. I
31 think that would be a good thing to have.

32

33 John.

34

35 MR. SMITH: Yeah, I believe I already
36 put a number up there and it -- I think what I said was
37 5,000 and 1.5, but I -- 5,000 I would say, but a 2.0,
38 you know, but also on the other hand, you know, I also
39 want to protect the younger salmon so I really -- I
40 mean I'm looking at this and just an idea of, you know,
41 a restriction like on 20 inch fish that the commercial
42 seiners and them have to return back to the water
43 making sure they have a restriction there to protect
44 our run, but just a -- you know, I believe 5,000 will
45 -- I mean the number I gave earlier, I think I didn't
46 make it right, but 5,000 with a 2.0 percent, what's
47 your thoughts?

48

49 CHAIRMAN HERNANDEZ: Cal.

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0099

1 MR. CASIPIT: I thought we already
2 plowed this ground. I kind of thought we had already
3 agreed on 10,000, five percent and now we're going back
4 to the allocation. I thought we were talking about
5 annual limits, so, you know, I -- I'm kind of getting
6 frustrated here, we're taking a lot of time doing
7 something that should be really simple.

8
9 You know, five fish annual limit,
10 especially if we're talking as a back up to what we can
11 do in the sportfishery. And, you know, I don't think
12 we should have any closed season, I mean sportfishers
13 can fish yearround for king salmon, we should be able
14 to too.

15
16 I mean it seems like it's real easy
17 here.

18
19 Anyway, we need to move on or we're
20 never going to get out of here.

21
22 (Laughter)

23
24 MS. PERRY: Yes, we will be out of
25 here.

26
27 MR. CASIPIT: Well, I want to get out
28 of here with us doing all our business.

29
30 MS. PHILLIPS: Mr. Chair.

31
32 CHAIRMAN HERNANDEZ: Patty.

33
34 MS. PHILLIPS: I will not support a
35 10,000 fish. I will go with Staff recommendation of
36 5,000 but I mean there's just too many unknowns.

37
38 CHAIRMAN HERNANDEZ: How about a
39 percentage?

40
41 MS. PHILLIPS: Sure, five percent, and
42 5,000 whichever is greater. That was your original
43 proposal.

44
45 MR. CASIPIT: Yes, that was my original
46 proposal but I was trying to provide some deference to
47 my elder over there, Mr. Kitka.

48
49 CHAIRMAN HERNANDEZ: I think we'll go
50

0100

1 with that.

2

3

Albert.

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5

MR. HOWARD: Call for the question, Mr.
Chair, roll call vote, please.

6

7

8 CHAIRMAN HERNANDEZ: Just a second,
9 we're not voting on each individual suggestion, are you
10 ready to vote on the main motion, which is to put
11 forward a proposal with -- okay, the question's been
12 called for, so the proposal -- the proposal was to
13 establish a king salmon -- subsistence king salmon
14 fishery with stipulations to manage the fishery.

15

16

17

DeAnna, you better do a roll call vote
on this and we have, I think, hopefully on the record
enough information for the Staff to decide what the
Council's wishes were on this and put it into writing,
so better do a roll call.

18

19

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21

22

MS. PERRY: Thank you, Mr. Chair.

23

24

Cathy Needham.

25

26

MS. NEEDHAM: Yes.

27

28

MS. PERRY: John Smith, III.

29

30

MR. SMITH: Yes.

31

32

MS. PERRY: Harvey Kitka.

33

34

MR. KITKA: Yes.

35

36

MS. PERRY: Louie Wagner, Jr.

37

38

MR. WAGNER: Yes.

39

40

MS. PERRY: Patty Phillips.

41

42

MS. PHILLIPS: Yes.

43

44

MS. PERRY: Albert Howard.

45

46

MR. HOWARD: Yes.

47

48

MS. PERRY: Ted Sandhofer.

49

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1 MR. SANDHOFER: Yes.

2

3 MS. PERRY: Michael Douville.

4

5 MR. DOUVILLE: Yes.

6

7 MS. PERRY: Cal Casipit.

8

9 MR. CASIPIT: Yes.

10

11 MS. PERRY: Larry Bemis, Frank Wright,
12 and Jim Slater are all absent.

13

14 Mr. Chair, the motion passes
15 unanimously.

16

17 CHAIRMAN HERNANDEZ: Okay, and I vote
18 yes.

19

20 MS. PERRY: Oh.

21

22 (Laughter)

23

24 MS. PERRY: I saved you for last and I
25 just dropped you off that time, my apologies, Mr.
26 Chair.

27

28 (Laughter)

29

30 MS. PERRY: Thank you.

31

32 CHAIRMAN HERNANDEZ: Okay. Motions for
33 any other proposals to the Alaska State Board of Fish.

34

35 MR. KITKA: Mr. Chair.

36

37 CHAIRMAN HERNANDEZ: Harvey, go ahead.

38

39 MR. KITKA: I move that we allow
40 subsistence seine fishing in Redoubt Bay but not until
41 after the escapement quota has been reached.

42

43 MS. PHILLIPS: Second.

44

45 CHAIRMAN HERNANDEZ: Okay. Motion to
46 allow for a subsistence seine fishery in Redoubt Lake
47 area, been moved and seconded.

48

49 Discussion.

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0102

1 MR. MUSSLEWHITE: Mr. Chair, I do have
2 some information about this that may help.

3
4 CHAIRMAN HERNANDEZ: Jake, go ahead.

5
6 MR. MUSSLEWHITE: Yeah, up on the
7 screen there I have the pertinent regulations for the
8 use of seines in the Redoubt subsistence fishery.
9 They're actually somewhat conflicting. In the
10 management plan it lists seine as legal gear for this
11 fishery throughout the entire fishery without any area
12 stipulations, but then there is another one, another
13 regulation that prohibits use of a seine in waters
14 closed to commercial fishing. So I've got a little map
15 here so this right here, where my cursor is, is the
16 line for waters closed to commercial fishing so, you
17 know, you could only use a seine out here. So I
18 believe the proposal would be to allow seines within
19 this area but not -- but out seaward of the so-called
20 staggging zone line here. So it's not right up against
21 the falls, it's about 100 yards or so so we would ask
22 to, you know, permit use of seines in that area.

23
24 MS. PHILLIPS: For subsistence?

25
26 MR. MUSSLEWHITE: Correct. Under a
27 subsistence permit. And then, I guess, with what
28 Harvey just said there once the escapement goal has
29 been met, so, yeah.

30
31 CHAIRMAN HERNANDEZ: Okay.

32
33 MR. MUSSLEWHITE: So that's the map
34 that people can look at while considering this.

35
36 Thank you.

37
38 CHAIRMAN HERNANDEZ: Thank you for
39 putting that up there, Jake. Council discussion on
40 this.

41
42 (No comments)

43
44 MR. CASIPIT: Call for the question.

45
46 CHAIRMAN HERNANDEZ: Okay. Question's
47 been called for, all in favor of allowing for the use
48 of seines in the subsistence fishery at Redoubt
49 Lake.....
50

0103

1 MS. PHILLIPS: Bay.

2

3 CHAIRMAN HERNANDEZ:or Redoubt
4 Bay, thank you, all in favor say aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN HERNANDEZ: Is there anybody
9 opposed say no.

10

11 MR. SANDHOFER: No.

12

13 CHAIRMAN HERNANDEZ: No, okay, we have
14 one no vote.

15

16 Were there other proposals that people
17 wanted to put in to the State Board of Fish at this
18 time.

19

20 MS. PHILLIPS: Mr. Chair.

21

22 CHAIRMAN HERNANDEZ: Patty.

23

24 MS. PHILLIPS: Move to add an annual
25 limit for salmon for unguided non-resident
26 sportfishermen and the discussion didn't specify the
27 annual limit but I would suggest we use our previous
28 proposal that the RAC submitted.

29

30 CHAIRMAN HERNANDEZ: Okay, thank you,
31 Patty. Do we have a second.

32

33 MR. HOWARD: Second, Mr. Chair.

34

35 CHAIRMAN HERNANDEZ: Thank you. Moved
36 and seconded. Put in a proposal for annual limits on
37 non-guided, non-resident sportfishing. Do we have some
38 numbers available that we previously proposed, Jake, do
39 you have some research on that?

40

41 MR. MUSSLEWHITE: Yes, thank you, Mr.
42 Chair. I could pull up the previous proposals if you
43 give me just a second.

44

45 MS. PERRY: And if I could direct the
46 Council, these proposals are in your supplemental book
47 if you want to follow along under Tab B.

48

49 CHAIRMAN HERNANDEZ: Cathy.

50

0104

1 MS. NEEDHAM: Thank you, Mr. Chair.
2 While everyone's pulling that up I just wanted to put
3 on the record that when we submitted these before to
4 the Board of Fish, it has not necessarily -- I mean
5 obviously none of them have passed which is why we're
6 suggesting to resubmit a proposal to address this
7 issue. And one thing that we should consider in the
8 justification to the Board of Fish, is changing our --
9 maybe our tone a little bit. One of the things the
10 Board of Fish has always had a problem with in terms of
11 what we were trying to accomplish is, A, we're saying
12 that they're not collecting data. We usually say that.
13 But they are collecting data but maybe it's just not to
14 the standard that we feel they should be and so we're
15 trying to provide a mechanism for that, but they also
16 take exception to the fact that we always state that we
17 hear from subsistence users, our constituents that
18 there's a lot of illegal take and -- but we don't have
19 the data to back that up. And so when we provided our
20 justification the last time, I felt like they just
21 weren't even going to consider this proposal whatsoever
22 just because we said there's illegal take and they
23 accused us of like people coming forward to lie before
24 us, or whatever.

25
26 So when we submit the proposal, when we
27 think about the numbers, think about like the important
28 piece of including like the reason why we're asking for
29 an annual limit is so that there's not extra fish being
30 taken in this that we don't know about rather than
31 saying something like, it's illegal, they're taking
32 illegal limits, or whatever.

33
34 And, with that, Mr. Chair, I'm going to
35 excuse myself.

36
37 CHAIRMAN HERNANDEZ: Yes, you have a
38 travel arrangement to make, I think, so you're excused.
39 Thank you for that comment, we'll take that into
40 consideration.

41
42 MS. PHILLIPS: Thank you for all your
43 work.

44
45 CHAIRMAN HERNANDEZ: Yes, thank you.

46
47 MS. PHILLIPS: Thank you.

48
49 (Pause)

50

0105

1 CHAIRMAN HERNANDEZ: So did anybody
2 pull up the numbers here that we want to put on this
3 proposal.

4
5 (Pause)

6
7 MS. PHILLIPS: Mr. Chair.

8
9 CHAIRMAN HERNANDEZ: Patty. Go ahead,
10 Patty.

11
12 MS. PHILLIPS: I mean it will probably
13 be very likely that there will be proposals submitted
14 by other organizations or individuals to this effect so
15 we could -- to save time we could probably just comment
16 on those proposals when it's the comment period, rather
17 than submit our own. So I could withdraw our proposal
18 in the interest of time but it's up to you all.

19
20 CHAIRMAN HERNANDEZ: Albert, you have a
21 suggestion there.

22
23 MR. HOWARD: Thank you, Mr. Chair. I
24 think we should submit a proposal but -- and the
25 language we should say, our concern is with the
26 unregulated, undocument user group because there is no
27 regulation that says you can only have 20 self-guided
28 boats in your company, there is regulations that say
29 you can only have a 58 foot seine boat. There's
30 regulations that say that I can only use a 50 fathom
31 beach seine. There's no regulations that -- yet, that
32 say a company can only have five self-guided boats so
33 they're going to have 20. So this is our way of
34 addressing an unregulated -- basically an undocumented
35 fishery that's being added to an existing population of
36 fish and we're concerned with that population until the
37 State takes a position on figuring out how to address
38 the current issue of take -- them taking a certain
39 amount of fish out of the area and we don't know how
40 much that is, we're asking that the State regulate them
41 to four and we understand that only four -- you know, I
42 take -- if I take two boxes of fish that's enough for
43 me, but I've seen these boats take more than that so
44 currently there's no -- there's no checks and balances
45 for them and I think that's all we're asking for.

46
47 Thank you, Mr. Chair.

48
49 CHAIRMAN HERNANDEZ: Thank you, Albert.

50

0106

1 MS. PHILLIPS: Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Patty.

4

5 MS. PHILLIPS: So some of our proposal
6 said three times the daily limit is their annual limit
7 or two times the daily bag limit is the annual limit
8 for non-residents. For salmon other than chinook. For
9 any salmon other than chinook we -- in the past we've
10 said three times the daily bag limit is the annual
11 limit for non-resident harvest or two times the daily
12 bag limit is the annual limit.

13

14 CHAIRMAN HERNANDEZ: I think we should
15 use one of those numbers we've just got to decide which
16 one that would be, any suggestions, otherwise it's a
17 fairly simple proposal. So just put a number to it and
18 maybe we could take it to a vote.

19

20 (Pause)

21

22 UNIDENTIFIED VOICE: Three times.

23

24 CHAIRMAN HERNANDEZ: Three times the
25 daily bag limit.

26

27 MS. PHILLIPS: Two times.

28

29 CHAIRMAN HERNANDEZ: Two times the
30 daily bag limit. Do we have a consensus on that.

31

32 Mike.

33

34 MR. DOUVILLE: And this is for non-
35 guided non-resident fishermen?

36

37 CHAIRMAN HERNANDEZ: That's correct.
38 It doesn't apply to guides, guided boats.

39

40 MS. PHILLIPS: Oh.

41

42 MR. DOUVILLE: Mr. Chairman, we tried
43 putting a limit before, we've made a proposal to limit
44 non-resident fishermen and it didn't go anywhere
45 because the State said there's plenty of fish, there's
46 no need to limit anybody other than the rules that they
47 have in place. But I can see something like this
48 having value in specific streams that are over fished.
49 These people are not fishing out in the ocean, they're
50

0107

1 fishing in front of a coho creek or whatever, and I
2 think a proposal like this would have merit to protect
3 those, but otherwise I would have a tendency to not
4 support it because I don't believe it will go anywhere.

5

6 CHAIRMAN HERNANDEZ: Okay. And I think
7 it's been mentioned that there will probably be other
8 proposals addressing the non-guided, non-resident
9 sportfishing, would the Council rather just wait and
10 see what other proposals come forward and decide to
11 support something that we think might work or do we
12 want to proceed ahead with our own proposal?

13

14 Two strategies there.

15

16 Albert.

17

18 MR. HOWARD: Thank you, Mr. Chair.
19 History shows that -- that we allow something to happen
20 and we know it's going to have an impact on the future
21 of an existing resource and we do nothing. By not
22 addressing unguided, non-resident fishing vessels in
23 our waters and the impact they're having, this is an
24 industry that's going to grow. The State's not
25 addressing the fact that it's going to grow so if we
26 don't do anything there isn't anyone that's doing
27 anything. We've got to at least get our message across
28 that we're concerned that this industry is growing, the
29 self-guided, non-resident industry is growing. They
30 can call it what they want, they can put it in any
31 category they want but the bottom line is these guys
32 aren't unguided. They came here and I know this
33 because I used to guide for 17 years, they come and
34 fish with me and then they go on a self-guided boat, so
35 then they're allowed to catch a halibut, two of them,
36 I'm -- as a guide I was allowed to catch one, so
37 they're double-hitting the system and they're taking
38 advantage of it. And, you know, I know how many fish I
39 need for the winter. They know how many boxes they
40 want to take home to their friends and show their
41 friends, look how much we had in Alaska, that's
42 different. I feed my family off the resource that they
43 could make a reality show out of. And that -- if we do
44 nothing then why are we here.

45

46 Thank you, Mr. Chair.

47

48 CHAIRMAN HERNANDEZ: Okay. So we
49 needed to come to the table here today with some

50

0108

1 proposals ready to discuss and either yea or nay. We
2 don't have time to hash through all the possibilities.
3 If they weren't pretty well fleshed out before we sat
4 down here at this table we don't have time. So we
5 either need to yea or nay a proposal that's ready to go
6 or drop it.

7

8 Patty.

9

10 MS. PHILLIPS: Mr. Chair, I withdraw my
11 motion.

12

13 CHAIRMAN HERNANDEZ: Who was the
14 second?

15

16 REPORTER: Albert.

17

18 CHAIRMAN HERNANDEZ: Albert, you were
19 the second, do you concur?

20

21 MR. HOWARD: Yes, Mr. Chair, but I have
22 a comment on the time. I've seen other RACs meeting
23 all day yesterday, we get a half a day.

24

25 Thank you, Mr. Chair.

26

27 CHAIRMAN HERNANDEZ: Thank you, Albert.
28 So I guess we'll drop that one and like I say there
29 will be other proposals put forward, I'm fairly
30 confident and we can look those over carefully and
31 support and argue for at the time but I guess we're not
32 going to have our own proposal.

33

34 Okay, DeAnna, I just have to check, we
35 had one request for public comment and it was on an
36 agenda item, is that correct?

37

38 MS. PERRY: It was on the State
39 proposals. We've got time, otherwise he'll.....

40

41 CHAIRMAN HERNANDEZ: Well, we don't
42 have a lot of time but I mean somebody asks to comment
43 on an agenda item I'll give them the opportunity here
44 -- you're saying it's not necessary -- okay, thank you,
45 sir.

46

47 Okay, next action item, maybe we're
48 done with action -- no, we're not.

49

50

0109

1 MS. PERRY: No.

2

3 (Laughter)

4

5 CHAIRMAN HERNANDEZ: That concludes the
6 fisheries regulatory proposals. We have to develop
7 priority information needs for the Fisheries Resource
8 Management Program, that's an action item.

9

10 MS. PERRY: No, that's just to get a
11 couple volunteers to discuss that this summer.

12

13 CHAIRMAN HERNANDEZ: Okay.

14

15 MS. PHILLIPS: Mr. Chairman.

16

17 CHAIRMAN HERNANDEZ: Okay. And that
18 can be dealt with quickly -- Patty.

19

20 MS. PHILLIPS: I would like to hear the
21 public comment but put them on a three minute time
22 limit if they're so willing, I mean, thank you.

23

24 CHAIRMAN HERNANDEZ: Okay. So I guess
25 we have a request, would you like to come forward --
26 okay.

27

28 MR. COMBS: Is that how it works?

29

30 REPORTER: Yes, perfect.

31

32 MR. COMBS: My name is Jackson Combs,
33 I'm from Hoonah. I've been a commercial fisherman and
34 most recently in the last six weeks or so I've started
35 working for the environmental department of HIA. We
36 had a number of community members reach out to me and
37 ask me if I could bring something specific up here to
38 the RAC and it's real quick, real simple.

39

40 A lot of our community use Basket Bay
41 as a sockeye subsistence resource and it's a bit of a
42 trip for us and right now the current regulation is 15
43 fish for a possession limit and what we'd like to do is
44 just ask for a small increase to 20 and if that's
45 something that's reasonable I'm asking for the Council
46 to consider putting that forward as a proposal to the
47 Board of Fish.

48

49 That's about it, thank you.

50

0110

1 CHAIRMAN HERNANDEZ: Okay, thank you.
2 Council members, comments, questions, proposals.

3

4 MS. PHILLIPS: Mr. Chair.

5

6 CHAIRMAN HERNANDEZ: Patty.

7

8 MS. PHILLIPS: Can we submit a proposal
9 to increase the bag limit for 20 fish for sockeye in
10 Basket Bay, would that -- is that a proposal we want to
11 put forward, it sounds pretty simple?

12

13 CHAIRMAN HERNANDEZ: If you'd like to
14 make a motion it's still on the floor.

15

16 MR. HOWARD: So moved, Mr. Chair.

17

18 CHAIRMAN HERNANDEZ: Okay.

19

20 MS. PHILLIPS: Second.

21

22 CHAIRMAN HERNANDEZ: It's been moved
23 and seconded to increase the bag limit in Basket Bay to
24 20 fish for sockeye. Council comments, Mike.

25

26 MR. DOUVILLE: Mr. Chair, I'm in favor
27 of the motion. I just have a question, is this an
28 annual limit or a daily limit?

29

30 MR. COMBS: This is a possession limit.
31 They have a -- right now it's a 15 in possession and a
32 30 annual but we really don't have interest in moving
33 that 30 annual because our community members are really
34 only making one trip for the season. So they're trying
35 to get all their fish at that time. But we could
36 potentially ask for a 40 annual if they wanted to --
37 other systems are on like a 20/20 or even 50/50 and the
38 nice thing about this system, Basket Bay, is through
39 the work of Jake Musslewhite and some of the others,
40 there's actually a good baseline of data on the stock
41 and it's a fairly significant healthy stock compared to
42 some of the others in the area that might have a higher
43 possession limit.

44

45 I hope that answered your question.

46

47 CHAIRMAN HERNANDEZ: Follow up, Mike,
48 go ahead.

49

50

0111

1 MR. DOUVILLE: I would offer an
2 amendment to make it a 20 possession limit and 40
3 annual limit.

4
5 MR. HOWARD: Second.

6
7 CHAIRMAN HERNANDEZ: Did you second,
8 Albert.

9
10 MR. HOWARD: I'll second the amendment.

11
12 CHAIRMAN HERNANDEZ: Okay, second the
13 amendment. So the motion's been amended to increase it
14 to a 20 fish, 20 sockeye possession limit with an
15 annual limit of 40 fish. Any discussion on the
16 amendment.

17
18 MR. KITKA: Question.

19
20 CHAIRMAN HERNANDEZ: Harvey, you have a
21 question?

22
23 MR. KITKA: No, just a question.

24
25 CHAIRMAN HERNANDEZ: Oh, calling for
26 the question, okay, thank you. All in favor of the
27 motion amended say aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN HERNANDEZ: Anybody opposed
32 say no.

33
34 (No opposing votes)

35
36 CHAIRMAN HERNANDEZ: Okay, the motion's
37 been amended to 20 fish limit with a 40 fish annual
38 limit. Any discussion on the new main motion.

39
40 MR. DOUVILLE: Call for the question.

41
42 CHAIRMAN HERNANDEZ: Okay, question's
43 been called for. All in favor of the main motion say
44 aye.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN HERNANDEZ: Is there anybody
49 opposed.

50

0112

1 (No opposing votes)

2

3 CHAIRMAN HERNANDEZ: Okay, motion
4 passes. Thank you, Mr. Combs.

5

6 MR. COMBS: Could I just say one more
7 thing.

8

9 CHAIRMAN HERNANDEZ: Go ahead.

10

11 MR. COMBS: Not only is this my first
12 RAC but it's also my first time in Anchorage and it's
13 been very daunting.

14

15 (Laughter)

16

17 MR. COMBS: But it's also been a real
18 privilege to see you guys working this week, not just
19 your Council but all the Councils working together and
20 I have a lot of information and a lot of good things to
21 bring back to Hoonah. So I just wanted to thank you
22 all.

23

24 Thank you.

25

26 CHAIRMAN HERNANDEZ: Albert.

27

28 MR. HOWARD: Thank you, Mr. Chairman.
29 One of your Councilman is my cousin and he always calls
30 me and says, what's going on in Basket Bay so tell him
31 Albert's going to need some fish when I come visit him
32 so.....

33

34 (Laughter)

35

36 MR. HOWARD: And specifically king
37 salmon. That guy catches king salmon like nobody's
38 business.

39

40 (Laughter)

41

42 MR. HOWARD: Thank you, Mr. Chair.

43

44 CHAIRMAN HERNANDEZ: Thank you, Albert.
45 One quick action item, we need a couple of volunteers
46 to work on priority information needs for the Fisheries
47 Resource Management Project and Rob, do you want to
48 tell us what's in store there.

49

50

0113

1 MR. CROSS: Thank you, Mr. Chair. For
2 the record, Rob Cross with the Forest Service. I can
3 make it real quick that was a perfect summary. So we
4 have a priority information needs list that's quite
5 extensive at this point which can be a good thing, can
6 be a bad thing when we're trying to allocate, you know,
7 what tends to be a small amount of funds and really
8 most projects fit into our current priority information
9 needs so if the Council would like to, it would be
10 helpful to get a few volunteers that would be on a work
11 group to maybe decrease the priority information needs,
12 or strategize on what they should be or add to it if
13 that's the will of the work group.

14
15 CHAIRMAN HERNANDEZ: Okay. I guess we
16 can just make a quick call for anybody want to step
17 forward and volunteer at this time.

18
19 Albert.

20
21 MR. HOWARD: What would I be
22 volunteering for, that wasn't very clear.

23
24 MR. CROSS: Through the Chair. Member
25 Howard. So it would be a work group that would work
26 over the phone to update the priority information needs
27 list, whatever that would look like, whether it's to
28 expand it further, to keep it the same, or to reduce it
29 and make it more strategic as to what projects the
30 Regional Advisory Council would like to see developed
31 for the Fisheries Resource Monitoring Program.

32
33 CHAIRMAN HERNANDEZ: So it would happen
34 as a telephone conference call at some point. So
35 Albert.

36
37 MR. HOWARD: Sign me up, Mr. Chair.

38
39 CHAIRMAN HERNANDEZ: Okay. We got
40 Albert volunteering, anybody else.

41
42 Cal.

43
44 Ted, you're volunteering.

45
46 John.

47
48 Okay, you got four volunteers that's
49 probably adequate to cover the territory, I think.

50

0114

1 MS. PERRY: I'm sorry, it was John and
2 Ted?

3
4 CHAIRMAN HERNANDEZ: Ted, John, Albert
5 and Cal.

6
7 MS. PERRY: Thank you.

8
9 CHAIRMAN HERNANDEZ: Okay, does that
10 require a vote, no?

11
12 MS. PERRY: (Shakes head negatively)

13
14 CHAIRMAN HERNANDEZ: Okay. That
15 satisfies that action item.

16
17 Just scanning ahead here, excuse me a
18 second.

19
20 (Pause)

21
22 CHAIRMAN HERNANDEZ: Okay, yeah a
23 little confusion here because we have to kind of sort
24 through the agenda and make sure we cover what needs to
25 be covered here. So there are a couple items, we have
26 to confirm our calendar and DeAnna's working on getting
27 that up. There was a status update on non-rural
28 determination. Is Staff still here they can give us
29 that.

30
31 MR. VICKERS: They sure are.

32
33 CHAIRMAN HERNANDEZ: And then we did
34 have somebody who wanted to testify, do a little public
35 testimony on that. So let's move ahead with that.
36 Another thing for Council members to keep in mind, we
37 have suggestions for at least one letter, you know,
38 there were the joint letters and I don't know if they
39 ever got firmed up for us to take a stand on, DeAnna's
40 checking on that. And we have a request to send
41 somebody to the North Pacific Fishery Management
42 Council we have to act on. So a few things left to do
43 that we have to do so let's get the update on the rural
44 determination.

45
46 MR. VICKERS: Thank you very much, Mr.
47 Chair. This is Brent Vickers of the Office of
48 Subsistence Management. So a quick -- I'll try -- you
49 know, you guys -- we're going to -- we're still doing
50

0115

1 the analysis, you'll make the recommend -- you'll hear
2 the analysis and make a recommendation in the fall and
3 then the Board will make its determination at its
4 Fisheries Meeting in 2025.

5

6 So we're in the final leg here.

7

8 We had our third and final public
9 hearing a few weeks ago over the phone. That was
10 intended to let people chime in from all over. We had
11 10 callers. Six identified as Ketchikan Indian
12 Community members, 8 identified as residents of
13 Ketchikan, 1 from Sitka, 1 from Juneau although she
14 said she grew up in Metlakatla, all were in favor of
15 the non-rural determination, or rescinding it and
16 making Ketchikan area rural.

17

18 Major themes expressed were that rural
19 status would provide tribal members with access and
20 sovereignty over their traditional foods. They said
21 that poverty is high among tribal members and they
22 shouldn't be punished for having a town grow up around
23 them. Many expressed that their local traditional
24 foods were necessary for maintaining their culture and
25 personal health and well-being. It was stated that
26 Walmart and other stores like that don't make Ketchikan
27 non-rural, that tribal members and other residents of
28 Ketchikan use and share traditional foods and resources
29 in the same way they did in the past. Nearly all of
30 those who spoke reiterated that they only want access
31 to their local subsistence resources and they do not
32 want to access resources on Prince of Wales and they
33 support -- they said they support a Section .804 user
34 prioritization that would protect resources on Prince
35 of Wales from those living on the outside.

36

37 I also, last week, was able to meet
38 with the Ketchikan AC over the video, Zoom, they had
39 some questions about it. They mostly were interested
40 in the timeline for the proposal and the potential
41 impacts on Federally-managed resources particularly
42 those on Prince of Wales Island. There were some State
43 biologists there that answered some questions for them
44 regarding opportunities and things like that.

45

46 Both Jason Roberts and I did try to go
47 down for the subsistence workshops that are hosted, or
48 done by the Forest Service in a few of the communities
49 on Prince of Wales, unfortunately one trip was -- one
50

0116

1 of the work shops was cancelled and then I got too sick
2 to travel and so we missed those and are trying to look
3 for more opportunities to get down in that area and
4 answer questions on the non-rural determination.

5

6 There's a couple things I did want to
7 bring up. Just to clarify for everyone who's here
8 listening. The Federal Subsistence Management Program
9 does not have any jurisdiction over plant resources.
10 We also don't have any jurisdiction -- or the Board
11 doesn't have any jurisdiction over marine fishing.
12 These are things I hear bringing up so I just want to
13 clarify as we go on, we do not have jurisdiction over
14 plants that are collected on Federal lands, or any
15 marine fishing. The Board only has jurisdiction, as
16 you know, on wildlife hunting and trapping and fishing
17 on public lands, fishing is mostly in the streams and
18 rivers in the National Tongass Forest.

19

20 I also wanted to bring this up because
21 there's been a lot of discussions about .804 -- Section
22 .804 user prioritization and I actually spoke with
23 Chair Hernandez the other day about it in regards to
24 actions -- because there have been requests that this
25 would be a good action to take to protect the Unit 2
26 deer population, you know, that's the main thing, I
27 actually had an epiphany while thinking the other day,
28 and short answer is I don't -- that's not going to work
29 and the reason is because a Section .804 user
30 prioritization is a la -- it's a last step used when
31 the conservation level is so dire that it can't
32 possibly feed -- it can't possibly feed all the
33 Federally-qualified users.

34

35 I skipped a step here.

36

37 So first of all I wanted to say that if
38 Ketchikan is approved for their non-rural status, they
39 would automatically qualify to be -- to be Federally-
40 qualified subsistence users, basically have C&T for
41 many of the resources in Southeast Alaska because of
42 how the regulations are written, that for many of your
43 regulations it says all residents of Unit 1, or all
44 rural residents have -- and so since Ketchikan area is
45 in Unit 1 they would automatically just qualify, they
46 would not have to put in applications for customary and
47 traditional use determinations for most of these
48 resources, including Unit 2 deer, for example, and most
49 other -- I haven't gone through resource by resource,
50

0117

1 but really let's say most of the resources through the
2 Southeast regions. A Section .804 prioritization
3 really -- basically there would have to be a closure -- a
4 full closure to non-Federally-qualified subsistence
5 users because the population is so low before there can
6 be a consideration for going that next step and
7 reducing the pool of eligible users. Because there's
8 currently no -- there's currently not a full closure to
9 Federally--- non-Federally-qualified subsistence users
10 in Unit 2, there's a -- you have -- Federally-qualified
11 users have a one week priority and then a two week
12 closure, and I believe that the reason for that two
13 week closure is for the continuation of subsistence
14 because the State -- there is still a State hunt for
15 Unit 2 deer, right, and it's not reduced, as far as I
16 know other than what I heard some sharing today, you
17 know, I don't know the -- the -- the Unit 2 deer
18 population off hand, but those -- but it would have to
19 go low enough to first close completely to non-
20 Federally-qualified.

21

22 So basically I put this together in my
23 head, I don't think that there's any grounds for a user
24 Sec -- a Section .804 user prioritization.

25

26 Does that make sense to you guys as I
27 try to explain it.

28

29 (Council nods affirmatively)

30

31 MR. VICKERS: Thank you.

32

33 CHAIRMAN HERNANDEZ: Yeah, it makes
34 sense.

35

36 MR. VICKERS: Yeah. I wanted to bring
37 this up because it is something and I wanted -- and I
38 also wanted to make a statement that this is in no way
39 -- in our analysis are we looking at resource
40 abundances, I just want to make that clear. In our
41 analysis we don't put that out there, but since this is
42 a big discussion and since it's like, well, if they are
43 approved we need to do this, I wanted to make it known
44 that actually that that's not going to work especially
45 since I -- I talked to it -- with your Chair and I
46 realized I misinformed him while thinking deeper about
47 it. So that's why I bring it up.

48

49 Thank you.

50

0118

1 CHAIRMAN HERNANDEZ: Okay, thank you,
2 Brent. I don't want to get, you know, too far into
3 rural determination because we just don't have the
4 time. I mean your update was on recent testimonies and
5 what not and we appreciate that but, you know, if there
6 are some quick questions on that procedure that he just
7 outlined on .804, I think we all understood it, but are
8 there any questions, without getting into a debate on
9 it, let's just -- everybody understands it.

10

11 Okay.

12

13 Albert.

14

15 MR. HOWARD: Will we have time at the
16 next meeting to discuss this?

17

18 CHAIRMAN HERNANDEZ: Oh, probably we'll
19 be spending most of our meeting so.....

20

21 (Laughter)

22

23 CHAIRMAN HERNANDEZ: John.

24

25 MR. HOWARD: Okay, that's all.

26

27 MR. SMITH: (In Tlingit) Intentions
28 aren't to hurt anybody. But the last vote I felt like
29 we're being rushed and I didn't agree with what was
30 going on, because we were rushing each other, I feel
31 like we're making it not very important. It could be
32 -- I'm just worried about that -- the last event about
33 Basket Bay. I grew up there, I've harvested there and
34 I don't agree with -- I didn't agree with that but I
35 just want that to go to the record and it's because of
36 the frustration of always being pushed and hurried. I
37 think we should take our time. I think we should add a
38 few hours on it and be patient and just make note,
39 that's just my perspective.

40

41 Thank you.

42

43 CHAIRMAN HERNANDEZ: Thank you, John.
44 In an ideal world, we would. Thank you, Brent, for
45 that.

46

47 MR. VICKERS: Thank you.

48

49 CHAIRMAN HERNANDEZ: And like I said

50

0119

1 this was an agenda item and we did have one request for
2 public comment on this agenda item so Mr. Hartford, do
3 you want to come forward.

4

5 MR. HARTFORD: Yes, good evening, Steve
6 Hartford. And I'm here on behalf of Ketchikan Indian
7 Community. We -- you know me, we've talked before and
8 we'll talk again and I just want to let you know that
9 we're here, we're working hard to collect data and
10 other information that we believe will be relevant when
11 you have to make your decision next fall. It's a big
12 decision and we understand that.

13

14

15 As to the .804, Ketchikan Indian
16 Community has been very clear that we would support any
17 efforts to preserve the deer stock on Prince of Wales
18 if, in fact, the stock needs to be protected and what
19 I'm hearing Mr. Vickers say is we don't have that data
20 that would support that at this time. But certainly if
21 the stock reached that level we've been clear about,
22 and public, and there's actually been a vote of our
23 tribal council that they would support that limitation
24 to only local residents of POW. But, again, that
25 doesn't in any way diminish the importance of
26 preserving our own subsistence culture for the Tlingit,
27 Haida and Tsimshian Indian, Alaska Natives that make up
28 Ketchikan Indian Community and it's the need to
29 preserve our culture for our people is just as
30 important as it is in any other part of the state and
31 we hope, and we expect that you will keep an open --
32 you'll be open to listening to the stories of our, not
33 only our tribal members but members of our community as
34 to why the status of Ketchikan should be changed and
35 why the people that live there that consider themselves
36 residents of Ketchikan, Alaska should have access to
37 subsistence fishing and hunting on Federal lands.

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38 So without any -- I don't want to add
39 anything further other than we will -- we look forward
40 to the continued discussion and the continued
41 opportunity to present our case before this Council.

42

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43 Thank you.

45 CHAIRMAN HERNANDEZ: Thank you, Mr.
46 Hartford. Questions.

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Albert, you had a question.

0120

1 MR. HOWARD: I'm just wondering if
2 anyone's read this document and what it means to the
3 rest of us, Mr. Chair, because that's.....

4
5 CHAIRMAN HERNANDEZ: Was that.....

6
7 MR. HOWARD: This is ANILCA, Title
8 VIII.

9
10 CHAIRMAN HERNANDEZ: Title VIII.

11
12 MR. HOWARD: And what it means to the
13 rest of us and why it exists. Because by asking for
14 this, you're asking us to throw our rights away to a
15 resource that we rely on. And, Mr. Chairman, when I
16 made a comment about Walmart and Costco and all that,
17 you take that out of context, you take that and you use
18 those words to benefit you to build your case, my point
19 being was there's no Costco in Angoon, there's no
20 Walmart in Angoon. If I fail when I'm out hunting, we
21 can't go to Costco, we can't go to Walmart, and to use
22 Section .804 as an argument we've tried Section .804.
23 We know all the ins and outs of trying to make that
24 happen but it -- you never want to get to a Section
25 .804, that means something really bad has happened to
26 the resource.

27
28 MS. PHILLIPS: Mr. Chair, point of
29 order.

30
31 CHAIRMAN HERNANDEZ: Yeah, Patty.

32
33 MS. PHILLIPS: Mr. Chair, no disrespect
34 to Mr. Howard, he's -- but we have a public comment
35 before us, we're here to sit here and listen. I thank
36 you for your comment. But we're not here to be
37 debating .804, that's not the agenda item under
38 discussion right now.

39
40 Thank you.

41
42 MR. HOWARD: Mr. Chair, I beg to
43 differ. I asked a question. Has anyone read the
44 document, Section .804?

45
46 CHAIRMAN HERNANDEZ: Care to answer.

47
48 MR. HARTFORD: Yes, we've read it.
49 We've read it. We do think it's a -- we do think that
50

0121

1 the standard for determining whether a community should
2 -- is eligible or should be considered a subsistence
3 community, that the standard is not based on how it
4 will impact other communities, the standard is whether
5 that community in its unique nature, it has, does and
6 will rely on subsistence on a subsistence lifestyle.
7 And that's what's before the Council and that's what's
8 before the Federal Subsistence Board.

9

10 Now, there are other tools, if, in
11 fact, that community is eligible by all the standards
12 that you have to decide, there are other tools to
13 protect, .804 being one of them, the impact that it
14 will have on other communities but in the initial
15 decision that's not a consideration that the Council
16 can make findings on.

17

18 That's our view and, of course, we
19 understand it's a controversial issue and we understand
20 there's a divergence of opinion.

21

22 CHAIRMAN HERNANDEZ: Thank you. I
23 think we have to leave it at that Albert. Yeah, we'll
24 get into it this fall in detail. So, yeah, thank you
25 Mr. Hartford.....

26

27 MR. HARTFORD: Thank you.

28

29 CHAIRMAN HERNANDEZ:for making
30 the trip to Anchorage. DeAnna, do we have meeting
31 dates before us, we do have to do that?

32

33 MS. PERRY: Yes, Mr. Chair, and we
34 could take care of that if you're ready.

35

36 CHAIRMAN HERNANDEZ: Go ahead.

37

38 MS. PERRY: Okay. The first calendar
39 up here has been updated. I'm not sure if any of the
40 Councils have changed since what is appearing in your
41 books so I'm just going to go with this one because I
42 know it's the latest and greatest. This is the
43 schedule for the fall 2024 meeting. Currently the
44 Southeast Council is scheduled to be in Ketchikan
45 October 22nd through 24th, we just need to confirm
46 those dates and that location, Mr. Chair.

47

48 CHAIRMAN HERNANDEZ: Okay, thank you.
49 Council comments on that.

50

0122

1 (Pause)

2

3 CHAIRMAN HERNANDEZ: Albert.

4

5 MR. HOWARD: Thank you, Mr. Chair. Can
6 we just make sure we have enough time to get everything
7 done and we're not rushing because all of this is
8 important.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN HERNANDEZ: Let me just check
13 with DeAnna, I don't know what time they require us to
14 be out of here.

15

16 MS. PERRY: Are you talking about
17 tonight or the three day meeting in the fall?

18

19 MR. HOWARD: In the fall.

20

21 MS. PERRY: Yeah, we will have our
22 regular three days.

23

24 CHAIRMAN HERNANDEZ: Oh, sorry, I
25 misunderstood thank you.

26

27 MR. HOWARD: Well, Mr. Chair, even when
28 we have three days it seems like we're rushing at the
29 end of it again anyway so we've got to start setting a
30 standard. I agree with you giving me three minutes
31 earlier, that works too, so thank you Mr. Chair.

32

33 CHAIRMAN HERNANDEZ: Okay, thank you.
34 Do we have enough -- do we still have enough time in
35 this room?

36

37 MS. PERRY: (Nods affirmatively)

38

39 MR. CASIPIT: Yeah, my experience is
40 that we will take all the time that is given to us and
41 then some.

42

43 (Laughter)

44

45 MR. CASIPIT: That's my experience.
46 But I would like to confirm that, that's fine with me,
47 we talked about it at length at the last meeting, I
48 think Ketchikan is the right place.

49

50

0123

1 CHAIRMAN HERNANDEZ: Anybody else.

2

3 MR. HOWARD: So moved, Mr. Chair.

4

5 CHAIRMAN HERNANDEZ: Okay. Does this
6 require a vote, DeAnna.

7

8 MS. PERRY: (Nods affirmatively)

9

10 CHAIRMAN HERNANDEZ: Okay. So.....

11

12 MS. PERRY: I need a second, please.

13

14 CHAIRMAN HERNANDEZ: Oh, sorry.

15

16 MR. SMITH: Second.

17

18 MS. PERRY: Thank you.

19

20 CHAIRMAN HERNANDEZ: Okay. It's been
21 moved and seconded to hold our fall Council meeting in
22 Ketchikan -- what are the dates there, I missed it --
23 on October.....

24

25 MR. CASIPIT: October 22nd through the
26 24th.

27

28 MS. PERRY: Yeah, October 22nd through
29 the 24th in Ketchikan.

30

31 CHAIRMAN HERNANDEZ: 22nd through the
32 24th in Ketchikan, all in favor say aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN HERNANDEZ: Anybody opposed
37 say no.

38

39 (No opposing votes)

40

41 CHAIRMAN HERNANDEZ: Okay, it's
42 settled. Winter meeting, DeAnna.

43

44 MS. PERRY: And I think we just had a
45 Council also pick some dates that aren't on the
46 calendar yet so bear with me, I just had that up.
47 Okay. There is another Council that picked March 4th
48 through 5th, so that would make the second Council for
49 that week so that week would not be available to us.

50

0124

1 It looks like there's already two Councils the week of
2 February 24th, so starting with the week of, let's see,
3 March 10th, and the Council has not picked any dates or
4 location prior.

5

6 CHAIRMAN HERNANDEZ: Okay. It looks
7 like we have a couple options there in March so
8 suggestions.

9

10 Albert.

11

12 MR. HOWARD: Well, is there anything
13 towards the end of March, Mr. Chair?

14

15 CHAIRMAN HERNANDEZ: DeAnna.

16

17 MS. PERRY: Yes, Mr. Chair. You'll see
18 that towards the end of March there are single meeting
19 weeks, the 17th -- let's see November -- no, March 28th
20 -- it stinks when you get old and you have to get
21 glasses -- but it doesn't look like there are any
22 meetings scheduled so far for March 17th, but, again,
23 we can have two meetings per week, so any of the rest
24 of March we could put a meeting there.

25

26 Thank you.

27

28 MR. HOWARD: That was clear as mud, Mr.
29 Chair. So the end of March his open?

30

31 CHAIRMAN HERNANDEZ: Am I correct,
32 there are three weeks available to us there in March,
33 is that what it looks like, to me?

34

35 MS. PERRY: Yes. So we could do
36 something the week of March 10th, something the week of
37 March 17th, or something the week of March 24th and we
38 could also even do something the week of March 31st,
39 and, again, this Council usually prefers to do the
40 meeting on Tuesday, Wednesday and Thursday, so that
41 they can travel on Monday and Friday.

42

43 CHAIRMAN HERNANDEZ: Albert.

44

45 MR. HOWARD: So, Mr. Chairman, I move
46 that we have the meeting on March 24th, the week of
47 March 24th, this is in Sitka, right, if that's okay
48 with Mr. Kitka.

49

50

0125

1 CHAIRMAN HERNANDEZ: Any comment on
2 that date, Harvey. The 24th is kind of during the
3 herring spawn, I believe, could be.

4
5 MR. CASIPIT: That's the perfect time
6 of year.

7
8 MR. KITKA: No comment.

9
10 (Laughter)

11
12 CHAIRMAN HERNANDEZ: No comment.

13
14 MR. DOUVILLE: Mr. Chair.

15
16 MR. SMITH: He'll be busy.

17
18 MR. DOUVILLE: Mr. Chair.

19
20 CHAIRMAN HERNANDEZ: Mike, go ahead.

21
22 MR. DOUVILLE: I'll make a motion for
23 March 17th -- the week of March 17th.

24
25 CHAIRMAN HERNANDEZ: Okay.

26
27 MR. SANDHOFER: Second.

28
29 CHAIRMAN HERNANDEZ: There's a second.
30 Albert, you made a previous suggestion, does the 17th
31 work for you?

32
33 MR. HOWARD: Thank you, Mr. Chair,
34 yeah, that's fine. It just -- it would have allowed
35 the RAC to see the full blown knock down drag out
36 herring deal that's happening, that's why I suggested
37 what I suggested, but that's fine. I'll go with the
38 majority.

39
40 CHAIRMAN HERNANDEZ: I know. But it's
41 also a pretty busy time for Sitka folks so maybe just
42 prior to the spawn might be better. Harvey, would you
43 kind of concur with that busy time.

44
45 MR. KITKA: Uh-huh.

46
47 CHAIRMAN HERNANDEZ: I know you said no
48 comment so you don't have to.

49
50

0126

1 MR. KITKA: Mr. Chair, thank you. At
2 this point in my life I don't participate in going out
3 and harvesting anymore. I have nephews and other
4 relatives that will do it for me. Thank you.

5

6 CHAIRMAN HERNANDEZ: Okay. Does March
7 17th sound good to everybody. Louie, go ahead.

8

9 MR. WAGNER: That's right around the
10 eulachon time so I'll have to ask for -- if I'm still
11 on, I'll have to ask for getting excused, so the 24th
12 worked better for me, thank you.

13

14 CHAIRMAN HERNANDEZ: Okay.

15

16 MS. PHILLIPS: Call for the question.

17

18 CHAIRMAN HERNANDEZ: Well, we have two
19 dates, should I put one.....

20

21 MS. PHILLIPS: We have a motion.

22

23 CHAIRMAN HERNANDEZ: Oh, what was the
24 motion, for the 24th?

25

26 MS. PHILLIPS: The 17th.

27

28 CHAIRMAN HERNANDEZ: 17th -- the motion
29 was for the 17th.

30

31 MS. PERRY: I need a location.

32

33 CHAIRMAN HERNANDEZ: In Sitka. Was
34 Sitka in the motion -- okay, let's -- well, let's.....

35

36 MS. PERRY: Ted, do you concur?

37

38 MR. SANDHOFER: Yeah, that's fine.

39

40 CHAIRMAN HERNANDEZ: Oh, you were the
41 second, okay, we'll vote on that, if it fails then
42 we'll pick another date. So the motion is to hold our
43 spring meeting the week of March 17th in Sitka. All in
44 favor say aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN HERNANDEZ: Anybody opposed,
49 say no.

50

0127

1 MR. WAGNER: No.

2

3 CHAIRMAN HERNANDEZ: Okay. I heard one
4 no vote, so I guess it passes, March 17th in Sitka,
5 okay.

6

7 MS. PERRY: You've got one more.

8

9 CHAIRMAN HERNANDEZ: One more.

10

11 MS. PERRY: Thank you, Mr. Chair.
12 Let's see here, so on the current calendar on the
13 screen, you'll see the week of September 16th already
14 has two Councils meeting, so maybe it would be easier
15 just to say which weeks we could choose. We could
16 choose the week of September 22nd, September 29th,
17 October 20th, and that's it.

18

19 Again, we would need dates and a
20 location, Mr. Chair.

21

22 CHAIRMAN HERNANDEZ: Okay. Suggestions
23 from the Council. You see the dates, this is a year
24 and a half out so.

25

26 (Laughter)

27

28 CHAIRMAN HERNANDEZ: John.

29

30 MR. SMITH: I make a motion that we do
31 September 29th, the week of, it looks like it's pretty
32 empty.

33

34 CHAIRMAN HERNANDEZ: Okay. We could
35 pick a date first and then decide on a place. Do we
36 have a second for September 29th.

37

38 MR. DOUVILLE: I'll second.

39

40 CHAIRMAN HERNANDEZ: Okay. Any other
41 -- well, we have a motion and a second, we'll vote on
42 that, if it fails we'll try something else. All in
43 favor of holding our next fall meeting after this year,
44 what year are we talking about there, 2025, right?

45

46 MS. PERRY: Yes, Mr. Chair.

47

48 CHAIRMAN HERNANDEZ: 2025 meeting, the
49 week of September 29th, all in favor say aye.

50

0128

1 IN UNISON: Aye.

2

3 CHAIRMAN HERNANDEZ: Is there anybody
4 opposed say no.

5

6 (No opposing votes)

7

8 CHAIRMAN HERNANDEZ: Okay. How about a
9 place, do we need to pick a place at this time.

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CHAIRMAN HERNANDEZ: Okay.

0129

1 MS. PERRY: But, again, just wanted to
2 make you aware that that is the end of the fiscal year
3 end and we do have a trend.

4
5 CHAIRMAN HERNANDEZ: Okay. Well, I
6 kind of like September 29th myself. So if you want to
7 pick a place now you can, if we haven't decided
8 anything we could do that later, does anybody have a
9 suggestion that they would really like to go to.

10

11 (No comments)

12

13 CHAIRMAN HERNANDEZ: Okay. I guess we
14 can wait on that until our next meeting but we got the
15 date set.

16

17 Okay. Still a couple of items to take
18 care of.....

19

20 MS. PHILLIPS: Did we vote?

21

22 CHAIRMAN HERNANDEZ: Oh, I'm sorry.

23

24 MS. PERRY: No, you didn't.

25

26 REPORTER: Yes, you voted on September
27 29th and went on to a place.

28

29 CHAIRMAN HERNANDEZ: Did we vote, no,
30 we didn't. Sorry we didn't -- we didn't vote. So we
31 did have a motion for September 29th, all in favor.

32

33 IN UNISON: Aye.

34

35 CHAIRMAN HERNANDEZ: Anybody opposed
36 say no.

37

38 (No opposing votes)

39

40 CHAIRMAN HERNANDEZ: Okay, thank you.
41 Thank you for keeping me on track. I think that
42 concludes all the action items we have to do. There's
43 a few things that we still want to take care of.

44

45 Let's' see DeAnna, there was something
46 on the correspondence review, do we need to do that,
47 adding -- are they looking for comment on the proposed
48 rule to add three new members to the Board. Are those
49 items that we could discuss here?

50

0130

1 MS. PERRY: Yes, Mr. Chair. There were
2 a couple of possible letters, the new three Federal
3 Subsistence Board members, there is a public comment
4 period open currently. And then there were the follow
5 up letters from the joint Council, I think there were,
6 I think, about four of those, bycatch, correspondence,
7 compensation, and then caribou. I think everybody saw
8 what was on the screen on the first day and also at
9 your seats there should have been a little stapled
10 three pages, which would have been the correspondence
11 and compensation letter just to help guide you. So
12 it's up to the Council whether or not they would want
13 to move forward.

14
15 And then during this meeting, Mr.
16 Chair, we made a note that there is interest in sending
17 a letter to the Monument Manager regarding the jet boat
18 issue that Member Howard mentioned earlier.

19
20 Thank you.

21
22 CHAIRMAN HERNANDEZ: Okay. We also had
23 a request that the Council may want to authorize Cal
24 Casipit to go to the North Pacific Fishery Management
25 Council. And I think both of those would require a
26 vote, I believe, correct.

27
28 MS. PERRY: (Nods affirmatively)

29
30 CHAIRMAN HERNANDEZ: Okay. And then as
31 far as the All-Council letters, were there some
32 generated that we need to review or how did that go?

33
34 MS. PERRY: No, new ones, just what was
35 shown on the screen on Monday. No one's had the
36 opportunity to finalize, they wanted to get input from
37 the other Councils, and I don't know if you guys have
38 seen the pages that were laid at your chair. The first
39 is actually the Joint Subsistence Regional Advisory
40 Council's letter regarding compensation and then behind
41 that was a rough draft of, a simple letter talking
42 about correspondence issues, and then the last one is
43 just there for your information, it doesn't require
44 anything. But I guess it's up to the Council's desire
45 within the time we have available, what they would like
46 to address.

47
48 I will let folks know that the comment
49 period for the Federal Register notice regarding the
50

0131

1 three new public members, that comment period ends
2 April 26th so this would be the only meeting that
3 Council could take action on that before it closes.

4

5 CHAIRMAN HERNANDEZ: Okay. I think
6 Council members should maybe consider endorsing these
7 All-Council letters, but in the meantime let's take
8 care of a couple other of our local issues here. If we
9 want to authorize Cal to attend the North Pacific
10 Fishery Management Council meetings that are coming up,
11 we need to approve that.

12

13 MS. PHILLIPS: Mr. Chair.

14

15 CHAIRMAN HERNANDEZ: Patty.

16

17 MS. PHILLIPS: So moved.

18

19 MR. HOWARD: Second.

20

21 MR. KITKA: Second.

22

23 CHAIRMAN HERNANDEZ: Okay. Moved and
24 seconded to authorize Cal to attend the North Pacific
25 Fishery Management Council meetings, any discussion.

26

27 MS. PERRY: Mr. Chair, Member Casipit's
28 participation has been virtual up to this point.

29

30 CHAIRMAN HERNANDEZ: Okay.

31

32 MS. PERRY: So we need to also put that
33 in the motion, that we're not asking for travel funds
34 or anything to physically get Cal there.

35

36 CHAIRMAN HERNANDEZ: Okay, we'll make
37 that clarification. I guess the motion will be for Cal
38 to participate in the North Pacific Fishery Management
39 Council meeting, we'll just clarify the motion.

40

41 MR. CASIPIT: Yeah, and on top of that
42 I will stick to the bullet points that are in your
43 supplemental materials behind Tab B, Page 2.

44

45 CHAIRMAN HERNANDEZ: Thank you, Cal.
46 Any other comments, questions. Are we ready for the
47 vote.

48

49 MR. HOWARD: Question.

50

0132

1 CHAIRMAN HERNANDEZ: Okay. All in
2 favor of having Cal participate virtually in the North
3 Pacific Fishery Management Council upcoming meetings
4 say aye.

5
6 IN UNISON: Aye.

7
8 CHAIRMAN HERNANDEZ: Is there anybody
9 opposed say no.

10
11 (No opposing votes)

12
13 CHAIRMAN HERNANDEZ: Okay, very good.
14 We had a request from Council Member Howard to send a
15 letter, I believe to the Monument Manager for Admiralty
16 Island addressing jet boats on Hasselborg River, I
17 believe, do we have a motion there.

18
19 MR. HOWARD: I make the motion, Mr.
20 Chair.

21
22 MR. SANDHOFER: Second.

23
24 CHAIRMAN HERNANDEZ: Moved and
25 seconded. A little discussion on what would be in the
26 letter.

27
28 MR. HOWARD: Thank you, Mr. Chair. It
29 can be as simple as asking for the Ranger to enforce a
30 no river boat -- jet boat on Hasselborg Creek.

31
32 CHAIRMAN HERNANDEZ: Okay, it sounds
33 straight forward, any other comments.

34
35 MR. HOWARD: Based on testimony from
36 Angoon and, yeah.

37
38 CHAIRMAN HERNANDEZ: Right. Harvey,
39 you have something to add.

40
41 MR. KITKA: Yeah, just ask Staff to
42 help write -- put the wording in proper.

43
44 CHAIRMAN HERNANDEZ: Would you like the
45 Staff to help with that, Albert?

46
47 MR. HOWARD: (Nods affirmatively)

48
49 CHAIRMAN HERNANDEZ: Okay, John.

50

0133

1 MR. SMITH: Yeah, and also having a
2 focus on the speed that people are moving around on
3 there, and then, of course, making sure that there's an
4 emphasis on not just jet boats but even prop boats, you
5 know, to -- you know, their speed, slow down.

6
7 CHAIRMAN HERNANDEZ: Okay.

8
9 MR. SMITH: And sound. Sorry. That
10 too.

11
12 CHAIRMAN HERNANDEZ: Anything that
13 we're discussing here on the record can be gleaned and
14 added to the letter. Albert, you had a comment.

15
16 MR. HOWARD: Mr. Chairman, if you get
17 into speed limits and everything you're still allowing
18 a jet boat and I don't think they should be on that
19 system at all. Thank you, Mr. Chair. And this is my
20 backyard so. Thank you, Mr. Chair, I appreciate the
21 effort, the Council supporting this if that's what they
22 choose.

23
24 Thank you.

25
26 CHAIRMAN HERNANDEZ: Okay. Thank you.
27 Any other discussion. Are you ready for the question.

28
29 MR. KITKA: Question.

30
31 CHAIRMAN HERNANDEZ: Okay. The motion
32 was to send a letter to the Admiralty Island Monument
33 Manager addressing jet boat use on the Hasselborg
34 River. All in favor of sending a letter say aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN HERNANDEZ: Is there anybody
39 opposed say no.

40
41 (No opposing votes)

42
43 CHAIRMAN HERNANDEZ: Okay. Motion
44 passes. Okay, back to All-Council letters. Hopefully
45 folks have had a chance to review some of those. We do
46 have a little bit of time left to address this so I
47 think we can have some discussion. So what's the
48 Council's wishes on these letters. We've got a little
49 bit of time on this if you want to put some time in on
50

0134

1 it.

2

3 (Pause)

4

5 CHAIRMAN HERNANDEZ: Cal.

6

7 MR. CASIPIT: I move that we support a
8 letter similar to the one that was provided us to the
9 Board Chair to ask that the Council members be
10 compensated for their time. There's a pretty good
11 draft letter, first page of our handouts here, I think
12 it's a pretty good letter and I think we could just
13 kind of put our -- put the Council's heading on this
14 and just ship it off to the Chair and let it go where
15 it goes. I think it's a well written letter, so.

16

17 CHAIRMAN HERNANDEZ: Okay, thank you,
18 Cal. We'll address these one at time.....

19

20 MS. PHILLIPS: Second.

21

22 MR. SMITH: Second.

23

24 CHAIRMAN HERNANDEZ:that would
25 probably be the best -- so that was a motion?

26

27 MR. CASIPIT: That was a motion.

28

29 CHAIRMAN HERNANDEZ: Okay. And we have
30 a second.

31

32 MS. PERRY: Patty seconded it and then
33 John did too.

34

35 CHAIRMAN HERNANDEZ: Okay. Any further
36 discussion on the compensation letter.

37

38 (No comments)

39

40 CHAIRMAN HERNANDEZ: Ready for the
41 vote.

42

43 MR. HOWARD: Mr. Chair.

44

45 CHAIRMAN HERNANDEZ: Comment, Albert.

46

47 MR. HOWARD: Short comment. I worry
48 about the Staff because I see them eating trail mix and
49 stuff so.

50

0135

1 (Laughter)

2

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MR. HOWARD: They're sitting out in the hallway and they all got their bags and the rest of us are going to Humpy's or whatever so.

CHAIRMAN HERNANDEZ: Yeah, I think some people have to get on some jets this evening.

MR. HOWARD: Or something.

CHAIRMAN HERNANDEZ: So.....

MR. HOWARD: Thank you, Mr. Chair.
Call for the question.

CHAIRMAN HERNANDEZ: Thank you.
Question's been called for to approve, for this Council to sign on to an All-Council letter dealing with the Regional Advisory Council compensation. All in favor say aye.

IN UNISON: Aye.

CHAIRMAN HERNANDEZ: Is there anybody opposed say no.

(No opposing votes)

CHAIRMAN HERNANDEZ: Okay. Motion's approved on that letter.

So we have this three page handout shall we address the next letter, it looks like it might be a concept so let's talk about that. This letter deals with Council correspondence. I would say this is a letter that still needs to be fleshed out but they have their main talking points so maybe we could discuss those but we'll need a motion in order to do that.

So, Cal.

MR. CASIPIT: I move that we sign on to this draft letter asking for help with -- from the Board in getting timely responses to our correspondences.

CHAIRMAN HERNANDEZ: Thank you, Cal.

0136

1 MR. KITKA: Second.

2

3 CHAIRMAN HERNANDEZ: Okay. We have a
4 motion and a second. Any further discussion on this
5 topic.

6

7 Cal.

8

9 MR. CASIPIT: I do really think there's
10 some value in this. I think there's a lot of
11 frustration with the other Councils and I've felt that
12 same frustration here as far as getting responses to
13 our correspondence to the Board and asking the Board to
14 forward on, you know, to other people according to our
15 correspondence policies and so, yeah, I think this is a
16 good thing, it's necessary. And for instance, this
17 letter about interception that took us awhile to get
18 through and to me that's a big deal. But, anyway,
19 yeah.

20

21 CHAIRMAN HERNANDEZ: Thank you, Cal.
22 Any other Council members want to comment on this
23 letter.

24

25 MS. PHILLIPS: Call for the question.

26

27 CHAIRMAN HERNANDEZ: Okay, question's
28 been called for to support an All-Council letter
29 dealing with the correspondence policy, all in favor
30 say aye.

31

32 IN UNISON: Aye.

33

34 CHAIRMAN HERNANDEZ: Is there anybody
35 opposed say no.

36

37 (No opposing votes)

38

39 CHAIRMAN HERNANDEZ: Okay. Letter
40 approved.

41

42 MS. PERRY: That's just an FYI, no
43 action.

44

45 CHAIRMAN HERNANDEZ: Yeah, I don't know
46 what this next one is, DeAnna, do you maybe want to
47 explain that a little bit.

48

49 MS. PERRY: Mr. Chair, that was just

50

0137

1 included because it was brought up on Monday, there's
2 no action required. It's just for everyone's
3 information because no one had it available on Monday.
4 We just stapled everything together so there weren't a
5 lot of loose papers on the table.

6
7 CHAIRMAN HERNANDEZ: Okay, thank you.
8 So there was, you know, a lot of discussion on a letter
9 dealing with caribou and then the other discussion was
10 on the bycatch issue. Were there any letters generated
11 on that? Are you aware, DeAnna, or anybody else?

12
13 MS. PERRY: There aren't any new ones,
14 there' just the same draft that we've been working on
15 that everyone saw on Monday. So if there was any -- I
16 mean I can throw it up on the screen if you want. If
17 people have had an opportunity to think about what they
18 heard on Monday we could certainly give input on that.
19 We're not actually writing the letter, it would be a
20 joint letter on bycatch or a joint letter, and/or on
21 caribou.

22
23 MR. VICKERS: DeAnna, do you mean
24 Tuesday?

25
26 MS. PERRY: I'm sorry?

27
28 MR. VICKERS: Do you mean Tuesday?

29
30 MS. PERRY: Yes, I'm sorry, it's been a
31 long week. I meant Tuesday. The first day of the
32 meeting, thank you. I can put it up on the screen if
33 that's easier.

34
35 CHAIRMAN HERNANDEZ: Okay. Yeah, why
36 -- if you could go ahead and do that. Albert.

37
38 MR. HOWARD: I don't know if -- can we
39 just say we support their letter because the one I
40 heard Patty read was a pretty good letter from the
41 Southeast RAC when it concerned Bering Sea bycatch, I
42 think that was pretty well written. Can we just say we
43 support their letter but not necessarily have to join
44 theirs, because I think the one coming from this RAC
45 already was pretty well written and represents our
46 thoughts.

47
48 Thank you, Mr. Chair.

49
50

0138

1 CHAIRMAN HERNANDEZ: Thank you, Albert.
2 Yes, we did craft a pretty good letter I would say and
3 then there were four other Councils that also put in
4 letters and I think our letter supported them, as I
5 recall. I guess this is just a question, do we want to
6 go further with that or are there other Councils that
7 have generated letters that we either want to sign on
8 to or support. I'm not aware, you know, of what other
9 Councils have done this week. I know there was a lot
10 of discussion on making it an All-Council letter.

11
12 MR. VICKERS: Maybe I can help a little
13 bit. Brent Vickers, Office of Subsistence Management.
14 Some Councils have supported the All-Council letter
15 that was written. Some Councils have voted to support
16 their own letter that they've written. Some Councils
17 have just not supported the All-Council letter. So
18 they're taking all options.

19
20 Thank you.

21
22 CHAIRMAN HERNANDEZ: Thank you, Brent.

23
24 John.

25
26 MR. SMITH: I make a motion that we
27 support their letter that they made but also to put the
28 letter that was addressed by our team and add it in
29 with it so that it supports their event.

30
31 CHAIRMAN HERNANDEZ: Thank you. Do we
32 have a second to that motion.

33
34 (No comments)

35
36 CHAIRMAN HERNANDEZ: Maybe we need a
37 little more discussion or at least look at what we have
38 up on the screen there before we get a second.

39
40 Albert.

41
42 MR. HOWARD: Mr. Chair, I still think
43 we send our letter as is and maybe in the paragraph --
44 a paragraph somewhere we can mention we heard testimony
45 on Tuesday and we support other RAC's positions but
46 this is our official position. So you're doing two
47 things, you're supporting them and you're sending our
48 own opinion.

49
50

0139

1 Thank you, Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Thank you, Albert.

4

5 Patty.

6

7 MS. PHILLIPS: Mr. Chair. You know we
8 already voted and we already sent a letter off, that's
9 our position statement, but I would ask that you, as
10 our Chair, when you go before the Federal Subsistence
11 Board discuss the letter that was brought up at the
12 All-Council meeting and the concept. I support the
13 concepts that were discussed in it, there's some things
14 -- it was starting to go a little too far for my
15 support actually, but there were some things in there
16 that, you know, that match up with our letter. So, you
17 know, if you would bring to the attention of the
18 Federal Subsistence Board, you know, some of those
19 things that are in there. Like the legal requirements
20 for the subsistence priority, you know, we feel like
21 they're being ignored because the -- at the North
22 Pacific Council they're making decisions for the
23 commercial fleet and it's affecting, you know, the
24 harvest available for subsistence users and so -- and
25 then the subsistence users are disproportionately
26 bearing the burden of conservation as a result. And
27 the continued commercial harvest of resources for which
28 conservation concerns exist goes against sound
29 management principles of sustainable resource
30 management and potentially violates, you know, some of
31 these other Federal laws, like the Magnuson-Stevens Act
32 or the Pacific Salmon Treaty and that the bycatch of
33 resources in the commercial fisheries and the required
34 discarding of those bycaught resources is wanton waste
35 and if we were to do that we would be, you know, we'd
36 have the violation of wanton waste. And the bycatch of
37 foraged fish affects the abundance of marine resources.
38 I mean kind of that, right there in itself, you know,
39 if you could bring that to the attention of the Board
40 when you meet with them next month.

41

42 CHAIRMAN HERNANDEZ: So I mean the
43 intent -- I was going to weigh in here. The intent of
44 this letter is for it to be forwarded to the Secretary
45 of Commerce. So.....

46

47 MS. PHILLIPS: Mr. Chair, didn't we ask
48 our letter to go to the Secretary of Commerce?

49

50

0140

1 CHAIRMAN HERNANDEZ: Yes, we did. And
2 I think that has been done, do we.....

3
4 MS. PERRY: (Shakes head negatively)

5
6 CHAIRMAN HERNANDEZ: It's not been
7 done. It has not been forwarded yet?

8
9 MS. PERRY: No, Mr. Chair, there's a
10 separate process to elevate it and it is in the works
11 but it has not gone yet, that's part of the
12 correspondence policy.

13
14 CHAIRMAN HERNANDEZ: Right, okay. So
15 Patty you're saying that there may be an opportunity to
16 just testify to the Board, I guess, on the importance
17 of this, as well, I mean we're sending these letters to
18 the Board. I guess my difficulty here is that it
19 sounds to me like the idea was to put together an All-
20 Council letter but not all Councils are not signing on
21 to the letter so it's not an All-Council letter.

22
23 (Laughter)

24
25 CHAIRMAN HERNANDEZ: I don't know how
26 to deal with that.

27
28 (Laughter)

29
30 CHAIRMAN HERNANDEZ: Cal.

31
32 MR. CASIPIT: Well, I kind of agree
33 with Patty. I mean you look at what we sent in for our
34 interception, bycatch, and it pretty much covers all
35 the same things that this All-Council letter does so
36 I'm not sure what value we get out of signing on to a
37 two Council, three Council letter, I'm not sure. It
38 seems like we -- you know, this is what we've done
39 already and it seems to be adequate.

40
41 CHAIRMAN HERNANDEZ: I see some nodding
42 going on here, do we have -- do we kind of have a
43 consensus on that. Did we have a motion on that -- no,
44 we had a motion but we didn't get a second, okay, so
45 we're still just discussing whether we want to make a
46 motion.

47
48 John.

49
50

0141

1 MR. SMITH: Can you repeat the motion
2 we had then, because.....

3
4 CHAIRMAN HERNANDEZ: DeAnna, you're
5 going to have to help me with that.

6
7 MR. SMITH: Yeah, because the motion I
8 put up there was to put a stamp that we agree with
9 their letter but also to have our letter put up in
10 place too. So making the letter that our Staff --
11 there's a -- that's already in from what I can hear,
12 right, that's already -- so maybe right on the bottom
13 that we share on there that we agree with all of the
14 documents here or we add on to their document that we
15 support their words and that we hear them and we agree
16 to them.

17
18 MS. PHILLIPS: Mr. Chairman.

19
20 CHAIRMAN HERNANDEZ: Okay. Patty.

21
22 MS. PHILLIPS: There isn't a final
23 draft of an All-Council meeting letter. There is a lot
24 of differences, and there was a lot more added on to
25 the letter, you know, and so there is no -- there is no
26 All-Council letter. There are concepts within it, but
27 a lot of those align with what we've already put out
28 there.

29
30 CHAIRMAN HERNANDEZ: John.

31
32 MR. SMITH: Yeah, I hear what you're
33 saying now. And what you're saying, Patricia, does
34 make sense. And, you know, maybe we -- I'll pull this
35 motion back and I think maybe we should just put a
36 stamp on our letter.

37
38 CHAIRMAN HERNANDEZ: Well, our letter's
39 been sent and it's still in the works to be forwarded.

40
41 (Laughter)

42
43 CHAIRMAN HERNANDEZ: And there's four
44 other Councils that have also written letters and I
45 believe our letter kind of endorses their letter so
46 we've got at least five Councils that have a firm
47 position on this and, you know, there may be a few
48 other Councils that have come up with some firm
49 positions but I don't think everybody has, is the -- so
50

0142

1 not knowing who's done what, I think it would be
2 difficult to take any action.

3
4 Just as a comment, I think what's been
5 lacking in this All-Council meeting, there was no
6 opportunity for the Councils to come back together at
7 the end of the meeting to see if there were, you know,
8 actions that the Joint Councils could take. So that's
9 just a comment.

10

11 Patty.

12

13 MS. PHILLIPS: One thing that is
14 different is that, you know, we supported additional
15 representation from subsistence at the North Pacific
16 Fishery Management Council and so they did -- they did
17 put a subsistence member on to the advisory panel.
18 Well, that advisory panel member found out that the
19 U.S. Fish and Wildlife Service has a seat on the North
20 Pacific Fishery Management Council but that U.S. Fish
21 and Wildlife Service has not been sitting at that seat,
22 has not been hearing the concerns and has not been --
23 it's not a voting position, but it's still somebody who
24 could bring back concerns to the Federal Subsistence
25 Board. So the letter was asking that, rather than that
26 person who has not been attending the North Pacific
27 Fishery Management Council meetings and the U.S. Fish
28 and Wildlife Service seat be replaced with the
29 InterAgency Staff Committee member for U.S. Fish and
30 Wildlife Service or with the Director of Office of
31 Subsistence Management so that would give better
32 representation for subsistence concerns on the North
33 Pacific Fishery Management Council.

34

35 That's one thing I wish you would bring
36 to the attention of the Federal Subsistence Board is
37 that, we have a seat at that table but it's empty.
38 Nobody's representing us.

39

40 Thank you.

41

42 CHAIRMAN HERNANDEZ: Would you
43 recommend that we draft a new letter. I think if I go
44 to the Board I think I should have a letter.....

45

46 MS. PHILLIPS: Okay.

47

48 CHAIRMAN HERNANDEZ:addressing
49 that particular issue, is that.....

50

0143

1 MS. PHILLIPS: Mr. Chair, I make a
2 motion that the Council write a letter to the Federal
3 Subsistence Board stating that the U.S. Fish and
4 Wildlife -- U.S. Fish and Wildlife position on the
5 North Pacific Fisheries Management Council be filled
6 with the InterAgency Staff member for the U.S. Fish and
7 Wildlife Service or the Director of the Office of
8 Subsistence Management, because the person that is
9 currently designated for that seat has neglected
10 attending the meetings and representing our concerns.

11
12 Thank you.

13
14 MR. HOWARD: Second.

15
16 MR. CASIPIT: Second.

17
18 MR. DOUVILLE: Second.

19
20 MR. SMITH: Second.

21
22 CHAIRMAN HERNANDEZ: We got a motion
23 and a whole bunch of seconds. Further discussion.

24
25 (No comments)

26
27 MR. DOUVILLE: Call for the question.

28
29 CHAIRMAN HERNANDEZ: Okay. Question's
30 been called for. I don't think I can repeat all of
31 that as a motion but.....

32
33 (Laughter)

34
35 CHAIRMAN HERNANDEZ:yes to send a
36 new letter addressing the inadequacies of the
37 appointment to the National Marine Fisheries Service.

38
39 MS. PHILLIPS: North Pacific Fisheries.

40
41 CHAIRMAN HERNANDEZ: North Pacific
42 Fisheries Management Council. All in favor say aye.

43
44 IN UNISON: Aye.

45
46 CHAIRMAN HERNANDEZ: Is there anybody
47 opposed say no.

48
49 (No opposing votes)

50

0144

1 CHAIRMAN HERNANDEZ: Very good, I think
2 that's a very worthwhile thing to do, thank you, Patty.

3
4 So anything else -- do you have a
5 question, Brent?

6
7 MR. VICKERS: I don't have a question,
8 I just had a -- I heard something from.....

9
10 REPORTER: Come up to the mic, Brent.

11
12 MR. VICKERS:another Council if
13 you wanted to know but I think your letter is
14 totally.....

15
16 MS. PHILLIPS: Go for it.

17
18 CHAIRMAN HERNANDEZ: New information,
19 go ahead, Brent, come on up.

20
21 MR. VICKERS: Yeah, Brent Vickers,
22 Office of Subsistence Management. That letter sounds
23 totally valid and adequate, or appropriate to me. It
24 was brought up at one of the other meetings and there
25 was a U.S. Fish and Wildlife Staff member there, a
26 Fisheries Biologist, who said, yes, we are totally
27 aware of that and that the Yukon River In-Season
28 Manager Holly Carroll is like really also upset about
29 it and really trying hard to get that seat filled with
30 someone from Alaska because from what I understand the
31 person who had that seat wasn't even from Alaska, they
32 were down in another state and didn't know any of the
33 -- had no context here and so just wasn't going to the
34 meetings.

35
36 So they're working on it but I think
37 the letter's great. That's all.

38
39 CHAIRMAN HERNANDEZ: Thank you, Brent.
40 Just kind of as a procedural thing, so we got the Board
41 meeting coming up in three weeks, it's a wildlife
42 meeting, I don't know is that an appropriate time to
43 raise this issue and can the letter be approved in that
44 amount of time or are we talking about pushing this out
45 until next winter's meeting. Does anybody have an
46 answer to that question.

47
48 (Pause)

49
50

0145

1 (Whispered conversation)

2

3

CHAIRMAN HERNANDEZ: Okay, it's been
4 suggested that I could bring this issue out in the
5 Chair's report, which I have an opportunity to do and
6 that might be a good way to address it. They'll get
7 the letter eventually so we'll just inform them of what
8 the Council discussed and just let them know that if
9 they don't have a letter, they'll have one.

10

11

12

Okay, any other business items we need
to take care of.

13

14

15

Albert.

16

17

18

19

MR. HOWARD: Thank you, Mr. Chair. Did
we talk about asking for more resources for OSM so we
can do our jobs better?

20

21

22

CHAIRMAN HERNANDEZ: No, I don't
believe we did. Is that another letter to write?

23

24

25

26

MR. HOWARD: Yes, Mr. Chairman, and I'd
like to make a motion that we ask for OSM to have more
resources so we can do our jobs better.

27

28

29

30

31

32

33

34

CHAIRMAN HERNANDEZ: Thank you. I
think we're being asked to maybe be a little more
specific, do you mean increase in funding or more Staff
available, what do you -- is there anything more
specific you can add to that?

35

36

37

38

39

40

41

42

43

44

45

MR. HOWARD: Mr. Chairman, all of the
above. I wasn't sure and I'm trying to be mindful of
not lobbying for funding because that -- for some
reason that's stuck in my head that we aren't supposed
to do that so when I ask for resources it means that
and more Staffing. Mr. Chairman, I would like to go to
OSM and they have an answer to -- well, we'll get into
that in discussion. But I think more resources means
more funding and more Staffing so we can do our jobs
better based on their data.

46

47

48

49

50

So that's the motion.

CHAIRMAN HERNANDEZ: Okay, thank you,
Albert. Let me ask a quick -- we can ask for more

0146

1 funding for things, can't we, DeAnna, is that
2 appropriate?

3

4 MS. PERRY: Well, I.....

5

6 CHAIRMAN HERNANDEZ: Or more Staff
7 support, I don't know how the best way to phrase it.

8

9 MS. PERRY: Yes, Mr. Chair. I mean we
10 ask for funding for travel and things of that sort so,
11 yeah.

12

13 CHAIRMAN HERNANDEZ: So it is
14 appropriate, okay.

15

16 MS. PERRY: Yeah, uh-huh.

17

18 CHAIRMAN HERNANDEZ: Okay, we're good.
19 So we have the motion, do we have the second.

20

21 REPORTER: No second yet.

22

23 MS. PERRY: Not yet.

24

25 REPORTER: Not yet.

26

27 CHAIRMAN HERNANDEZ: We don't have a
28 second yet, okay. We have the motion.

29

30 MR. WAGNER: Second.

31

32 CHAIRMAN HERNANDEZ: Thank you, Louie.
33 Okay, any further discussion.

34

35 Albert.

36

37 MR. HOWARD: Thank you, Mr. Chair.
38 Just real quick, Mr. Chair, I think they need more
39 Staffing and funding to support our positions when we
40 put a proposal forward. A lot of our proposal is based
41 on State data and my experience State data isn't always
42 collected in an area that's affected by where the
43 proposal's supposed to happen. So if they can find a
44 way through more Staffing and everything to help us
45 justify our proposals, I think we'll get some footing
46 in better, because a lot of what we try to accomplish
47 is based on State data and then we seem to fail based
48 on that.

49

50

0147

1 So, thank you, Mr. Chair.

2

3 CHAIRMAN HERNANDEZ: Thank you, Albert.

4 I think those are good points to make in the letter.

5 So anybody else.

6

7 MS. PHILLIPS: Mr. Chairman.

8

9 CHAIRMAN HERNANDEZ: Patty.

10

11 MS. PHILLIPS: I believe somebody from

12 Office of Subsistence Management, you know, told us

13 that in the next budget cycle that there is more money

14 for subsistence. I mean but they are doing these

15 continuing resolutions at Congress so, you know, I'm

16 not -- there will be more resources coming. I agree

17 with the letter, I'm just saying somebody reported to

18 us about that.

19

20 CHAIRMAN HERNANDEZ: Yeah, well, I

21 think it's still a worthwhile letter just to let them

22 know it's important.

23

24 MS. PHILLIPS: Yes.

25

26 CHAIRMAN HERNANDEZ: Anybody else.

27

28 Cal.

29

30 MR. CASIPIT: I know we asked for

31 funding for OSM, Department of Interior, but I think

32 the Department of Agriculture, Forest Service does a

33 lot of work with us too, and sure like to see more

34 subsistence money available to the Department of

35 Agriculture to do the same thing to support us.

36

37 CHAIRMAN HERNANDEZ: Okay, thank you,

38 Cal. Those are all items that will be on the record to

39 add to the letter. Anybody else.

40

41 MS. PHILLIPS: Mr. Chair.

42

43 CHAIRMAN HERNANDEZ: Patty.

44

45 MS. PHILLIPS: I would like to see -- I

46 mean if we're asking for money, resources, I'd like to

47 see more for the, you know, for the Fisheries

48 Monitoring Program.

49

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1 CHAIRMAN HERNANDEZ: Okay. We can add
2 that. Anybody else.

3
4 Cal.

5
6 MR. CASIPIT: How about wildlife
7 information for Wildlife Resource Monitoring Program,
8 if we're going to ask for money let's ask for money for
9 that too.

10
11 CHAIRMAN HERNANDEZ: I think we have in
12 the past, is my recollection.

13
14 Mike.

15
16 MR. DOUVILLE: I concur with Cal
17 because we don't have anybody looking at wolf besides
18 the State on our island and it's a real controversial
19 issue and I don't particularly like the attitude that's
20 being used right now. It's causing a decline in our
21 deer population and making it tougher on everybody and
22 it doesn't have to be that way. I mean I believe that
23 the Federal Program should have, or make some effort to
24 have a knowledge base as well as the State and not rely
25 on only State information. I just think that we're
26 missing the boat here.

27
28 CHAIRMAN HERNANDEZ: I think that's
29 exactly what Albert was getting at and the point of the
30 letter, so, yeah, that should be in the letter.

31
32 Anybody else.

33
34 (No comments)

35
36 CHAIRMAN HERNANDEZ: Okay.

37
38 MR. DOUVILLE: Call for the question.

39
40 CHAIRMAN HERNANDEZ: Okay. Motion was
41 to generate a letter, I think it's to the OSM but also
42 to the Forest Service, both, for increased funding and
43 resources to support our Federal program. All in favor
44 say aye.

45
46 IN UNISON: Aye.

47
48 CHAIRMAN HERNANDEZ: Anybody opposed
49 say no.

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1 (No opposing votes)

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CHAIRMAN HERNANDEZ: Okay, that motion passes. Is there anything else that any Council members would like to accomplish here at this meeting.

MS. PERRY: The only letter you guys haven't done, do you want to do comments on the public members.

CHAIRMAN HERNANDEZ: Okay. It's been pointed out that we do have an opportunity to make a comment on adding the three new Board members to the Federal Subsistence Board that would be subsistence users. Do we want to write a letter in support of that or make a comment on that?

MS. PHILLIPS: Mr. Chair.

CHAIRMAN HERNANDEZ: Patty.

MS. PHILLIPS: Move to write a letter in support of adding three new members to the Federal Subsistence Board who are subsistence users.

MR. HOWARD: Second.

CHAIRMAN HERNANDEZ: Okay. Motion and a second. Do we have discussion on this.

John.

(No comments)

CHAIRMAN HERNANDEZ: Discussion.

Mike.

MR. DOUVILLE: Well, I have a question, would these members be voting members also?

CHAIRMAN HERNANDEZ: I see head's shaking back there, yes. And the other part of it was that they would be nominated by Alaska tribes so that was part of it.

I do -- I guess I want a clarification here. So the motion was to support three new Board members, the proposed rule that's being under

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1 discussion has other stipulations. I don't know if we
2 want to support all of that, or just the three new
3 members, that might be an option, maybe not.

4

5 Brent, are you going to inform us about
6 something here or just.....

7

8 MR. VICKERS: If you have questions.

9

10 CHAIRMAN HERNANDEZ:take
11 questions, okay.

12

13 Albert.

14

15 MR. HOWARD: Thank you, Mr. Chair.
16 Where did this idea come from, that's question one and
17 that might lead to another?

18

19 CHAIRMAN HERNANDEZ: There's a
20 question. Brent, do you know?

21

22 MR. VICKERS: That's a really good --
23 Brent Vickers, Office of Subsistence Management.
24 That's a really good question, Council Member Howard. I
25 believe this is from years of request for more tribal
26 representation in some ways and so this, I think, is
27 one of the solutions that they've come up with so that
28 not only adding more subsistence user representation,
29 that is one of the requirements for the new Board
30 members, but that they be nominated by tribes as well.

31

32 Thank you.

33

34 CHAIRMAN HERNANDEZ: Albert.

35

36 MR. HOWARD: Mr. Chair, I agree with
37 the nominating by tribes but I'd also like to see them
38 go through the same process we have to to get on the
39 Board, where it goes to the Secretary and then after --
40 after they get nominated by the tribes then that
41 nomination goes to the Secretary to go through all the
42 same things we have to go through to say, here. My
43 concern is ending up with the same product and we end
44 up with no voice.

45

46 Thank you.

47

48 CHAIRMAN HERNANDEZ: Brent, I'm going
49 to say that all nominations have to be approved by the

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1 Secretaries so that's the same as us and I don't think
2 anybody has any idea what the vetting process would
3 look like, but the final appointment would come from
4 the Secretaries just like us?

5

6 MR. VICKERS: Yes, I believe that's
7 true. I know minimal, most of us know minimal about
8 this. I'll say that other Councils have requested that
9 the -- that the nominees also have experience with
10 Councils, being Federal Subsistence Councils, like you,
11 things like that so I think the vetting process would
12 be much similar to what you go through and what the
13 current public members are for the Board.

14

15 Thank you.

16

17 CHAIRMAN HERNANDEZ: Thank you.

18

19 Harvey.

20

21 MR. KITKA: I heard subsistence person,
22 or -- and is that rural and Federally-qualified person
23 or it's just a subsistence person?

24

25 CHAIRMAN HERNANDEZ: Brent, that's a
26 good question.

27

28 MS. PHILLIPS: Mr. Chair.

29

30 CHAIRMAN HERNANDEZ: Patty.

31

32 MS. PHILLIPS: Thank you, Harvey for
33 the question. When I said subsistence user I meant
34 Federally-qualified subsistence user. But the news
35 letter just says a person who has personal knowledge of
36 and experience with rural subsistence uses.

37

38 CHAIRMAN HERNANDEZ: Well, I don't know
39 if we want to make a recommendation on that as a part
40 of our letter but, I mean, I would point out that there
41 are, you know, members of the RACs, the Subsistence
42 Councils who are not Federally-qualified subsistence
43 users so I don't know.....

44

45 MS. PHILLIPS: That's true.

46

47 CHAIRMAN HERNANDEZ:if the same
48 standard would apply but that might -- you could put
49 that in the letter as a recommendation or let them

50

0152

1 decide that. Like I say the nominations are going to
2 come from the tribes so maybe that's just something
3 they would want to hash out.

4

5 Harvey.

6

7 MR. KITKA: I believe I heard some of
8 the other RACs talk about needing a voice from the
9 rural communities and they're not getting it from some
10 of the RAC members that are not rural.

11

12 CHAIRMAN HERNANDEZ: Yeah, I'm sure
13 there's been a lot of discussion that we don't know
14 about.

15

16 Albert, did you have something?

17

18 MR. HOWARD: No, I think you answered
19 that by saying they'd be nominated by the tribe. I
20 just don't want to see someone that doesn't live in
21 Alaska filling one of these positions because that
22 truly doesn't represent us at all. It's amazing to me
23 that we have representation there through the Fish and
24 Wildlife and they don't even live in Alaska, that's
25 surprising to me, and kind of not surprising at the
26 same time.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN HERNANDEZ: Thank you. Patty,
31 did you have your hand up.

32

33 MS. PHILLIPS: So, Mr. Chair, the three
34 additional members will possess personal knowledge of
35 and direct experience with subsistence uses in rural
36 Alaska, including Alaska Native subsistence uses and
37 will be appointed by the Secretary of the Interior with
38 concurrence of the Secretary of Agriculture.

39

40 So my motion was for a subsistence
41 user, but I would also agree with, you know, the
42 description in here, that possess personal knowledge of
43 and direct experience. I mean we've had some really
44 good Council members who were not, you know, Federally-
45 qualified subsistence users. So, you know, I would be
46 okay with this description that this news, whatever,
47 release has.

48

49 CHAIRMAN HERNANDEZ: Okay, thank you,

50

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1 Patty. Any other comments.

2

3

Albert.

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5

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MR. HOWARD: Is there any reference to residing in a Federally-qualified rural community as part of the qualifications?

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CHAIRMAN HERNANDEZ: I don't believe that is what Patty read there so, no, I don't believe so, it's not a requirement.

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MR. DOUVILLE: I trust that the tribes would use their best judgment in making a selection. I

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1 have total confidence in their ability.

2

3 Thank you.

4

5 CHAIRMAN HERNANDEZ: Thank you, Mike.

6 Anybody else.

7

8 MS. PHILLIPS: Mr. Chair.

9

10 CHAIRMAN HERNANDEZ: Patty.

11

12 MS. PHILLIPS: I just want -- I know I
13 made the motion but was the motion to support adding
14 three additional public members to the Federal
15 Subsistence Board? I just want to make that clear, is
16 that what I said?

17

18 REPORTER: Yes.

19

20 CHAIRMAN HERNANDEZ: They're saying,
21 yes, yes, that was just.....

22

23 MS. PHILLIPS: Okay.

24

25 CHAIRMAN HERNANDEZ:yep, yeah,
26 just a broad statement.

27

28 MS. PHILLIPS: Thank you.

29

30 MR. DOUVILLE: Call for the question.

31

32 CHAIRMAN HERNANDEZ: Okay, are we ready
33 for the question, it sounds like it. So the motion was
34 to support adding three subsistence members to the
35 Federal Board, a general motion. All in favor say aye.

36

37 IN UNISON: Aye.

38

39 CHAIRMAN HERNANDEZ: Anybody opposed
40 say no.

41

42 (No opposing votes)

43

44 CHAIRMAN HERNANDEZ: Okay, thank you
45 very much. So I'm going to ask is there any other part
46 of that proposed rule that people want to weigh in on.
47 There was the Secretaries have final review of Board
48 decisions, that was kind of a legal issue, and then
49 there was something else as well.

50

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1 MR. VICKERS: This is Brent Vickers,
2 Office of Subsistence Management. One thing that you
3 may want to discuss, totally up to you, is the change
4 that Board actions wouldn't be enacted for a 10 day
5 waiting period, which is not the policy right now.
6 They're now -- they can move quicker now, but this
7 would change it so that there would be a -- require a
8 10 day unless there was some emergency which I'm not
9 exactly sure what that emergency would entail. So
10 that's something that Councils may or may not be
11 commenting about, whether they like that 10 days or
12 not.

13
14 CHAIRMAN HERNANDEZ: Anybody want to
15 comment on that.

16
17 (No comments)

18
19 CHAIRMAN HERNANDEZ: Don't have to. I
20 don't think so. Okay. I think the important part of
21 that is the three new members. So that would give
22 subsistence qualified -- maybe not qualified, but
23 subsistence representatives the majority on the Board.
24 So I think it's a pretty important step actually.

25
26 Any other business we want to attend to
27 while we're in session.

28
29 (No comments)

30
31 CHAIRMAN HERNANDEZ: I think I've
32 crossed everything off my list unless anybody else has
33 anything. I think we've completed the agenda.

34
35 (No comments)

36
37 CHAIRMAN HERNANDEZ: Okay.

38
39 MS. PHILLIPS: Move to adjourn.

40
41 CHAIRMAN HERNANDEZ: Okay. I guess --
42 I think I can call this.....

43
44 MS. PERRY: Motion to adjourn.

45
46 CHAIRMAN HERNANDEZ: Oh, we need a
47 motion to adjourn.

48
49 MR. DOUVILLE: Move to adjourn.

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MR. CASIPIT: Move to adjourn.

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4

to adjourn.

5

6

(Laughter)

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8

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second.

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MR. CASIPIT: Second.

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adjourned.

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16

(Applause)

17

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(Off record)

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(END OF PROCEEDINGS)

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C E R T I F I C A T E

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STATE OF ALASKA)

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Notary Public, State of Alaska
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