SOUTHEAST ALASKA FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

VOLUME I

Petersburg ANB Hall
Petersburg, Alaska
October 4, 2016
9:00 a.m.

COUNCIL MEMBERS PRESENT:

Michael Bangs, Chair
Michael Douville
Donald Hernandez
Albert Howard
Kenneth Jackson
Cathy Needham
Patricia Phillips
Steve Reifenstuhl
Robert Schroeder
Raymond Sensmeier
Frank Wright
John Yeager

Regional Council Coordinator, Robert Larson

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CHAIRMAN BANGS: I'd like to call the meeting to order. Welcome everyone to Petersburg. I'd like to start off by having Mr. Jackson give us an open prayer for the meeting. Please stand.

MR. JACKSON: Thank you, Mike.

(Invocation)

CHAIRMAN BANGS: Thank you, Ken. Mr. Kitka, could we do a roll call, please.

MR. KITKA: Okay. Steve Reifenstuhl.

MR. REIFENSTUHL: Here.

MR. KITKA: Frank Wright, Jr.

MR. WRIGHT: Here.

MR. KITKA: Patricia Phillips.

MS. PHILLIPS: Here.

MR. KITKA: Michael Douville.

MR. DOUVILLE: Here.

MR. KITKA: Harvey Kitka is here. Robert Schroeder.

MR. SCHROEDER: Here.

MR. KITKA: Albert Howard.

MR. HOWARD: Here.

MR. KITKA: Donald Hernandez.

MR. HERNANDEZ: Here.

MR. KITKA: Kenneth Jackson.

MR. JACKSON: Here.
MR. SENSMEIER: Here.

MR. KITKA: John Yeager.

MR. YEAGER: Here.

MR. KITKA: Michael Bangs.

CHAIRMAN BANGS: Here.

MR. KITKA: Cathy Needham.

MS. NEEDHAM: Here.

MR. KITKA: Mr. Chair, we've got a quorum.

CHAIRMAN BANGS: Thank you, Mr. Kitka. First off I'd like to go around with the Council and start with Mr. Yeager and introduce yourself and tell them a little bit about yourself.

MR. YEAGER: Thank you, Mr. Chair. My name is John Yeager from Wrangell. I'm a commercial fisherman, sport fishing guide and a subsistence harvester.

MS. NEEDHAM: Good morning. My name is Cathy Needham. I live in Juneau, Alaska. I work for an environmental consulting firm there.


MR. HOWARD: Thank you, Mr. Chair. My name is Albert Howard. I own a hand troll permit, a sport fishing guide and subsistence user.

Thank you, Mr. Chair.

MR. JACKSON: Mr. Chairman. My name is Ken Jackson from Kake. Retired, former logger, fisherman. Still do IFQs and representative of the people of Kake and the region.

Thank you.
MR. KITKA: Thank you, Mr. Chair.
Harvey Kitka from Sitka, Alaska. I'm a retired
commercial fisherman, electrician. I'm actually
retired from the tribe now. Basically don't do a whole
lot anymore.

CHAIRMAN BANGS: My name is Michael
Bangs. I live here in Petersburg. I'm a commercial
fisherman and recently I bought a small sawmill to help
the people in the community get some of our local wood.

Thank you.

MS. PHILLIPS: Thank you. I'm Patricia
Phillips from Pelican, Alaska. I'm the mayor of our
little community and my husband and I have a commercial
fishing enterprise. We have four adult sons who fish
with my husband on our vessel. I hold IFQs for
halibut. I also have a high tunnel project that's on
year five, so I consider myself a gardener.

Thank you.

MR. SENSMEIER: Good morning. My name
is Raymond Sensmeier. I'm from Yakutat, Alaska. I'm a
council member of the Yakutat Tlingit Tribe and a hand
troller.

Thank you.

MR. WRIGHT: Good morning. My name is
Frank Wright from Hoonah. I'm a commercial fisherman,
I do just about everything, and a subsistence user.
I'm here and I can see across the bay from my front
porch.

MR. DOUVILLE: Hi. I'm Mike Douville.
I live in Craig. I'm a full-time commercial fisherman.
I also served for many years and still on the Craig
city council. I also serve as a council person on the
Craig Tribal Association. I still do a lot of hunting
and sport fishing. Recently I was on the POWHA Board
of Directors, which has now been taken over, we are
happy to say, by SSRAA, so things are looking pretty
good there.

MR. REIFENSTUHL: Good morning. My
name is Steve Reifenstuhl. I'm the general manager of
Northern Southeast Regional Aquaculture in Sitka. I'm
a 44-year resident and subsistence user. I gather all
my protein and many of my foods from subsistence gathering. I'm also on the North Pacific Research Board Advisory and the North Pacific Anadromous Fish Commission. Great to be back here in Petersburg.

Thank you very much.

MR. HERNANDEZ: My name is Don Hernandez. I live in Point Baker, which is on Prince of Wales Island. I'm a gillnetter and got some halibut IFQ hand troll permit and pretty dependent on subsistence hunting and fishing as well.

CHAIRMAN BANGS: Okay. Thank you. Could we please have the staff address the Council and the other people starting with Melinda. Introduce yourself, please.

MS. HERNANDEZ BURKE: Good morning, Council, Staff, guests. Thank you to Petersburg for allowing us to meet here. Melinda Hernandez Burke. I worked with this Council for a long time, but in my new capacity I'm the Tribal Relations Program manager. I'm happy to be here and strategize increased participation from the tribes.

Gunalcheesh.

MR. PELTOLA: Good morning all. Gene Peltola, Jr. I'm the Assistant Regional Director of the Office of Subsistence Management. A pleasure to be here. It's a beautiful day.

MR. WHITFORD: Good morning, Council, Council Members. My name is Tom Whitford. I'm the Regional Subsistence Program Leader for the Forest Service and I am a member of the Blackfeet Tribe out of Montana.

MR. SUMINSKI: Good morning everyone. My name is Terry Suminski. I live in Sitka and I manage the subsistence program for the Tongass National Forest.

MS. PERRY: Hi. This is DeAnna Perry. I'm the Subsistence Council Coordinator coming in behind Robert Larson. It will be a pleasure to serve the Council and welcome to all of the public that's with us today.
Thank you.

MS. HARDIN: Good morning, Members of the Council and everyone in the room. My name is Jennifer Hardin and I am currently the Acting Fisheries Division Chief for the Office of Subsistence Management and when I'm not serving in that capacity I am the Anthropology Division Chief for the Office of Subsistence Management. It's great to be here.

MS. DEBENHAM: Hello. I'm Rosalie Debenham. I work for the Bureau of Indian Affairs. I'm the fish and wildlife biologist for the Bureau of Indian Affairs, Alaska Region.

MR. VANALEN: Good morning. I'm Ben VanAlen. I'm a fisheries biologist in Juneau with the Forest Service.

MS. OEHLERS: Good morning, Council Members, everyone. My name is Susan Oehlers. I'm a wildlife biologist with the Forest Service in Yakutat. This is my second time to Petersburg. The first time was for a Council meeting as well, so I'm glad to be back.

Thank you.

MR. BAKOS: Good morning. My name is Toby Bakos. I'm the district wildlife biologist here for the Forest Service in Petersburg. I just started this position about two months ago and I'm glad to be here.

MS. PETRIVELLI: Good morning. I'm Pat Petrivelli, the Bureau of Indian Affairs subsistence anthropologist and I work out of Anchorage.

MR. STEWART: Mr. Chairman and Members of the Council. My name is Earl Stewart. I'm the Forest Supervisor for the Tongass National Forest.

Good morning.

MR. FOWLER: Good morning, Mr. Chair and Council. My name is Patrick Fowler with Alaska Department of Fish and Game. I'm the Sport Fish Area Management biologist for the Petersburg/Wrangell area.

Thank you.
CHAIRMAN BANGS: Thank you all. I'd like to recognize Mr. Barry Morrison from the PIA. Would you like to say something?

MR. MORRISON: As he said, welcome, Council. I am Barry Morrison, the tribal president for Petersburg Indian Association. It is wonderful to have you guys in our home and in our community here. Everything that you do for this region is much needed. You know, protecting our waters, protecting our wildlife, protecting our way of life. I can't thank you enough for your service to this community and all the communities in Southeast Alaska. I want to say for our tribe welcome to our community and welcome into our homes.

CHAIRMAN BANGS: Thank you, Barry.

Earl.

MR. STEWART: Once again, Mr. Chairman, honored Members of the Council. My name is Earl Stewart. I'm the new Forest Supervisor for the Tongass National Forest. I've been in this role about a year and a half, so I continue to try to inquire, continue to learn and continue to develop as both a Forest Service representative and leader and I look for the advice and counsel that you can provide to us in addition to the service that you provide across Southeast Alaska.

I want to welcome you on behalf of the U.S. Forest Service and certainly the Federal government and honor you for your service to Southeast Alaska. The items of subsistence management to the public and to members of the rural communities is absolutely critical to their success and it fulfills a real critical component under ANILCA and it's something that you serve on behalf of a much broader audience.

That service is representative of all the communities in Southeast Alaska and then holistically and collectively a value to the State of Alaska and all the rural residents across the state. Your service may be to the Southeast Alaska Council, but your service and representation is to the entire state and something that we appreciate and we honor.

Effectively, the success of the program really is represented by your leadership and your
efforts. Your representation from various communities and various peoples and various aspects of Southeast Alaska and the state of Alaska under the authorities in ANILCA is of tremendous importance to each and every one of the rural residents. So thank you for your service.

If I may have a few moments, I would like to discuss the Forest Plan Amendment, which is one of the topics that is in front of us. I can schedule it later if you choose, Mr. Chair, or I can offer it now.

CHAIRMAN BANGS: I think it would be good to do it now if that’s good for you.

MR. STEWART: I'll be very brief. I just wanted to let Members of the Council know that we are continuing with the Forest Plan Amendment. It is a very focused Forest Plan Amendment having to do with renewable energy in Southeast Alaska on the Tongass and a transition from old growth harvesting to young growth harvesting.

The Final Environmental Impact Statement and Draft Record of Decision came out at the end of June and it gave about a couple of months for people to respond. All of those responses have been received. In the process of getting those responses in the form of an objection under the 2012 Planning Rule. We ended up with 47 objections. Of those 47, 27 roughly have standing, meaning they commented to the draft or to the documents in the process.

So we are currently working through, at least I am, the informal process with each of the objectors independently to try to inquire and understand their objections and see if there are opportunities to resolve that. As we move forward in the next few weeks, next week we'll be meeting in Ketchikan on the 12th, 13th and 14th of October for the formal objection meetings where the reviewing official, the Regional Forester, who also serves on the Board, Beth Pendleton, will have an official hearing, if you will, for those objectors and interested parties who want to speak.

Following the three days in Ketchikan, there will be three days in Juneau on the 17th, 18th and 19th for members of the public, objectors with
standing or interested parties to offer their thoughts and their ideas. The agenda for those meetings will be kind of topic-driven. For instance, renewable energy could be a topic or young growth transition could be a topic. Each of those items literally will be handled at one meeting or the other and allow members of the public to offer both their objections and their potential remedies.

We anticipate a large number of interested parties and certainly the 27 objectors or their representation at those meetings. The current plan right now is for the reviewing official to, within about 90 days, issue direction to me as the deciding official to issue the Final Record of Decision, which is projected later in the fall.

That's a really brief rundown, sir, but if I could answer any questions, I'd be glad to.

CHAIRMAN BANGS: Does the Council have any questions.

(No comments)

CHAIRMAN BANGS: Thank you very much.

MR. STEWART: Thank you, Mr. Chair.

Thank you, honored guests.

CHAIRMAN BANGS: There's a few other people that I'd like to welcome. There's a gentleman sitting over here. Would you like to introduce yourself, sir.

MR. NATKONG: Gene Natkong from Hydaburg. Hydaburg IRA Council and I'm on a subsistence committee.

CHAIRMAN BANGS: Thank you and welcome.

MS. BOUCHER: Hi, everyone. My name is Heather Boucher. I'm a student through UAS under Jan Straley. I'm just happy to have the opportunity to come here and see how this process works and see everybody work together on things that are important to everyone in Alaska.

Thank you so much.
CHAIRMAN BANGS: Thank you, Heather.

Now I'd like to welcome the people that are online on the phone. I'm not sure how the phone is set up exactly, if it's cell phone. Is there anybody that's online that can speak to us now if we have some sort of communication.

(No comments)

CHAIRMAN BANGS: I think we're going to have to use a cell phone to make that happen. I believe there is a few people online, so welcome and we'll try to work out something here.

REPORTER: Is there anybody online?

MR. CASIPIT: Yeah, my name is Cal Casipit.

REPORTER: So Cal is online.

MR. GALLEGOS: I'm online. My name is Tony Gallegos. I'm from Ketchikan Indian Community.

CHAIRMAN BANGS: We're having trouble hearing it. We're trying to work with a cell phone here.

MR. WALLACE: Lee Wallace, Saxman tribal president.

REPORTER: Lee.

MS. WESSEL: Hi, this is Maria Wessel with Alaska Department of Fish and Game. I'm the Federal Subsistence Liaison.

MR. LIND: Good morning, everyone. My name is Orville Lind. I'm with the Office of Subsistence Management, Native Liaison.

MS. CELLARIUS: Good morning. This is Barbara Cellarius. I'm the Subsistence Coordinator for Wrangell-St. Elias National Park and Preserve.

CHAIRMAN BANGS: Is there anyone else?

(No comments)

CHAIRMAN BANGS: Okay. Thank you and
welcome. We're hoping to get a better sound system so we can hear a little bit better, but hopefully you can hear us.

Okay. Mr. Larson.

MR. LARSON: Thank you, Mr. Chair. I would like to note that besides the entrance that we came in this morning there are two exits if we need to exit the building. They're on either side of this wall behind us. There's also two bathrooms, one through either of these doors on the side. We'll try to keep a coffee pot going over here. There's coffee available.

We have blue testifier forms if there's anybody in the audience that would like to testify, provide some comments to the Council, there's a blue form back there. We ask you to fill that out. There's also a sign-in sheet by the entrance. If you could please sign in once a day, we'll have a new form there every day. That helps us keep track of participations.

I would hope that people will participate in a short field trip at noon. We have some vehicles we can drive out to Blind Slough. We'll have the State wildlife biologist meet us out there and you can ask him questions about local conditions regarding deer, deer hunting, moose, moose hunting. We'll look at the waterfowl refuge. It's really quite nice.

There are 20 sack lunches that the school kids that are part of the science club put together for us as a fundraiser. Hopefully we can sell all 20 of those. There's no cost attached, but there is a suggested donation, so if we could donate appropriately and make it worth their while, it would be great. We'll have lunch at one of our recreation areas at the Blind Slough picnic grounds. It's going to be a lovely day for it, so I hope everybody can participate in that. We need to be back at 1:45 with the vehicles.

Then at 3:00 we'd like to have the public meeting time certain for the submerged lands issue. According to the Federal Register notice that talks about the Final Rule for that, they require each of the Regional Advisory Councils to have a public meeting on this issue. We'll do that time certain at 3:00 o'clock if that's okay.
CHAIRMAN BANGS: Thank you, Mr. Larson.

Now that we know who everybody is, we get into review and adoption of the agenda and any additions we might want to make to the agenda. I'll give you a minute or two to look it over and then I'll entertain a motion to adopt.

Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chair. I would like to add if I may an opportunity to comment on the wolf in Unit 2 quota. I don't know what else to add to that but there is some discussion that needs to be had.

CHAIRMAN BANGS: Thank you, Mr. Douville. I just was informed that the ADF&G under Agency reports there will be discussion about wolves, so that might be appropriate to insert it there. So we'll expand on that conversation with ADF&G if that's okay with the Council.

Mr. Larson.

MR. LARSON: Mr. Chair. I'll expand just a little bit. I've been in communication with Ryan Scott, who is the Regional Director for Division of Wildlife and he is aware of this discussion that the Council wants to have and he'll have some written materials to talk about. However, he's not here today. He'll be here tomorrow and be prepared to talk about that under the Agency report for ADF&G.

CHAIRMAN BANGS: Thank you, Robert.

Mr. Hernandez.

MR. HERNANDEZ: Yeah, a question along the same lines. With the U.S. Forest Service Agency reports will there be somebody here or maybe Mr. Stewart will still be here, we can maybe get into the Forest Plan in a little more detail at that time or is that something else they had in mind for that report?

CHAIRMAN BANGS: Mr. Stewart.

MR. STEWART: Mr. Chairman, I apologize. I don't know what the timing is for that. Can you advise the timing for those presentations.
CHAIRMAN BANGS: It wouldn't be until tomorrow. I'm pretty sure we wouldn't get to the Agency reports until tomorrow.

MR. STEWART: So, yes, sir, I will be here until mid afternoon tomorrow. Be glad to assist.

Thank you.

CHAIRMAN BANGS: We can make sure that we get to that maybe even out of order. Any other additions to the agenda.

Mr. Kitka.

MR. KITKA: Mr. Chair. I move we adopt the agenda as a guide.

MR. YEAGER: Second.

CHAIRMAN BANGS: It's been moved and seconded to adopt the agenda as a guide. All those in favor.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Motion carries. Okay.

Now we'll review and approve the previous meeting minutes. Look over those real quick and I'll entertain a motion to adopt the minutes from the last meeting we had.

We have a person on the phone that wants to speak to some corrections of our minutes. Mr. Wallace.

MR. WALLACE: I just want to make some correction what I believe the comments -- and they're paraphrased from what I understand. I want to state that I am concerned about -- what I want to change is -- what I stated is I am concerned about the changing members on the FSB. New members may not know the issues. That's a correction. You can see where it's wrong.

Point in case, when I attended the FSB
workshop this summer, a gentleman from the U.S. Fish and Wildlife Service at the table taking the place of Geoff Haskett since he retired on the debate issue the specific question that the gentleman had, what has changed since 2007. I'm sitting there in the audience thinking, oh, my gosh, a lot of things have changed since 2007. To name a few, the Secretary of Interior states subsistence is broken, fix it. Two new subsistence harvesters added to the Board, regional Chairs sit at the FSB meeting and give input and deference is given to the Regional Advisory Councils, just to name a few. Those are some of the changes in 2007. I'll end it there.

That's a minor correction.

Thank you.

CHAIRMAN BANGS: Thank you, Mr. Wallace. It's been entered into the record. Thank you for that.

Any other changes to the minutes from the Council.

(No comments)

CHAIRMAN BANGS: I'd entertain a motion to adopt. Mr. Reifenstuhl.

MR. REIFENSTUHL: Motion to adopt the minutes.

MR. YEAGER: Second.

CHAIRMAN BANGS: It's been moved and seconded to adopt the minutes from our March meeting. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Motion carries. Okay.

Now we're down to Council reports. We'll start with Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr.
Chairman. I guess we have to talk a little bit about this past season's fisheries here in the local region. Not as good as a lot of people might have hoped for. I think we had some fairly weak returns to our region. I think probably the one bright spot is that we did have good returns to the Stikine River, especially on the sockeye. The coho returns seemed to be generally weak. People that were fishing out in our district kind of felt that it seemed like the Stikine cohos might have been a stronger component of the fish that we did have. I guess we have to wait and see for the season to wrap up and get some idea if that turns out to be true.

I think that kind of underscores the importance of that Stikine River system to our region here. Of course there's a lot of concerns about the impending mining projects at the Stikine River drainage. So in a year like this where there were a lot of weak returns, it just really makes people aware of how important a major system like that can be and the need to make sure that it maintains its healthy runs.

On a more local issue for my community, I guess we continue to see an expansion in the non-guided sport fishing industry, which is essentially lodges getting into the business of unguided sport skiff rentals for sport fishing. It's a big impact in our local community. The consensus of opinion is that chartering is a fairly well regulated sport fishing industry and there's not a lot of objections to the charter industry, but this new industry seems to be growing sort of unchecked. There's really not much limitation on it. It can be a big impact in a local area.

We have lodges now in our community that outnumber the local population when they're filled up and they're filled up all summer long now. They really concentrate on bottom fish; halibut and rockfish. We're particularly concerned about the rockfish populations for a local area that a lot of people depend on for subsistence uses. I think we're fortunate that halibut seems to be abundant. There's a tremendous amount of halibut that gets taken however by this unguided industry and it could certainly have impacts in the future.

What people are talking about in our community now is some way to essentially get control of
the growth of this industry in local areas. We don't have any local government to regulate zoning laws or anything. Pretty much do whatever you want in places like that. It's sort of an opportunity for businesses to go out to some of these more remote communities and essentially do whatever they want as far as growth.

As far as the regulation of the fisheries, as long as they're fishing under sport fish regulations, they don't have to comply with a lot of the new limits on the charter industry. We think we see some abuse of the regulations just because of the inherent loopholes in regulation. Things like you have a bag limit and a possession limit, but once your fish are essentially out of your possession, in other words processed, you can get another bag limit.

I personally have sat there in my boat in the harbor at 7:00 in the morning waiting for a tide change and I see boats coming in that have been out fishing since daylight. They unload their catch, people were there on the dock filleting them, taking up to the freezers and then, of course, they go back out fishing again and they might come in again at lunch time and they might come in again at dinner time. Sometimes they go out after dinner. It's like how many possession limits are they bringing in in the course of a day and getting processed.

Just a lot of slack in the regulations. I think at some point it has to be addressed. I know it's a Fish and Game, Board of Fish issue. Our community is talking about putting in proposals. We've also talked about local area management plans for the area. It's just an issue that maybe some of the other communities are seeing as well. If it needs to be addressed through the Board of Fish, I guess we kind of hope that, seeing as how it is in our subsistence realm, that maybe the Council would get involved as well as some support.

That's the view from my area.

MR. REIFENSTUHL: Mr. Chair. Is it appropriate to ask questions about that or wait until later? I have some comments on that, but I'm not sure what's appropriate or how you want to conduct that.

CHAIRMAN BANGS: We're just conducting Council reports, so we can enter into discussion at a
later time.

MR. REIFENSTUHL: Okay. Fair enough.
All right. Well, fishing-wise it was a very difficult season as I'm sure we're going to hear from many of the people at the Council here today. Looking at pink salmon region wide there were approximately 17 million caught but only 2 million from Petersburg north, so it was very, very difficult for the fleets that depend on pink salmon. A little better on the south end, but still half of what was forecast. Of course that stresses all the communities as well as people that depend on it.

In my years here, this is the warmest year I can remember and earliest spring. We haven't seen any signs of winter in the mountains yet. Maybe the highest mountain is 10,000 feet and we're getting a little snow, but normally we're seeing snow certainly 15 years ago in August and we haven't seen any in September this year. So a very, very long spring/summer.

I guess there's a silver lining to that. Of course the best berry production almost that I've ever seen. Alpine blueberries I've never seen anything like it. We picked five gallons in the alpine in about an hour, so that was quite a crop and of course excellent salmonberries and blueberries, huckleberries down on the ocean side.

Locally in Sitka some of you may know the North Pacific Fisheries Management Council has gone to allowing pot fishing for black cod and longline and that's been a huge conservation concern unaccounted for mortality for many years was going on, so there was an underestimate or overestimate of the biomass because that mortality was not being accounted for. Going with pots does create some challenges for people that will have small boats and continue to longline, but overall, looking at the research, it was the right thing to do.

The deer population in the Sitka area seems to be tremendous. I've seen herds of -- don't typically see herds of deer, but in the alpine in August I've seen dozens of deer at one time. Pretty phenomenal. The goat population also is rebounding in the Sitka area. The wildlife biologist is talking about opening up some of the core area that has been closed down the last four years. So that's been very
good for local hunters.
I guess with that that's my summary.
Thank you.
CHAIRMAN BANGS: Thank you, Mr. Reifenstuhl.
Mr. Douville.
MR. DOUVILLE: Thank you, Mr. Chairman. Just brief. I agree with -- the humpy run was really poor, like only 6,000 went through the weir in Klawock compared to as high as 85,000 in the past couple years.
One of the things I think is the way the Department does their work has not kept up with the technology that is being used in the fishing fleet. Net fishermen and seiners in particular are much more efficient than they were years ago by far. A real sacrifice has to be made to rebuild the pink run.
The other concern is, I'll get to speak to it later, about how the wolf is being handled in Unit 2. It seems like we've done a complete turnaround in our raising wolf now instead of -- in any case, we don't want to go back to the '90s where we were having some real serious problems with the rural/nonrural trying to get their deer and we're going to go that way if we're not careful here because wolf has the ability to rebound fast and deer does not.
Other than that it was an okay fishing year. What made it better was the price was better, like twice as good as in past years, although I don't think the run strength on cohos was particularly high, but the POWHA hatchery was responsible for 12 percent of the coho take, which is off the chart. Those guys are pretty good at what they do.
That's all I have.
CHAIRMAN BANGS: Thank you, Mr. Douville.
Mr. Wright.
MR. WRIGHT: Thank you, Mr. Chair. In Hoonah they finally got that dock built for tourist
ships and it has 20 percent increase in the people that come off the boats to go around Hoonah, so that's kind of a plus. Like I always said, I liked it because the young kids out of school can go work down there at a young age and that makes it good for them. A lot of the fish boats that's in Hoonah doesn't really give that much employment, so I really think it's a good thing for Hoonah for the economy.

In August we had tribal house in Glacier Bay was finally done. You know, I've been involved with that for 20-plus years. When you've got the Hoonah Indian Association, you've got a government-to-government relationship that worked together things can happen, positive things. U.S. Forest Service also helped us with getting a couple logs so that we could do a canoe. So government-to-government relationships worked out well.

This project started many, many years ago when a lot of elders were with us and they're not with us now and it was a dream of theirs to do this project. One time I was in Glacier Bay and we were with some person that was from one of the tribes down south and she asked, well, how are you going to generate money with this project. I told the person this is not about money. This is about the re-establishment of the Hoonah Tribe tribal members to be in Glacier Bay. It was very successful. We had about 500 people at the dedication of the tribal house.

It all started many, many years ago when one of the Glacier Bay superintendents asked the Hoonah elders what do you want, what do you want. So our tribal elders told them what we wanted and this is what came out of it. You plant a seed and it grows.

Fishing was -- you know, I've been fishing a long time. I was fishing since I was 14 years old and probably this is the worst season I've ever had as a seiner. I've been running a seine boat as a captain for many years. If it wasn't for all the other fisheries that I do, like I do longlining, I do crabbing, I probably wouldn't be seining right now because this year was pretty sad. I just had to help my crew members out and digging in my pocket and help them out a little bit.

Another thing is the observer program. I was just talking to a guy the other day. He said
this is my last hurrah. You know, one of the things I hate most is calling the observer program and wondering if I'm going to have an observer on board. I mean I just can't stand it. So finally I had to bite my tongue and bite my lip and say, okay, I better call them. When you hear a person getting out of the program just because he hates calling the observer program so they could -- and then he decides to quit.

Last spring we had an observer on board and I wondered what that person was doing. I just didn't understand what that person was doing. They weigh escaped fish, pull out a few black cod, measure them, take out whatever the little bone is for the ear and I don't see what that accomplishes. That's all they did. You know, many, many years ago when I was longlining we used to be able to guesstimate on all the bycatch that we had and I wonder what happened to all those numbers that was there and we did it voluntarily.

Another thing fishing on August 23rd when seining was just about done when I was escorting the canoes over to Glacier Bay in my boat, I saw jumps in Icy Straits. When I was going out fishing we never saw any jumps in the summer. That was August 23rd. Then on the 26th I went back over to Bartlett Cove and there were jumps and I called the Fish and Game and told them, hey, I'm seeing jumps out there and they said what were they, cohos. I said, no, they're humpies. They're feeders and everything that are swimming around. They said, oh, maybe they'll fill up our systems.

And then we had a big rain. Whatever salmon didn't make it up into the rivers I'm wondering if there was a big washout. I mean it was one day we had 3.8 inches of rain in one day and the rivers were just roaring. So I'm hoping this isn't something that the season the fish just got washed out.

Another thing about the charter system. I mean I think I know how to preserve fish. I think I know how to freeze it and vacuum pack it and put it into bags. You've got these charter companies that just have their clients taking hundreds and hundreds of pounds. One time I was in Juneau and I saw this one company had -- I was like, wow, look at all these boxes here and I said, wow, that's a lot of fish. Then I went outside and there was a whole van full of those boxes.
I mean I fish and I fish about three times a week. If someone can tell me how to freeze a halibut that's going to last for many years, then tell me how it's done because mine freezer burns even though I vacuum-pack them. So there's something wrong with the system. They send people out on their skiffs and people out from Montana or wherever that have no idea what's going on. I just cringe when I see one of those skiffs coming toward me because they don't know what a seiner is doing. They don't see the seine out there. They're going to run over your seine.

Now bears. Day before yesterday one of our young men got mauled and then in Hoonah they put down a bear that was in a schoolyard and then a couple days later there was another bear, so they had a lockdown. The kids couldn't go outside because there was bears walking around outside by the school. And then in Juneau yesterday or day before yesterday there was another bear mauling. I think because of the poor fishing that came out some of these bears are pretty hungry. There's nothing in the rivers for them to eat.

So the sea lions are back. They had to whack one that was swimming around the harbor that was getting pretty aggressive. The sea otters in home shore I don't see as many as I used to. Another thing when we were longlining we went to the outer coast and anchored up and my crew went walking around in the woods and they came back and said, hey, there's a lot of sea otter skulls in the woods over there. So they might be eating themselves out, I hope.

Anyway, that's my report.

Thank you.

CHAIRMAN BANGS: Thank you, Frank.

Ray.

MR. SENSMEIER: I'm Ray from Yakutat. We had a really poor sockeye run this year and a lot of people were concerned about the winter money-wise and subsistence-wise. We were lucky that the coho showed up in pretty strong numbers and kind of saved the day. There's real concern.

This gentleman over here mentioned that everything seems to be earlier and we're experiencing
that as well. The fish are showing up a month early.

The berries are getting riper faster at the same time
the blueberries are and the blueberry harvest this
year, as this gentleman said, was unbelievable. The
blueberry bushes were high. You had to reach up to
pick the blueberries and that's unusual because they
don't usually grow that high. Yeah, we got a lot of
blueberries. But things are changing. Everyone
notices that. You know, this talk about climate change
and I believe that's really happening.

Some of the other things I've heard
mentioned here. The moose harvest it looks like it's
going to be good. We have a one-week open season for
local subsistence use, so that quota has been met every
year that I know of.

This gentleman mentioned something
about the boxes of fish that the sports fishermen are
taking. I see lots of boxes going out on the airlines
as well. In one particular instance there were sports
fishermen, three of them, and they had 12 boxes. This
is when you could take three pieces of luggage. They
checked them in as luggage.

I asked one of them how many fish do
you put in one box and he said about 70, and they do.
They fillet them. That's a lot of fish. They were
carrying it in and one sports fisherman said to the
other, he said as soon as we hit Seattle we've got to
get these fish down to the market. So they're actually
making money off of coming and fishing. There's no
monitoring.

And with the guides there's a large
number of non-permit guides and, as he stated, they're
going out early, coming in, going back out, coming back
in. Especially for halibut. We used to go out to the
rock pile, what we call the rock pile, to fish halibut.
It's not too far up the entrance of Monti Bay. Over
the years the sports fishermen went there and now there
really are no halibut there to catch.

We have to go across the bay and that's
pretty treacherous. I'm on the Wrangell-St. Elias Park
and Preserve Board and they allowed planes to fly over
and land there, which is unusual. Don't allow them in
the Park. But it's because of the treacherous waters
there. If a southeast comes up, it can be really --
you might get stranded there for three weeks. Of
course your moose doesn't make it through that.

Another reason, we were over there hunting and we came across seven moose and the only thing that was missing was the heads. They weren't even gutted or anything. That's an atrocity that's hard for us as people in Yakutat to comprehend that or try to understand it. I have no idea why they do such things. Preserve the head and hang it on their wall. I don't know how that makes them feel, but it's pretty bad.

The sports fishermen on the Situk especially they're allowed six a day, but there's no one there to monitor them. That's why they acquire such numbers of fish as the people that I saw boarding the airplane with a huge amount of sockeye salmon.

The other thing we're involved with on the tribal council is the designation of the Yakutat Forelands. As an outstanding water area it's a pristine area. The fish biologists and the scientists that I've talked with, and I've got letters of support from the Alaska Park and from the Forest Service that this area is untouched. There is a LUD II in there, but we'd like the whole thing designated as Tier III.

I just wanted to mention we're really concerned with the mining that they've begun work on at the head of the Stikine River. This is the largest in the world. It can be seen from outer space. And the headwaters of the Taku and the headwaters of the Unuk and the headwaters of the Alsek, which flow into the Yakutat Forelands.

I'm on the Tribal TransBoundary Mining Working Group and we're working with First Nations in Canada and there was a large international joint congress (World Conservation Congress) in Hawaii this year and there were leaders from 190 nations were there. Secretary of State John Kerry was there and President Obama as well and one of the issues that we're addressing is the mining issue because it's not only starting to happen here in Alaska, it's happening all over the world with little regard or none for how it affects the local people.

We were selected to attend the congress in Hawaii because they would prefer indigenous people work with other indigenous people because they know the land just
as they do in Africa and other countries. So we're hoping that something can be done to address this issue.

The Alsek is about 40 miles from Yakutat and it's a fishing river. The fish go up there. The IFQs go up into the Interior, so they depend on it as well as us. There never was a boundary there before, but we're working with them and so they got -- the FEW Foundation, the Audubon Society, they have deep pockets, so we hope to be traveling in other communities. In November we'll be traveling to Arizona to meet with the Apache as they're facing the same problems we are.

We would like to have the Forelands designated to three or five species of salmon that go in there. There's over 90 rivers, streams and tributaries. There are over 300 species of birds that fly thousands of miles and that's one of the sites that they stop and rest. There are a large number of birds that live there. Also the largest run of eulachon and seals and sea lions go there as well. I was hoping maybe this entity might help with that.

The other one is the designation of the Forelands. Not going into the Forelands actually, but from the high water line to a few hundred yards inland designated as WHSRN, Western Hemisphere Shorebird Reserve Network, to protect the amount of birds, the birds that go in there. There are many sites in Alaska that have this designation and around the world.

There's no regulatory authority, but it would designate that as an area for the shorebirds, something that really concerns us because they not only stop in Yakutat, they go on to other parts in Alaska. There's quite a few organizations in Alaska that have designated this proposal. Delta, the Copper River Flats and a myriad of others. So that's what we're involved with now.

I'd also like if this entity could back that action that we'd like to take.

Thank you very much.

CHAIRMAN BANGS: Thank you, Ray.
Ms. Phillips.

MS. PHILLIPS: Thank you, Chairman Bangs. I'd like to follow up on an inquiry by Council Member Reifenstuhl. He asked about further discussion on the topic brought up by Mr. Hernandez on the non-guided fishermen.

Can we add that as an agenda item?

CHAIRMAN BANGS: I think that would be a very good idea, Ms. Phillips. We could put it under -- although we're using the agenda as a guideline, if we choose to add something to it, we'll do it in the form of a motion and we can add an additional item to the agenda. Would you give a formal motion and we could go that way. Does that sound good to the Council? If we want to add something, we could just vote on it.

Patty.

MS. PHILLIPS: Thank you, Mr. Chairman. I'd like to move to add an agenda item, non-guided sport fishing.

MR. REIFENSTUHL: Second.

CHAIRMAN BANGS: It's been moved and seconded to add unguided sport fishing to the agenda. Maybe we could put it under 10(k). So a motion has been made and it's been seconded.

MR. SENSMEIER: Mr. Chairman.

CHAIRMAN BANGS: Yes.

MR. SENSMEIER: I didn't realize that we could add items to the agenda. I'd like to make a motion to include Tier III.

MS. PHILLIPS: We already have a motion on the floor, but we have these as agenda items.

MR. SENSMEIER: Oh, I'm sorry.

CHAIRMAN BANGS: We're going to deal with this added item and Tier III is already on the agenda. We're going to have a discussion about it. So I'd entertain a call for the question.
MR. YEAGER: Question.

CHAIRMAN BANGS: The question has been called for. All those in favor of adding unguided sport fishing to our agenda under 10(k) say aye.

IN UNISON: Aye.

CHAIRMAN BANGS: Opposed.

(No opposing votes)

CHAIRMAN BANGS: Okay. Thank you. So that's taken care of, Patty. Do you have a report for us?

MS. PHILLIPS: So I'm Patricia Phillips from Pelican, Alaska. I actively subsistence harvested for sockeye and coho on West Yakobi. Though it's a personal use permit managed by the State for me and my community, it is a subsistence season. There's been concentrated effort at Hoktaheen and if you come in behind someone else who's already harvested, then your catch rate is going to be depleted. So we go to Surge Bay and Takhanes.

What happened at Hoktaheen is that some of the sockeye we caught had treble hooks in them and when you get treble hooks that's hung up on a salmon tangled up in your net, then you're putting big holes in your net in order to get the treble hook out. Also, if your gillnet reaches the bottom, then you often get treble hooks hung up in your net because they drag along the bottom and pick up those treble hooks. To me, that's pretty bothersome that they're out there with the leaded treble hooks, the sport fishing nonrural, and leaving treble hooks there.

We had good effort one day at Hoktaheen. The next day we went out we were behind a Federally qualified, I would call them even though it's a State-managed fishery, fisherman, so we went to Surge and it wasn't as good a catch rate there, so we went to Takhanes. In Takhanes we were behind somebody else who was there the day before, but it was still good fishing, but they got a lot of fish. You want to be able to say you got a lot of fish too, but we got some fish.

What happened is that the season on
your permit is from one date to another date and then it closes. I found out from a fisherman from Hoonah who went into Takhanes that they extended the season. I was like all right. Well, I didn't know that. I mean I only knew it because this other fisherman told me. So we ended up going back out, but it would be neat if that news release got out to those of us who live near those systems.

The IPHC and the North Pacific Fishery Management Council make regulatory decisions that are socio and economically impacting the community I live in. ANILCA and all the management of land and fish and wildlife, those collectively impact the community that I live in and yet it's so chopped up in terms of regulatory -- you know, where do we speak to this and where do we speak to that. We come here with -- the whole thing affects us.

So when we talk about bycatch in our annual letter, I just feel like it should be a part of a whole because we have nexus on some of this stuff. I mean ANILCA has nexus in terms of some of these fish species come on to Federal public lands, but it's all part of a bigger whole. I don't know if I'm making sense.

What I want to say is that some of these things from the North Pacific Council and the International Pacific Halibut Commission are negatively -- significantly adversely affecting my community. I will discuss more of that under the new agenda item unguided sport fishing.

Like Mr. Wright, what I see happening with deer is that we had those years of heavy winter kill of deer and then we had increasing populations of bear because they were feeding on deer. We had record numbers of deer, then we had that heavy winter kill and bear populations increased as a result, yet the harvest of bear has not increased with the increasing populations of bears.

We're seeing sows with two cubs, three cubs. We're seeing sows with two-year-old, three-year-old, four-year-old cubs and we're seeing less salmon in the streams and less fish for these bears to fatten up on before wintertime comes. We've had five bear maulings on the ABC since August.
It's just showing that we're having increasing amounts of bear. Even in my own community in the evening time, just as it's starting to get dark until about midnight, you can run into a bear on the boardwalk and it's kind of scary to tell you the truth.

I'd like to move on to -- Mr. Wright also talked about the dedication of the tribal house and as a community that lives near Hoonah, in the Hoonah Ranger District, and it just makes us proud to see the resurgence of cultural identity and we see that in our young people coming back home. They want to learn what we know. I mean there was a time where it wasn't taught or it was taught maybe in tight family units. Now they come back and they want to actually do it. Take me out, show me how to do it. While there may have been a sort of damping down of our cultural identity, it's starting to bloom and grow again.

That's my comment.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Patty.

Harvey.

MR. KITKA: Thank you, Mr. Chair.

Harvey Kitka from Sitka, Alaska. Over the years I've talked an awful lot about some of the things that concern the Sitka people. Herring has always been an issue. It's still an ongoing issue not only to Sitka but pretty much all of Southeast, Canada and Washington. It's pretty much a big area where we're concerned about the herring and the population and things that has happened to it.

Herring is such a big part of the food chain for so many things. The salmon and the halibut are one of the reasons. Not only that, we started to hear talk of the hatchery program may be putting out too many salmon and causing problems within the food chain.

The sea otter seem to be missing an awful lot on this topic this time. It's still an ongoing issue. There's got to be something to help the people that really hunt the sea otter. We need a little more relaxing in some of the regulations and I don't know where that will come from. The Sea Mammal
has been working hard at it. It's a long process and I imagine any comments that would come from other agencies would probably help that.

The ocean warming is causing some problems within probably Southeast where we haven't seen a whole lot of red tides and things. We seen areas where our clam beds and things are now being affected that we haven't really seen too much of, but it seemed like within our community some of our clam beds have been declared unsafe to harvest. Realizing we have no control over the weather and tides and things, but it's nice to have some idea of where these places are.

I wanted to thank the topic of unguided sport fishing. I'm glad it's coming up as a subject. Thank you.

CHAIRMAN BANGS: Thank you, Mr. Kitka.

Mr. Jackson.

MR. JACKSON: Yes, my name is Ken Jackson. I'm from Kake. I really want to thank the board for bringing up the things that you've talked about and I realize we're overlapping on our concerns. It's really important that everybody recognizes the unguided sport fishermen.

Kake has about 580 residents. Employment is pretty low. Our biggest employer is the school. They probably employ about 35 people. That's including teachers. We had a water project that went on for a couple years. It's finishing now and employed about maybe 10 people. They built us a new ferry terminal building and still working on it, but they cut the ferries down, so it's kind of hard to justify sometimes the things we have to do.

The price of fuel in Kake has a big effect on the fishermen and subsistence fishermen and hunters. One gallon of gas is $4 and our heating oils are $3.85 and will probably just get higher. We don't have a fish hatchery. I think that supposedly Steve and them will probably get hopefully within a couple years and that always employed about 10 to 12 people.

The return of fish this year was kind
of dismal. For some reason across from Kake about five, six miles is a place called Southeast Cove. They did good there. I mean the boats kept loading up there. The dog salmon came back.

I think the hatchery has its good points. We do need more information. The old-timers say the flesh isn't as good as the old fish. When you cook it, the taste is different. We've got a lot of bears that are coming out. Climate change has had its effect on everybody and Kake especially the berries were good. I have a cousin that buys berries for some lady from Seattle and I think they took out like 10,000 pounds at a little over $3 a pound. It made some money for some of the people that went out early and stayed late and they come back with a couple hundred pounds. For the short time that the berries were out it was good.

We don't have, like I say, no cold storage, so those of us with IFQ has to try to fish it and bring it here or hire somebody to fish it. The tenders don't pick up halibut. They just pick up salmon. I think the salmon was fairly descent around Kake. King salmon I should say. The guy said the humpies and the seining itself was not really that good. It hard to keep a crew when you're not catching that much fish, so it does have a trickle-down effect. The crews go back home.

All across the board the Organized Village of Kake I was speaking to one of the board members, their funding got cut by one third and they were the ones helping people in need, buying fuel, food, electricity. An average household in Kake electricity probably runs 80 to 120 dollars a month, maybe more depending on what you use. So we're glad it's not real cold because you can sort of conserve on heat.

The older ones we worry about. There's been a lot of people leaving us because of cancer. We don't know why. I know Angoon and all the areas, maybe it's just all over the place, but this Fukushima stuff that came ashore on all the islands -- I have a friend that him and his wife went along below Kuiu Island and part of Prince of Wales, Baranof, Admiralty, and he said it's just thick on the beaches.

If we could find some funding somewhere
to maybe employ some of our people to go out and clean those. I don't know what you would do with it. You probably can't burn it, but there's buoys, seines. He said it just covers right up to the tree line. I don't know who owns that, if it's Federal or State, but birds get entangled and the deer are eating kelp from in between those things and it gets taken up into the woods too.

The wolves have been thinned. We had some people come up from Prince of Wales and they're really good at what they do. We're getting more moose and deer on Kupreanof Island anyway, the island that we live on. The moose hunt is going well. It's open now. Some of the people had asked -- and I know that this has been discussed before. We talked about possibly doing a hunt for maybe handicapped/disabled people two weeks ahead of time. They asked if they do have one, maybe it might be better if it's two weeks after the moose season because most of the vegetation has fallen off and the moose are in the rut and the same way with the deer.

The other thing is they're starting to hear elk bugling towards Rocky Pass and that was just a couple days ago. I assume if there's any Fish and Game we're allowed to take them without licenses or permits as far as I know. The clams, another staple that kept us going through the winter, now we're getting reports that PSP is prevalent on all the beaches below Kake and around Kake. It just makes it a little harder to get food.

Halibut has helped and the king salmon, but crabbing, when they come in, when they open it up just in Hamilton Bay it's not very big, but from here to Petersburg Creek I guess there was 10 boats in there and you could almost walk across the bay on crab pots is how much they put in there. They were that close together. They stay three, four days and then there will be a couple boats that will stay for a couple weeks. That's where we normally get our crab and they just clean it up. If not them, the sea otters. I know none of our guys -- well, maybe there's one or two guys that have permits for crabbing, but you still have to run it to Petersburg.

The electricity, I wish we could do something about it, but I understand the funding is going away. With the cuts as well as climate change I
think we're all in for a hard time. It's going to be tough doing things, but I notice a lot more people are growing gardens in Kake and getting vegetables and growing things we never grew before. They're supplementing their food with that.

That's something a long time ago they used to do. Everybody used to plant gardens. I think they really do well. I know my cousin, she has two kids, she planted this -- I think it was about four by four, must have been about six feet high. Must have got 80 pounds of potatoes out of there. It's just something we may have to go back doing.

The sea otters appear to be moving. I think they are going west and north. I see them showing up on Admiralty and by Point Gardner. We're just having to go different places to get seaweed. Sockeye wasn't that good at Gut Bay. I don't know a number. I think Terry might. Some of them tried Falls Lake.

It's hard for us to subsist the way we used to. There's little falls there, it's not very high, about as high as the ceiling. A lot of guys used to go right in there and get their fish and go home. That's over 30 miles from Kake, but you've got to run by small boat and some of them will take three or four people, plus the seine and try and catch fish and go back. But we're only allowed 10 fish per day in Gut Bay and 20 annually, so you're taking a big risk staying there overnight and it's a long ways.

I'm not against sport fishermen, but they can take six per day. They can have four people in their family and get that many fish processed and put in the freezer and catch some more, which is what they were doing because I have some friends that went over and did it. So there's no parity between the sports fishermen and subsistence fishermen. What I'd like to see is if we could cut them down and let them just take 20 like we have to for the year. I know we have to sell that to the State.

We used to be able to use dipnets at Falls Lake. We can't do that anymore. They moved the markers 300 feet out, so it makes it kind of tough. You go over with a beach seine. You're not allowed to let your gillnet touch any bottom there. You have to tend it constantly and you can't tie another boat to
the other end to hold it, so that makes it different than Stikine. I know we spoke about this before.

I don't know how we can change those things. I think there are a lot of people here that know where we need to go. When I first came on this Council I was mad about things, you know. I've grown in the last three years. I've learned to listen to the people on this Council and the people in the audience. We're going to have to work together to get these things resolved. There will be no easy solutions. I understand that.

It's hard for us to keep talking about our culture when that part of it is gone. (In Tlingit) means our food and that's where we talk about our food and this is what we used to get, this is what we used to eat, but it's starting to go away. Our culture language is coming back. I'm thankful for that, but living the culture is completely different than hearing about it through tapes and everything. You don't get that closeness of laying on the ground or smelling the campfire.

The culture camps are good. I appreciate them and the people that donate that aren't -- this isn't just for Natives. This is for everybody. This is what I like about it. I've learned that we have to have a cohesive habitation with everybody, but there are some people that really take advantage of the system.

I have no qualms against sports fishermen trying to make a life, but there are some people around Kake that have this building that's all boarded up. They bring in five to six clients a week. They come into Kake. Somebody takes them out there and there's fishing. I know they have licenses probably, but they're fishing where we used to fish and they just push our people out because our people don't like confrontation.

That's one of the things. We're not as aggressive. I was coming back one day from Pillar Bay and this sports fishing boat come up alongside, then on back and nearly hit my engine. I was trying to figure out what he was trying to do, but they were trying to push us away from their fishing grounds, which was ours originally. It's right in front of Kake. But we don't want that type of fight. They were from Pybus Bay. It
looks like this may happen, we don't want it.

But I hope everybody stays safe and gets the amount of fish they want, but that unguided fisherman that you're talking about is very, very important and we've been talking about it for years. There's a lot more I have to say, but I know other people have to give their reports.

Thank you very much.

CHAIRMAN BANGS: Thank you, Ken.

MR. HOWARD: Thank you, Mr. Chair. My name is Albert Howard. I serve as the mayor in Angoon and also was appointed by the tribal council to serve as president. Both responsibilities I take pretty seriously. Anyone that knows our community isn't -- you know, at some point our elders say that's enough. It's (in Tlingit) in our language.

Part of your responsibility is to consult and coordinate with the local tribes. There's unintended consequences for not doing so. Part of what I enjoy about coming to these is visiting with Harvey and Ken Jackson. Talk about how things used to be.

This year our coho run was pretty much non-existent and I would like to have this on record and Ben can speak to this in part of his report. Our sockeye run has been the best this year it's ever been in years and let me explain why. The seiners were all in the south end of Southeast Alaska. I didn't see one in Chatham all summer.

Now let that sink in for a minute because I'm saying this because for years we've said the seiners had a direct impact on our (in Tlingit). This year we have data to show that since they weren't here the sockeye were able to return. This is kind of history repeating itself so to speak. The seiners are becoming more efficient. To some point they'll be just as efficient as a fish trap. Anyone who knows the history of salmon seining, fish traps have almost decimated the salmon population back in the '60s. I wasn't even born yet, but that's part of traditional knowledge listening to our elders talk about what had happened.

A commercial-driven industry tends to
have more say at the table than anyone else, the subsistence user. You're supposed to consult and coordinate with the local tribes on a government to government basis. I listened to the gentleman speak earlier are you coming to Angoon and see what your Forest Management Plan and its intent. Is it going to have an impact on Angoon? Are you coming to Angoon to see. The reason I ask that question, you mentioned Juneau and Ketchikan.

Like Kake, Angoon has 80 percent unemployment. If there's an impact on our community members, the community members can't attend your meeting in Juneau because they can't afford it. Well, I can't buy gas, I can't go to this meeting because the gas is for hunting.

Even at my age I've learned to look at nature and part of what I noticed last year was the temperature was in the high 30s and low 40s all winter. I remember my dad saying next year is going to be a good year for deer hunting because there's no snow loss. They're able to take care of themselves through the winter because the temperature is there and there isn't any snow.

Another unintended consequence happening in our community are bear hunters. What's happening is the bear hunters are allowed to take deer also. These gentlemen basically have unlimited funds to burn up all the gas they want. They run around those 500 horses hanging off the back of their boats chasing deer around, basically competing with the community and tribal members for the same resource. So that's an unintended consequence.

Fortunately we have language in the monument, language that states the monument will be managed between the tribe, the Forest Service, the city and the Native corporation. So when I'm sitting here listening to the conversation here, the Forest Service does the permits for freshwater fishing on Admiralty Island, so as the tribe we sat at the table and said since we have a say in what happens on the Island, we don't want anyone taking any cohos out of those streams. You can catch and release, but you can't take any home because there's plenty of salmon out here when you're saltwater fishing you can take those.

I also work as a sport fishing guide,
so I have numbers to back up what I'm saying because
the State regulates me so much that I have to log every
day what I catch, where I caught it and who caught it.
And my clients know this, but if I think they're taking
home too much fish, I go fish somewhere else. That's
my self-regulation. And I agree with the gentleman
because I take one 50-pound box of salmon home, one 50-
pound box of halibut home and that sustains me for the
year. And sometimes I give some away if somebody needs
it.

But at some point how bad does our
resource management have to get to where our salmon
crashes, the bears come into the community and start
chasing our kids because there's no salmon in the
rivers. There's a lot of unintended consequences to
decisions that are made based on economics versus
common sense.

I think the toughest thing I see is
wanting my son to live in a community that has nothing
to offer him because the commercial industry has taken
it all away. I think at some point we're going to have
to work together. We're going to be left with no
choice.

One of the conversations I had with
Harvey yesterday is the size of our herring. Part of
what I do in Chatham Strait -- I'm old school. You can
try to sell me all the bells and whistles for the new
tackle. Everything I catch my fish with is fresh
herring. We didn't have that this year. Everything we
saw we couldn't catch on a jig because it was too small
to bite the jig. There was herring there, but they
were tiny.

Someone has to do something different
because Southeast Alaska is heading for tough times.
Not only because the State's revenue is running out,
but our resource is disappearing in front of us.

That brings me to the definition of
insanity. Are we going to keep doing the same thing
over and over and expect a different result? I think
what we're going to end up with is nothing. We have
sea otters coming into our community.

Another thing we're addressing in
Angoon is the fact that the mine is dumping water into
the ocean. Nobody wants to talk about it. Everybody
wants to sweep it under the rug. Oh, it's fine. We're going by the State standard, which I believe are too low and were lowered because at the time they were lowered the mining companies couldn't afford to maintain that standard. This mining company is based in Hawk Inlet.

Any fisherman knows, and I've commercial fished on seining vessels, that Hawk Inlet is called the mixing bowl. Everything coming in through Icy Strait hits that shoreline and goes north and south, all the salmon. Forest Service has data to support that. Are we allowed to use it? No.

The reason I speak the way I do, our elders say if you're a leader, you have to have kids, otherwise you're speaking for yourself. I'm not speaking for myself. I'm speaking for our kids, the next generation. Not just mine, yours. What we've learned from the mine is we got data we've never seen before.

We got a response from the State and in the response it said, oh, by the way, don't eat more than four ounces of seal meat in one sitting in a week's time. We were sitting there thinking the seal that got sampled was given to 12 families in the community after they took the samples they wanted. I don't know anyone who has eaten 12 ounces in one sitting. That's the size of a deck of cards, the size of my phone maybe.

Also what was learned during that time was don't eat more than four ounces of salmon. Mr. Jackson talked about cancer. Mercury was found in the seal that was sampled. Cancer causing. The interesting part of that was the place that did the testing on the seal they were -- something is wrong with our machine. This is too high. This can't be. So they recalibrated the machine, did it again, same numbers. Maybe the machine is broken. Took the sample and sent it somewhere else. Same. It's the highest level of mercury found in a seal in the state of Alaska since they started testing for mercury. The seal was caught outside of the bay where the mine is.

You've got to keep in mind I've got a 12th grade education and it's amazing that educated people can't figure out the fact that these seals go back there to have their pups and that this time of the
year they were back there. We were told we don't have
proof that it's because of the mine that the seal had
so much high levels of mercury in it. We can sit here
and act like it doesn't affect us, but it does.

Our salmon fry go back out the same way
they come in and if they do, is the fact that they're
spilling ore into the bay have an impact on those
salmon fry when they go by there? Does it kill them
off? We don't know. That isn't part of the sampling
that's required by the State or DEC.

There's hot spots they're leaving in
the bay that were spilled. They had a conveyor belt.
Never addressed the problem that once the belt came
down and around the ore that was wet and stuck to it
fell into the ocean.

There's documented spills that happened
in the '80s and again in the '90s. They're not
concerned. They said it's better to leave it there
than it is to actually remove it because you cause more
contaminants. What they're also not telling you is the
fact that every time that ship leaves loaded with ore
there's prop wash. Every time. Which means it's
contaminating more and more of the bay because it's
spreading it out. Come in on a new ship, spreads it out
some more. Keeps spreading it out with prop wash
because it isn't very deep there. Once that ship comes
down with all that ore in it, its prop is close to the
bottom.

This is a food supply that has
sustained our community for generations. I understand
more than I like to sometimes, but we had asked the
State, the city, the tribe and the corporation to put
in proposals asking for certain areas to be closed to
crab. Well, those areas weren't closed and the crab
disappeared out of there because it was a commercial-
driven industry that came in and took all the crab out.
I'm not sitting here saying that the commercial guys
are the bad guys or the fact that the sport fishermen
are the bad guys. This is all of our responsibility.

To get the State to manage the resource
according to their own laws that state that they should
be managed for abundance, State laws also say that
resources belong equally to everybody. Until we start
doing things different, there's going to be a decline
in all our resources. And there's going to be
unintended consequences for my community and the tribal members I serve.

We started going with a community garden as well. Working on a hydro project, we have solar panels that are proving to be working.

I'd like to see the sport fishing guide -- as commercial halibut fishermen, we had to show where we fished. You had to turn in your log books, this is where I fished. If you fished at Cape Ommaney for 10 years and that was your spot to fish in and you really enjoyed it there, your permit was for Cape Ommaney.

For fishing guide halibut charter permits are wide open. I could buy a halibut charter permit that was from Sitka and fish it in Angoon. So when you have 30 boats charter fishing out of Sitka and all of a sudden they don't like it anymore, what are they going to do. They're going to move to Angoon and have a direct impact on the subsistence user, which is, according to Federal law, supposed to have priority. That's an unintended consequence of not restricting them to a certain area.

And I agree. Part of working at the lodge you have people coming from Montana, Oregon, Washington and they're guides because they have a piece of paper that says they are a guide. There's three of us from our community that work and there's 12 guides total. We have a saying. There's fishermen and then there's captains. Captains use the radio, the fishermen know how to fish. We have the same problem. People coming and trying to push us out of a place I fished forever since I was a kid. It's amazing that adults will act this way. But you also have to have a mechanism in place to keep that from happening.

I think we've got to look at the resource as a whole. Everything in nature has a purpose. We run out of herring, what's the rest of our fish going to eat.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Mr. Howard.

Mr. Schroeder.
MR. SCHROEDER: Thank you. It's kind of nice you don't have to say very much if you're on the tail because everybody said things. I do have a comment on the toxicity. You have the really specific things that Albert was talking about about the mine effluent from Hawk Inlet, but there is an issue that's kind of percolating around out there, which it kind of sounds a little wonky, like how do you set standards for pollution in fish.

You sort of glaze over if you kind of think about that because there's a science involved with measuring what is in the fish and then there's other epidemiology involved in saying well how much of that is acceptable. But then really key, which is kind of in our sphere of interest, is how much fish do people eat.

So the current State standard is really low. So the current State standard has your fish consumption being about equal to two of those pieces of smoked fish that we were eating last night per day. That's what your consumption is figured at. So really it's very very low if you think of how much fish subsistence users eat.

Also if you think of how the fish that subsistence users eat very often comes from like one small spot, so it's not like they got one piece of fish here and say like if you went in and you were buying swordfish in a supermarket, one piece came from there and other piece two days later came from 1,000 miles away.

So that is an issue and the various folks were working on transboundary mines are hitting that one to push on the State to come up with a more reasonable fish consumption value. So sometime it may be good for us to weigh in on that. I don't think right now is the time, but sometime in the future.

I'll report on Juneau because that's where I live and I was thinking, gosh, this was a pretty lousy I was thinking about that while other people were talking. Juneau was a really important -- Auke Bay was a really important herring fishery, but it's so long ago you just have to talk to an elder who might remember when it was really a good fishery and that's gone.
For the last quite a few years king crab fishing and shrimp fishing for your own use has been closed up and any area that you can get to kind of easily from Juneau and there really isn't much sign that it's changing. I'm not going to point fingers. I'm just saying it's closed and something didn't go right.

I second or third the concerns about sea otters because they're coming our way in Juneau as well. So perhaps the whale watching can add sea otters in. If you're out rod and reel fishing this year, you often saw many more whale-chasing boats than you saw people who were catching fish. So that's a characteristic.

We did have some bright spots for fishing. Sweetheart Creek is where Juneau people go for sockeye if they make the run down there. That's produced quite a bit. It's an artificial run and fish are released there, so it will continue. There could be some threat from hydro development that takes place there, but that hasn't been flagged too much.

The other thing that I -- oh, let's see, I have to talk about how obviously Juneau has become a cruise boat town and for the things we do and are concerned with that means a lot more people on half day or full day charter fishing boats or flying out places to catch things in streams. So that's a major impact in this area.

The other thing I'd really second is quite a few people mentioned climate change. We're in a period of very rapid climate change. It may give you some bonus, like, wow, we have all these berries, this is a great year for berries in Juneau as well. So you think, hey, that's not too bad. Then maybe people didn't get as depressed as they usually do when the rain starts falling endlessly in mid-September.

But we're in a period of really rapid climate change and it's hard to say what happens and how it will affect the subsistence resources that we're concerned with. I think that's going to be -- dealing with the effects of climate change may be a big piece of what we're up to in coming years. To wit, are we going to have the same abundance of things. Doubtful. And are seasons appropriate if it's hotter earlier and stays warmer way later.
That's what I've got.

Thank you.

CHAIRMAN BANGS: Thank you, Bob.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair.

Just a couple of topics this morning. The first is across the region Transboundary Mining has been a very highly discussed topic amongst a lot of different groups. There has been a couple of different opportunities where the State of Alaska and tribal groups have been interacting with Canada. I think that these discussions are becoming very productive and a lot of forward movement seems to be starting to come out of those.

As you all know, the Central Council Tlingit and Haida has been doing some river monitoring. They've been funded to monitor the Stikine River, the Taku River and the Unuk River. That project has been running for just about a year now and they've collected 10 samples on the Stikine, eight on the Taku. However the infrastructure on the Unuk really isn't there and getting access to it has been difficult and they're still looking for opportunities to partner on trying to get up there.

They still have the funding to actually do that sampling if they can just figure out the mechanism for doing so. They have been funded to continue this project for another year. They're hoping to get at least three full years of data to consider having a baseline dataset that comes out of each of those river systems. So they're always continuing to look for support and if you have thoughts or mechanisms on how to do so, you can contact Jennifer Handlin.

Because the Stikine River has 10 samples and it's about to close out a full year's worth of data it might be a good opportunity for this Council to invite the Central Council of Tlingit and Haida to give a presentation on the data that's been collected. It's a suggestion to throw out there as a potential future agenda topic item to see how that's going.

As you know, I have the pleasure of
working with the Hydaburg Cooperative Association on our fisheries projects down in Cordova Bay and they saw the worst sockeye returns in both Hetta and Eek this year with less than 1,300 fish returning into Hetta and less than 170 sockeye fish returning into Eek. Additionally the pink salmon runs into both of those systems were extremely low, about a fourth of what we've seen in the past few years.

The Hetta system return this year was based on parental years where they had escapements of 19,000 and 22,000 respectively for the year classes. So they expected a really good run this year just like they did last year. Last year they only got 7,000 fish back and they were on high parental runs. So moving forward we're looking at what could potentially be a problem with the actual fish returns in there because of that. Yes, there was high commercial harvest of sockeye.

However, in thinking about climate change, there could be, in addition to harvest, some issues with stream temperatures. For the past three or four years we've been seeing fisheries monitoring project in June and that's when we start taking temperature data. Temperatures in the rivers have been 19 to 21 degrees Celsius for when salmon would be starting to return to come in to spawn. We feel that a lot of the fish are holding offshore into deeper cooler waters and are not really interested in coming back in to spawn on the early side of things. It really takes a good rain in August to kind of cool the lake, which then cools the creek to make it more hospitable for fish to run in.

The one thing we don't have information on is actually spring temperatures in the river when smolts would be coming out, so one question we're asking ourselves and looking at is whether or not the issue of production out of Hetta, when we should have had a really good year class, coupled with high harvest might be as really affecting the low returns. Also in the spring they've had very low snow pack, so they don't have a lot of ways to cool those temperatures down in our area.

Then finally I just want to note that I had the distinct pleasure of working with the community of Kasaan over the last year and a half in planning efforts for the rededication to the Whale House, which
is the only standing Haida longhouse in Alaska. They had their celebration at the beginning of September, so there was a lot of strong cultural reconnections this summer and large celebrations.

You all saw or at least I saw in my email from our coordinator that the Federal program has that permit process in order to be able to take additional subsistence foods for these types of events and that allowed Kasaan to go -- their permit application was approved by the Federal program and they were allowed to go out and harvest additional deer and salmon and were able to feed at least 700-plus guests that came to Kasaan that day for that celebration, so I thought that was worth really mentioning as a positive thing that this program contributes to communities at that level.

Thank you.

CHAIRMAN BANGS: Thank you, Cathy.

John.

MR. YEAGER: Thank you, Mr. Chair.

We're good in Wrangell.

(Laughter)

CHAIRMAN BANGS: Thank you, John.

Okay. I just have a couple little things I'd like to mention for our immediate area. Most of the issues have been covered about the return of salmon and herring and whatnot. I would like to say that we're starting to see sea otters even in the Wrangell Narrows at the bottom. We're seeing them at the opening of Duncan Canal and we're seeing them at Frederick Sound. They're definitely moving our way. I'm sure they're moving towards Wrangell as well.

Another issue that is really becoming a concern here in the harbor is sea lions. They're becoming aggressive, they're hauling out on all the marker buoys. We approached the Coast Guard to see if they could make the buoys to where they couldn't get up on them and they weren't entertaining that idea at all. But they're becoming aggressive in the harbor and we're worried about kids fishing down there, adults. There's been some charges by sea lions that are hauled out on
the airplane float. We finally put an electric fence up and they just found somewhere else to haul out. So that's becoming a real issue here.

We're seeing more and more brown bears on this island. They're becoming frequently seen around campgrounds, so everybody is kind of worried about that and I'm not sure if it's related to climate change or not, but there's definitely a population increase on the island.

I'm pretty optimistic about the duck season now that I've got a new duck call.

(Laughter)

CHAIRMAN BANGS: Okay. We're going to take our little trip here. We'll recess until after we get back. I think Robert might explain the process here of what we're going to do.

MR. LARSON: Thank you, Mr. Chair. We have three Forest Service vehicles and I have my own personal rig, so we have space, I think, for all the Council members. Other than that we'll just have to stack everybody up and see who wants to go and make sure they have a seat. There's 20 sack lunches. We hope everybody's kind and takes one of each. Is there a place for money over there? There's a bucket over there as a good place for money. The only time certain thing we have this afternoon is the public hearing on submerged lands at 3:00.

CHAIRMAN BANGS: Okay. We'll recess until when we get back. I think we'll probably coordinate our return trip.

MR. LARSON: Two o'clock.

CHAIRMAN BANGS: Two o'clock.

(Off record)

(On record)

CHAIRMAN BANGS: I'd like to call the meeting back to order. Thank you all for coming back from lunch. I hope you guys enjoyed the trip out the road as much as I did. It was really a nice day to be out there and a nice fire for us. So we're going to
start the meeting off here this afternoon with a
regional subsistence fishery summary and review the
special actions. Jeff Reeves just joined us from the
airport. Hopefully he's ready.

MR. REEVES: Good afternoon, Mr.
Chairman, Council. Jeff Reeves, U.S. Forest Service.
Sorry for my delay. I just had a travel that came in
today. A couple items that are agenda items that I was
looking at, one was you have handouts in front of you.
It's a single sheet of paper with a table that has four
rows. This is a summary of special actions that have
been completed during the year. Just list each one and
a brief little description there.

The other item which you all have in
front of you is a PowerPoint that I thought I was going
to be doing later that has more detail into the Federal
subsistence fishery. I'm not sure how you guys want to
do that, but in there all the slides are fairly
detailed and the color copies show it pretty clear. If
you want to leave it at that, that's fine, and if you
had any questions you could just drag me off to the
side later. If you'd like to see it in a full
presentation, I can certainly do that at a later time.

CHAIRMAN BANGS: Thank you, Jeff. Any
questions or what's the will of the Council.
(No comments)

CHAIRMAN BANGS: I just have one quick
question about the closure of eulachon. What ended up
happening with that closure? Was there a lot returned
after all with the helicopter? I'm just curious. I
can't remember exactly.

MR. REEVES: Mr. Bangs. The closure
was implemented pre-season just because in past years
the returns seem to be like they're slowly growing, but
just nothing in any real heavy abundance yet to
institute a fishery on that. This closure occurred
before our surveys occurred. We did have at least
three aerial surveys where the presence of eulachon
were seen in both the Eulachon River and the Unuk. The
schools seemed scattered throughout the river and in
different locations during each survey, so it still was
no real heavy return. At this point it's promising
that they're trying to re-establish themselves.
CHAIRMAN BANGS: Okay. Thank you.

John.

MR. YEAGER: Thank you, Mr. Chair. How many surveys were you able to do this year versus previous? You said three. Was that more than in past years and then how did those populations of eulachon compare to say the last couple years?

MR. REEVES: Mr. Chairman. Mr. Yeager. Three surveys has kind of typically been the norm. The practice is kind of when we can get them in due to weather, but I think a couple years ago we might have had four. The abundance we saw this year was probably lower than -- I think the peak that we saw was in 2012 where we had at least one or two real large schools that were seen in certain areas. From my perspective of what I've seen over the past few years this year was down.

But, like I said, there's indication they're kind of spreading through the river, so it seems like maybe the run is kind of smaller shots and starting to be a little more proactive, which might be a good thing. But, like I said, it's just kind of we're at a point where seeing fish every year is a good thing that we're seeing, but we're still not at that point where every other hole is just black with them like we see in some of the pictures like in the Yakutat area.

CHAIRMAN BANGS: Thank you.

Mr. Douville.

MR. DOUVILLE: Thank you, Chairman.

Did you see any eulachon outside those two river systems? Like in the past they'd been in kind of odd places.

MR. REEVES: Mr. Chairman. Mr. Douville. This year it seemed like was really different. We didn't note any outside of any other drainage other than the Unuk. There was some limited predator activity on the mouth of the Chickamin if I recall correctly and down at the Wilson Blossom, but we didn't see anything. The other indication that we did have was in Carroll Inlet again. There was a small spawning, but we never were able to see anything
happen, whether through predator activity or through the camera, that was at Carroll Inlet. When they did go in to recover the camera, there was indication of spawn, so a small population did show up at Carroll Inlet we know.

CHAIRMAN BANGS: Thank you.

Any other questions for Mr. Reeves.

(No comments)

CHAIRMAN BANGS: Thank you, Jeff. We have a Fisheries Resource Program project summary from Mr. Ben VanAlen.

MR. VANALEN: Thank you, Mr. Chair. Members of the Council. I did have a one-page two-sided handout. Does everybody have that. I think it would be advisable to everybody. What I'm doing here is reviewing very briefly the Fisheries Resource Monitoring Program projects that we've had. We've had 16 years of funding projects and totaling upwards of $19 million.

So on this handout I show you in black which projects were funded this year in 2016 and the system is in black. Also listed in gray lettering are the systems that we have had Fisheries Resource Monitoring Programs on in the past. These are all the systems that relate to sockeye salmon stock assessment, stock status and trends, escapement counting, escapement numeration, those kinds of projects.

As Jeff just mentioned, we have a current project on the Unuk River as well as projects in Yakutat eulachon. So those are the two non-sockeye projects that we've had. What I tried to do here is kind of give an indication for everybody of, one, a geographic representation of those projects, where we've had them throughout the region in the past and now. I did break the region basically into quadrants which relate in part to the actual fisheries that are conducted in those areas and what stocks of fish they harvested.

In this case, like the Northwest area there along the west coast, outer coast of Baranof and Chichagof Islands, the fisheries that occur there are primarily target fish that have returned to the west
coast of Baranof and Chichagof Islands. That all makes
sense. Kind of the same thing in the southwest area.
They definitely target fish that are bound for those
waters as well as fish moving around north and south of
Prince of Wales Island.

In the table at the bottom, hopefully
everybody can read it. The more years we have, the
more tiny these tables get. If you think that's bad,
look at the table on the back side. Yo! Okay. So
there's 16 years of data at least there for all the
projects that we have. I'm not going to look at that
page very hard, but it does have information which are
actually the results from these studies that we've
spent so much time and energy in deciding to fund and
to do the project and summarize the results and reports
as required each year.

I'm going to look back at the table on
the side with the map on it, which just tallied up
projects that we've had over a number of years, kind of
a long-term monitoring program projects. Not all of
these estimates were paid for by the project, but most
years were. Anyway, it's just good to look at that, I
guess. If you look at the right-most columns on those,
kind of looking at what's the average escapement we've
observed in these systems after we've estimated the
escapements. There's generally a trend to declining
escapements. So the average escapements tend to be
declining over time from 2001 to present. So that's a
little bit alarming.

One reason we do these projects is to
get a feel of what's the trend. Are the escapements
variable but steady, are they trending up, are they
trending down. So I think we could say that the
general trend is declining escapements for these
projects that we've been looking at in these series of
years.

In some places I could go at Klag and
Neva and we see the escapements trending down. We also
can look at subsistence harvest data. You see that
kind of trending up in those two systems.

In the Kanalku, Kook, Sitkoh area what
we have is clearly developing a pattern where the
fisheries shadow I guess I'd say the commercial seine
fisheries shadow is pretty evident. When there's
strong fishing, more fishing time, there's fewer fish
that make it back to the escapements and vice versa.
So that fisheries shadow as I call it is quite evident in those systems, particularly since 2010 or so when we've had these really strong odd year classes of pink salmon, which have a large fishing effort associated with them, so it's kind of a perfect test, if you will, where one can see what's the effect in in-shore returns by the large seine effort or not.

It's hard to really get a handle on stocks and I haven't really looked at it that well, but I have a feeling of a fisheries shadow effect at Hetta and Eek if we had a long-term dataset there. Hatchery Creek is really hard to tell. I know there's effects of the fisheries, but that project didn't go this year.

Anyway, that's just a rough assessment of what we have of those projects. The other thing we've gotten out of all these years of studies is we've definitely gotten better at counting fish and doing our projects. We've had the opportunity to design different kinds of weir, traps, perfect mark/recapture studies to validate the escapements that we're estimating and to use different methods like net weirs and video weirs.

Some projects I'm doing we're actually remotely monitoring escapements into like Sitkoh Lake and Neva Lake with great success in what I call double redundant two weir, four camera setups. So anyway a lot of progress has been made on that and I guess I'd say advancing the science in fish counting.

Most of these projects again the folks working at the projects are people that live in the local communities. So the projects that I worked with, like Neva's crew from Hoonah works the project. At Sitkoh and Kook is a crew from Angoon. At Kanalku a couple folks from Angoon are employed to work that project. The same thing out of Hydaburg, Hetta and Eek projects are run by folks that live in Hydaburg. Klag is run by folks from the Sitka Tribe of Alaska. In fact, the whole project is done by them.

So this funding of the Fisheries Resource Monitoring Program Projects have really greatly benefitted both capacity and buy-in by members of the community that I think over time has been very helpful.
I would like to know if there's any questions on any of our projects. I have a short PowerPoint, but I'm not showing it. If there's any questions on the information I'm presenting I'd be glad to answer them.

CHAIRMAN BANGS: Thank you. I had one quick question. Is there any data that responds to say the Hetta Project that shows a sharp decline and are those fish showing up by say scale samples or DNA showing up in the same take?

MR. VANALEN: Yeah. Let me see. There's two ways for me to answer that. One is plain old looking at the map here. We know that these sockeye and basically all salmon head in a southeasterly direction out of the mighty Pacific into inshore waters. So whatever fisheries that they might be swimming through definitely harvest them.

So without any genetic or scale pattern analysis or other stock ID tools before us, all we have to know is is there fishing occurring that is to some extent non-selective. Like a commercial purse seine fishery, they catch what's in the water.

So anyway that's one way to answer absolutely they're being harvested and we might not be able to nail down exactly the extent of which fisheries are harvesting them, but I think it pretty fair to say if a fishery is occurring off the west coast of Prince of Wales, which the Noyes and Dall Island area fisheries very likely harvest salmon bound for the area, like Hetta. Definitely any fisheries occurring in the Sea Otter Sound area and whatnot.

We also have years of adult tagging studies. In particular, most recently there were U.S./Canada tagging studies that were done in '82, '83, '84, '85 with lots of tagged fish. Pink salmon and sockeye salmon throughout the area there. The end result of millions of dollars and big, huge cooperative U.S./Canada tagging studies is two things.

I don't want to be funny, but fish don't migrate over dry land and they go everywhere. The big arrows and small arrows is just as you would expect. In other words, let's say you're looking at Karta on the other side of Prince of Wales Island. How do fish get to Karta. You'll find in every year those
tagging studies that we had fish that went around the north side and around the south side of Prince of Wales Island to get to Karta. The bigger areas were usually to the south in those studies. Anyway, that's another one.

Then we have years of scale pattern analysis, but the scale pattern analysis that actually ended just a couple years ago when the genetic stock ID took over, scale pattern analysis is not refined enough to tell whether it's a Hetta sockeye from a Klawock sockeye from a Sarkar sockeye. It's basically two Alaskan groups and that was the Alaska Island Coastal Group and McDonald Lake.

McDonald Lake was one that had enough of a difference in scale pattern that it was brought out. Other than that it's U.S. or Canadian. Canadian being NAS or SCHEMA. The big difference is scales, of course. The Canadian fish are spawning on the other side of the coast range, more oligotrophic lakes. Their scale patterns are bigger compared to our little dinky slower-growing island populations.

CHAIRMAN BANGS: Thank you, Ben.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. Ben. Can you explain fisheries shadowing to me, the term, what that means.

MR. VANALEN: Yeah, I just made that up.

(Laughter)

MR. VANALEN: No, actually it's a term that basically -- you can imagine like fish are coming in and then you have a fishery. It takes a bite out of the fish. So the fish are still coming in and they're going to the escapement, going to the bays and the streams, but that piece that's been removed by the fisheries, outside fisheries, is making it evident in lower return. It could be in time, like if you fish really hard early in a run and not so hard later, your escapement pattern might be not very many fish early and a lot more fish late. Does that make sense?

MS. NEEDHAM: Uh-huh.
is we fish harder during the main body of the run, more
boat days and you take a bigger chunk out of the middle
of the run.

MS. NEEDHAM: Follow up.

CHAIRMAN BANGS: Go ahead, Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. So
in 2013 it shows in your ranking system that's off to
the side that includes all of the projects with the
exception of Redoubt that 2013 was the worst of the
lowest returns across the region -- or across these
projects I guess I should say. So that was three
seasons ago. Do we have any indication of what was
really driving that? That might actually link up with
what -- might be driving the fact that 2016 is the next
lowest return.

MR. VANALEN: Well, in 2011 and then
2013 were both very strong runs or what appeared to be
strong runs of pink salmon and a lot of seine effort, a
lot of fishing time, boat, days, area fished. That
would be on one species of fish, but at the same time
that increases the catch rate, the exploitation on all
fish being caught and that could definitely have a
shadowing effect.

Some of these I didn't put all the
figures in, but Kook Lake, I think, is one of the best
damples. It's very consistently evidenced when
there's a lot of fishing, the escapement is lower.
When there's not much fishing, the escapement is
higher. The two great things about that is, one, that
we can observe this, that we can kind of get a feel of
what this relationship is between fishing on the
outside and return to fish on the inside and have some
feeling of maybe how to moderate that. We're learning
here.

The other neat thing about it to me is
that even in our low escapement years there's still
enough fish in most of these systems to be able to
rebuild -- not rebuild, but to return enough fish in
subsequent years. So we're not seriously overfishing.
We're down at low levels where there's evidence of real
concern by folks in communities of not being able to
meet their subsistence needs for sockeye. I think the
pattern then is that if there's not enough fish inside
to meet needs for escapement, the needs for
subsistence, then we need to work together to moderate
effort outside.

CHAIRMAN BANGS: Thank you, Ben.

Don.

MR. HERNANDEZ: Just a quick
observation and then I do have a question for Ben as
well. I noticed this year with the poor hatchery
returns places, particularly Hidden Falls, saw a lot
more effort for seiners that normally would be fishing
Hidden Falls were all going out to the west coast
earlier than normal to try and get in on some sockeye
fishing out there and early pink fishing. What happens
with hatchery returns kind of effects the fishing
patterns and it's all interrelated.

My question is we kind of specifically
directed that there be DNA samples taken from Northern
Chatham Straits and Kanalku particularly to track
Kanalku. Are they still collecting DNA samples for
Kanalku system and some of those other systems in
Northern Chatham?

MR. VANALEN: I don't believe anybody
did this last season. In fact, the projects I'm
running at Neva, Kook and Sitkoh we collected
apparently enough samples in past years that they
hadn't requested any additional samples for their
baseline and I don't believe there's additional, I
might be wrong, work being done to add to that baseline
right now mainly due to budget concerns or maybe just
no direction to do that. I'm not positive. We haven't
been doing any more.

MR. HERNANDEZ: But we do have some
good baseline from previous years, correct?

MR. VANALEN: I think the report that
we were provided last -- I think it was January on the
results from the sampling that had been done was very
informative and I think it wasn't really
presented to us -- any table in there or any text in
there wasn't presented in a manner that I would have
thought it would have been presented and that would be
of the Kanalku-bound sockeye that were caught. When
were they caught.
So if you take the numbers in their report, which is in the last two tables if I remember, the appendix tables, and you answer that question, you'll see that the Kanalku-bound sockeye or that group which included -- I can't remember. They had a couple Chatham large, Chatham small groups or whatever, but it didn't matter which group you take. Basically what we find is that there's a broad overlap between when those stocks migrate through an area that they sample, which was mostly the Augusta, Marsden Shore. I think those two samples were the only ones sampled.

Anyway, when they migrate through there, it was basically timed with -- broadly overlapped with when the commercial seine fishery is fishing, so the information is in that report that I think we all were questioning in the first place, was how much interaction is there between the commercial seine fishery and the sockeye that are returning to Chatham Strait and to all other areas so there's seven main stock groups they had and you could look at each one of those, but I think it's pretty conclusive from the genetics alone that there is a broad overlap in timing.

CHAIRMAN BANGS: Thank you, Ben.

Steve and then Patty.

MR. REIFENSTUHL: Well, I'm familiar with the report in question and there is an overlap, but also there's good segregation of the fishery with escapement to Kanalku in particular. So about 80 percent of the sockeye are through the Chatham area and in the locale of Angoon and Mitchell Bay when most of the fisheries occur. There is some overlap. That's why there were sockeye that were genetically identified as Kanalku sockeye caught in the fishery.

But as Ben said earlier, and maybe he wasn't speaking about sockeye, but that the shadow effect is not overharvesting and, of course, the fisheries are managed for escapement, not for catch, and that's why I think he can make that statement is because the fisheries are managed to get the fish in the streams. I looked up the data here on the web about Kanalku and the second largest escapement to Kanalku in 2009, that's when there was a 38 million pink salmon harvest, so that's a year where there was a lot of fishing effort and there was a high escapement.
So it's not -- I think we need to be careful that correlation is not cause and effect.

Thank you.

CHAIRMAN BANGS: Thank you.

Patty.

MS. PHILLIPS: Thank you, Mr. Chairman.

In terms of management of the fisheries, how is this data used and is it used in consultation with the State in prosecution of comm fish fisheries?

MR. VANALEN: The actual use of this data I think -- let me see. There's great interest in the information that's collected especially if it's reliable. So that's I think a real important part of our program to make sure we're collecting reliable, in this case, estimates of escapement, estimates of subsistence harvest, those kinds of things.

It's -- I don't know. I'd have to say something stupid like good things take time. This information is and will be used in the management of the fisheries. Maybe it isn't -- there haven't been any management changes to date, let's say in the Icy/Chatham Strait area, as a result of this information, except some things like I'd have to throw this out. Neva Lake, the first couple years of escapement estimating, we found the run was a lot bigger than we thought. We thought there was just a couple thousand fish in there and it was 5,000 and then 11,000 fish in the escapement and the run just kept going. It goes to the end of August, end of September, October 15th I'm still counting sockeye in the lake.

So kind of with these results there we went from a 10 fish harvest limit to a 40 fish limit and extension of the season to August 15th from July 31st. So I'm just saying there's some immediate use of information. At the same time the information I've got from Neva Lake presenting to the State we're seeing declines in escapement directly related probably to increases in this subsistence fishery and as a result management used that information and reduced the harvest limit back down to 10 fish I think it is. I might be wrong. I think it might be 15 fish now that I think of it.
So we're using information or information is being used to help manage the fishery, in this case subsistence personal use permit limits, but that's an example. In the big picture, I don't know, right from the very beginning our first estimate of escapement into Kanalku Lake were very small. 229 one year, 2003 is 276. That was the year they decided to basically institute a voluntary closure on the subsistence fishing. So that, to me is a definite management action.

Anyway, I think all this information is and will be used over time. It's very good to have and I think it's actually priceless because in the end everything boils down to making sure you have enough fish to spawn. So in our world of subsistence priority it's enough fish to spawn and enough fish to meet people's subsistence needs. So that's the bottom line for us. And if we don't have this information, we won't have any positive influence on management decisions in the future.

CHAIRMAN BANGS: Thank you, Ben.

Mr. Douville.

MR. DOUVILLE: Thank you, Mr. Chairman.

The outside net fishery is restricted by the treaty of Canada that allowed X amount of sockeyes during the month of July and most of the time they have a one-night hour opening a week. If they catch too many sockeye, they might not have an opening in the following week. I'm sure they kept some sockeye that are bound for those nearby seines, but I'm thinking more that, like you said, there was 20 to 21 degrees Celsius water, which is about 70 degrees, which my thought would be affecting those fish that are rearing that are going to be going back out that are having high mortality and it's really not what's happening on the west coast of that island but what's happening where they're growing up because of the high water temperatures or that affecting something else that affects the fish.

MR. VANALEN: Kind of a comment, but I guess I'll comment kind of related to it. It's important for us to keep in mind what factors limit production of salmon. Number one is the habitat. That fish need to spawn, rear and migrate in. So that's number one. We need to maintain and protect the
habitat. If you pave it over, it doesn't matter how many spawn, right? Anyway, I'm just keeping this priority down.

The next thing is escapement. The next thing is making sure we've got quality and quantity in the escapement. Well, distributed escapements through all the little sub-spawning populations, the timing of early run fish, late run fish all in the same stream. That's critical. That's what maintains healthy runs.

Thirdly, last on the list is natural variations climate ocean conditions. What do we have control over. It's the first two. We have a lot of control over what we do with ground-disturbing activities. We have a lot of control over how many fish we catch and return, how many escape to spawn. We have a lot of control over how we conduct that fishery to make sure we're getting good natural distribution of the spawners. So that's what we have control of.

We don't have a lot of control short of riding a bike over what's happening in climate change, ocean recidification, all those kinds of things even though it is influencing. What we want to do is keep our escapements up at that level where they're highly variable and dependent on natural variations and ocean survival, but they average way higher than they would be at lower levels of escapement. So that's the big picture that we're working under.

CHAIRMAN BANGS: Thank you, Ben.

Mr. Howard.

MR. HOWARD: Thank you, Mr. Chairman. I'm looking at the 2009 that was referred to from the gentleman from Sitka. I don't have a clue one about what's happening in Redoubt Bay. I guarantee you, and you can ask me anything about Kanaliku/Sitkoh Bay and Kook Lake. There's many variables that affect those systems. There's a direct correlation in commercial fishing that does affect those systems. My log books will confirm that for you.

When the commercial industries open the log books, then my salmon catch rate goes down. Common sense. I'm not a scientist, but I do realize that it does have an impact on what's happening in our community. It's my responsibility as a leader of the
community to understand what's happening to the system.

I heard the Chairman ask Mr. VanAlen a question about genetics and was their signs of commercial fishermen intercepting salmon and recognizing the fact that they did come from Kanalku through genetics and scale sampling. Well you have to realize there's another equation to that. Sure maybe a seiner caught one sockeye from Kanalku that you can prove through samples. Maybe, that sockeye came during a bad parent year where there wasn't any sockeye returning to the stream, which means there was only one sockeye passing that boat because there wasn't any sockeye there to begin with.

You can use that in court or any argument and say I only caught one of your (in Tlingit). Well, maybe that was the last one. So you have to look at all the data on every side because if you don't do that, we're not sitting at the table and doing our responsibility to the resource. I'm never going to argue for subsistence. Never going to argue for sport fish. Never going to argue for commercial even though I represent all of them by doing what I do. So I think it's important that we look at all sides of the story before we figure out what's best for the resource.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Mr. Howard. Remember this is a question time for Mr. VanAlen. Did you have a follow up? I'm sorry, Mike, I didn't catch that hand if you had a follow up on your question.

MR. DOUVILLE: (Shakes head negatively)

CHAIRMAN BANGS: Okay. Any other questions.

Patty.

MS. PHILLIPS: Thank you, Mr. Chair. Since you discussed the declining trend in escapement, then how does that factor into future management discussion of fishery?

MR. VANALEN: I guess I'd have to say
that we need to be looking at ways to maybe moderate
the harvest of the fish. Maybe it's across the board
to maintain escapement levels. I think there's
something hidden in here and people use the words
shifting baseline. There used to be a lot more fish in
like Klawock. A lot more sockeye than there is in
these years of study here. We could say the same thing
with almost every other sockeye system in our region.
They used to be a lot larger.

I think all we're trying to do is make
sure that there's at least as many as in low
escapements. And just at least as many fish returning
to the bays for the subsistence users to have a
reasonable harvest. Efficiency and harvest take. So I
guess it's up to us and your constituents in your
communities to be helping us effectively set those
minimum targets for escapement for subsistence harvest.

I think that's kind of a big part of
what we might be doing. But to me it is generally not
a pattern you want to continue, a trend towards
declining escapements. It takes fish to make fish and
absolutely takes quality escapements to maintain
quality runs. We have our high runs when we have high
escapements and that's what we want to keep working
towards.

CHAIRMAN BANGS: Thank you. Any other
questions.

Mr. Jackson.

MR. JACKSON: Through the Chair, Mr.
VanAlen. Is there any chance -- I know you have a set
time when you do these tests when you send people over
like to Falls Lake. With the climate change and the
fish either coming in earlier or leaving later, that
you will change the pattern. Because we were getting
reports that the fish were coming in late and still
going up Falls Lake because that's where the guys are.
Will those change later in the future or are you guys
going to keep it the same and just keep the -- you
know, with climate change moving things around. I just
wondered.

Thank you.

MR. VANALEN: I'd like to hope that
we'll be very responsive and we try to get there, put
our camps in, our weirs in and start counting fish when
we feel the first at least five percent of the run is
likely to be there. So we base those start-up dates on
past observations and try to err on the side of not
missing fish. The same thing at the other end. We try
to keep our projects in until it's really obvious that
we're at the very last bit of the run. So I would
think that if there are shifts over time due to global
climate change factors, that our project dates will
probably shift accordingly ahead or most likely later.

CHAIRMAN BANGS: Thank you, Ben.

Mr. Kitka.

MR. KITKA: Thank you, Mr. Chair. I
just had kind of a question. I didn't know where I was
going to go with it, but I've been thinking about the
sockeye and the chum salmon and basically all the
forage fish. They kind of almost eat the same
type of things when they travel out into the ocean.
With the declines of some of these, like the sockeye
returns, is there a noticeable decline within the four-
inch fish also at the same time?

MR. VANALEN: I have no idea of the
abundance, density of the forage fish. In the work
that I do I'm basically counting adult salmon in
streams, but I will concur with your thought that when
they are in the ocean, there is indeed a very broad
overlap in their diets and especially when they're
small. The smaller a fish is, it can only eat what it
can eat and they can only eat what's there. All you
have to know is do they swim together, do they occupy
the same habitat.

By and large, early in the spring when
there's larval eulachon and herring, all larval fishes
as well as pink, chum, sockeye and coho, they often
occupy the more nearshore habitats, at least in the
first couple of weeks of their ocean residence and
there is a direct competition for space and food, just
like there is throughout their whole life.

CHAIRMAN BANGS: Thanks again, Ben.

Mr. Wright.

MR. WRIGHT: Thank you, Mr. Chair. Is
there any threats to any of these systems even when commercial fishing is being done? Because when I look at all these variation in numbers there's some numbers where fishing hasn't been done around this area. Like Neva is Icy Strait and you look at the variation numbers that come out of there and there's no fishing in Icy Strait. So will these systems, the numbers that we have here, be able to sustain themselves even though there's commercial fishing?

MR. VANALEN: I think these numbers we're looking at are definitely sustainable. I also agree that I wouldn't think that Neva Lake sockeye would be subject to direct commercial seine effort just given the position they are at the upper part. I'm certain -- and Neva sockeye do sway in and there are some caught along the Whitestone and Augusta and whatnot, but it wouldn't be a direct input.

I think this gets a little bit tricky, but not too tricky in that a lot of our high seine harvest years in the northern inside waters, if you look at your map, about 80 percent of the harvest or well over 70 percent of the harvest is coming from what's considered to be passing stock fishing areas. Highly mixed stock fishing areas. Those are the Whitestone shore, the Augusta, the Marsden shore, the shoreline of Admiralty actually north of Parker Point area. Those are basically places where fish are migrating. They're migrating to where they're going to go. And so having such a high percentage of your harvest in those areas is risky in terms of you don't know what the strengths of the different stocks are that are contributing to your harvest.

One example would be the early run pink salmon we have in Southeast Alaska. There's an early run that migrate in the head of Tenakee Inlet. Another early run, same timing. An early run that goes in the head of Seymour Canal, those cold streams there. And you have no idea at that point in time if both stocks are strong enough to have a surplus production for harvest or if one stock is weak and not enough there to take that harvest and they'll then have low escapements and low returns as a result.

Anyway, it's kind of a risky pattern. I think we're still seeking the right mix of harvesting in the fishing areas which are very important to do and in fishing more locally where local stocks -- like at
the -- not terminally, but if you're fishing fish bound
for say Peril Strait, you'd be fishing for in the
entrance to Peril Strait area. Fish bound for
Chichagof more off Whitestone or Seymour or Tenakee.
That would be kind of a better way or safer way to
direct your harvest on what you observe through fishery
performance data and back seat of a SuperCub as to what
would be the harvestable stocks, ones that are
stronger, that you want to catch more of.

So I think one reason we had a very,
very low return of fish in these past odd years and
we're actually working down in the even a little now
too, is kind of a risk overfishing of individual stocks
that make up the whole.

CHAIRMAN BANGS: Okay. Thank you very
much. Did you have a quick follow up? We're going to
have to wrap it up here and get going.

MR. WRIGHT: Okay. Thank you, Mr.
Chair. I asked you are these systems in danger when
commercial fishing is being done and what months do the
sockeye really run into these systems because we at
Point Augusta don't even fish until the 20th of June
and then I don't even start fishing until probably the
5th or 6th of July. So are the systems in danger?

MR. VANALEN: Well, I don't think we're
in danger given the effort we have, but it's definitely
a concern. In fact, I think the great danger is -- the
real issue is effective management of the commercial
purse seine fishery for pink salmon. That's what I
think. But in terms of the sockeye there is such a
broad overlap and when the sockeye migrate and when the
pink salmon migrate and when the seine fishery occurs
broadly overlap in all areas. Even what we consider
the early run of Kanalku, it's still very broadly
overlapped.

So I think if we had situations where
we had very low returns to one of these systems, we
might be in a situation where we then are left with
years of rebuilding escapements. Years of reduced
fishing effort to try to rebuild the escapements from
low -- a stock from low escapements. Does that make
sense? Anyway, we want to avoid that.

CHAIRMAN BANGS: Okay. Thank you very
much. We just have a few minutes here before we carry
on to the teleconference and presentation. Thank you very much, Mr. VanAlen. I'd like to ask if Gene Peltola could come up and give us an update on the Chairman of the Federal Board.

MR. PELTOLA: Thank you, Mr. Chair. Regional Advisory Council Members. Earlier today, within the last several hours, Public Member Tony Christianson was appointed as the Interim Federal Subsistence Board Chair by the Secretary of Interior with concurrence from Agriculture. So he'll be our Acting Chair. The Board will be proceeding forth with seven members on the Federal Subsistence Board until which time a permanent replacement can be found.

With regard to that process, the Federal Program is soliciting letters of interest, resumes from individuals that are interested in serving as the Chair of the Federal Subsistence Board up until October 7th. Those are going through the Department of Interior Special Assistant to the Secretary, Michael Johnson.

After that Interior locally within the state will make a short list to forward down to the Secretary for recommendation for filling in the position full time and then the Secretary will make a selection and then with concurrence of Secretary Vilsack at Agricultural will announce the permanent Chair of the Federal Subsistence Board.

If you have any other questions, I'll be around today and part of tomorrow. If not, you can call our office and we can try to address any concerns or questions you may have.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Gene. Any other comments from the Council on the process that he might be able to clear up real quick?

(No comments)

CHAIRMAN BANGS: Okay. Thank you.

I'll let Mr. Larson explain the teleconference presentation.

MR. LARSON: Thank you, Mr. Chair. At
this time we have a time certain for agenda item 10(g),
the Tongass Submerged Lands Proposed Rule. If you look
on Page 84, you'll see the proposed rule. In the
proposed rule it specifies that the Regional Advisory
Councils will have a public meeting to take testimony
on the proposed rule. That's what we'll do right now.
At the end of the public meeting, then the Council will
have an opportunity to decide what they want to do with
what they've heard or seen or read on this topic.

So if there's members of the public
either in the room right now or we need to check the
people that are on the telephone, if they could provide
me a copy of the blue testifier's form and have it
specific to the submerged lands. Right now I'd like to
introduce DeAnna Perry. DeAnna Perry is your new
Council coordinator and she is going to talk about
exactly what it is we wish to discuss during this
public meeting.

Thank you.

MS. PERRY: Thank you, Mr. Larson.
Chairman Bangs and Members of the Council. As Robert
Larson said, on Page 84 you have before you the Federal
Register. The summary actually gives a good overview
of this case and for the benefit of those folks on the
phone I'm going to quickly kind of run through that.

The U.S. District Court for Alaska in
its October 17, 2011, order in Peratrovich et al. v.
United States and the State of Alaska, enjoined the
United States to promptly initiate regulatory
proceedings for the purpose of implementing the
subsistence provisions in Title VIII of ANILCA. This
is in respect to submerged public lands within Tongass
National Forest and the Court directed entry of
judgment. To comply with the order, the Federal
Subsistence Board must initiate a regulatory proceeding
to identify those submerged lands within the Tongass
National Forest that did not pass to the State of
Alaska at statehood and, therefore, remain Federal
public lands subject to the subsistence provisions of
ANILCA.

As Mr. Larson mentioned, today is one
of those hearing dates.

Following the Court's decision, the
Bureau of Land Management and the USDA Forest Service
started a review of hundreds of potential pre-statehood withdrawals in the marine waters of the Tongass National Forest. In April and October of 2015, BLM submitted initial lists of submerged public lands to the Board. This proposed rule before you that was issued on June 8th would add those submerged parcels to the subsistence regulations to ensure compliance with the Court order.

On Page 88 of your books the actual sites are listed under applicability and scope on the left hand column at the bottom. These are very generic headers as far as where the actual sites are and they reference a geodetic survey chart.

Since this proposed rule was actually posted, we have been able to secure a map with very generic points showing where these are. It's my understanding that we are now opening up for comment for those folks on the phone or those folks who are physically here. A public comment on any of these sites that are listed.

Chairman Bangs, would you like me to list or read those sites off for the benefit of folks on the phone or would you deem that necessary.

CHAIRMAN BANGS: I think it would be helpful if it could be summarized.

MS. PERRY: Okay. So in Southeastern Alaska, Makhnati Island area is mentioned. On the Tongass National Forest the following are mentioned: There's an area at Beacon Point, Frederick Sound and Kupreanof Island. A point at Bushy Island and Snow Passage. A point at Cape Strait, Frederick Sound, and Kupreanof Island. A point at Point Colpoys and Sumner Strait. A point at Vank Island and Stikine Strait. A point at High Point and Woronkofski. A point at Key Reef and Clarence Strait. A point at Low Point and Zarembo Island. McNamara Point and Zarembo Island. Mountain Point and Wrangell Narrows. Angle Point, Revillagigedo Channel, and Bold Island. Cape Chacon, Dixon Entrance, and Prince of Wales Island. Lewis Reef and Tongass Narrows. Lyman Point and Clarence Strait. Narrow Point, Clarence Strait, and Prince of Wales Island. Niblack Point, Cleveland Peninsula, and Clarence Strait. A point at Rosa Reef and Tongass Narrows. Ship Island and Clarence Strait. Spire Island Reef and Revillagigedo Channel. Surprise Point
and Nakat Inlet. Caamano Point, Cleveland Peninsula, and Clarence Strait. Meyers Chuck and Clarence Strait. Round Island and Cordova Bay. Mary Island and a point at Tree Point.

CHAIRMAN BANGS: Thank you, Ms. Perry. Hopefully the people on the phone could hear that. I know we're having trouble, but we're doing the best we can. I apologize for the bad connection and communications with our phone people.

Thank you.

What's the wish of the Council. This isn't an action item. This is only a portion of them, as I understand, Ms. Perry. So we're going to learn about a lot more of these?

MS. PERRY: Yes, Chairman Bangs. These have been identified by BLM. They also have more that will be identified and then the Forest Service also has some to identify as well.

CHAIRMAN BANGS: Thank you very much.

Any questions.

MS. PHILLIPS: Chairman.

CHAIRMAN BANGS: Ms. Phillips.

MS. PHILLIPS: Thank you. Is she coming back?

CHAIRMAN BANGS: Ms. Perry, I think we may have some questions for you.

MS. PERRY: Yes.

MS. PHILLIPS: Thank you, Chairman Bangs. Thank you, Ms. Perry. When you said directed entry of judgment, what does that mean? Under the summary it mentions directed entry of judgment.

MS. PERRY: The Court directed the USDA Forest Service and BLM with the Office of Subsistence Management to carry out identification of possible submerged lands that were still under Federal jurisdiction. So it was an entry for -- the Court was ordering the agencies to take action.
CHAIRMAN BANGS: Thank you.

Follow up, Patty.

MS. PHILLIPS: Thank you, Mr. Chairman.

So this is a partial listing and what is the timeline for the rest of the listings?

MS. PERRY: This is a partial listing.

I wouldn't be able to speak for BLM other than I have been in contact with them and I know this is only a partial list. I personally have been working on the list for the Forest Service. If you'll bear with me, I do have my notes here. We just did a status report back in June to the plaintiffs and we've reviewed 26 potential pre-statehood LTF sites. Initial evaluations have been performed on 23 of those.

So we have of interest about another 17 that we still need to review. Because aerial photographs and the dates in which those aerial photographs were taken and any documentation that might support pre-statehood withdrawal, that could be months in the making.

CHAIRMAN BANGS: Thank you.

Mr. Hernandez.

MR. HERNANDEZ: I was going to ask how these sites are being determined. I thought I heard you say LTF sites, log transfer facilities. Is that the primary justification for these being Federal?

MS. PERRY: For BLM, I think they started with materials that they have and, again, I probably couldn't speak how BLM is identifying their sites, but for our part, being the Forest Service, our personnel, engineers and foresters believe that the most likely locations to find the marine submerged lands that have been filled in, built up or otherwise reclaimed by the United States and that's the terminology that the Court has given us. We believe that the locations of pre-statehood log transfer facilities would be the best place to find those possible submerged lands.

MR. HERNANDEZ: Okay.

CHAIRMAN BANGS: Thank you. I just was
notified that the people that are online on the telephone cannot hear the questions from the Council unless that microphone is off after you're done speaking. That's what we just learned.

MS. PERRY: Okay.

CHAIRMAN BANGS: Anyway, is there any other questions for Ms. Perry.

(No comments)

CHAIRMAN BANGS: Okay. What I'd like to do is ask if there's anyone here in the public in the room that would like to address or comment on this issue. And then I would like to ask if there is anyone on the telephone that would like to testify.

(No comments)

CHAIRMAN BANGS: Okay. There isn't anyone on the telephone that wants to testify. We've got the microphone on right now and the phone is there.

(No comments)

CHAIRMAN BANGS: Hearing none. There's no more questions. Thank you, Ms. Perry.

MS. PERRY: Thank you.

CHAIRMAN BANGS: I would like to close the public hearing and ask the Council if they would like to have a discussion about some of these lands or projection on what would become of these lands or what's the will of the Council.

Mr. Hernandez.

MR. HERNANDEZ: Thank you, Mr. Chairman. I guess I would like to have some kind of a discussion about what the implications would be should these lands transfer over to Federal ownership is relations to various fisheries that might take place in these zones. Yeah, just kind of the implications of what could happen here with the transfer.

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: Mr. Hernandez. My
understanding is we're talking about not the fact that they may or may not be transferred to the State. I think the Court will make that determination. The question, of course, is whether or not there is our Federal subsistence regulations would be valid for those particular lands. Our charge is that we do not have jurisdiction on tidal waters. This is the exception.

I don't see where it affects the ability of other entities, especially the State, to manage their fisheries or wildlife regulations on those lands the same as they would in any other circumstances. So they retain the rights to manage appropriately. But it's whether or not these places would have jurisdiction for Federal subsistence management.

CHAIRMAN BANGS: Don.

MR. HERNANDEZ: Which, of course, would mean that any existing fisheries that take place on or above these lands would then now have a priority for subsistence uses, which of course would be a change. Yeah, I don't know. It just seems like it would make a difference in some way.

CHAIRMAN BANGS: Any other questions or comments. Harvey.

MR. KITKA: Thank you, Mr. Chair. Without really seeing a map of how big an area these are, some of these are probably not very -- don't go very far out into the waters at all. Some are just really close to the beaches. I really can't see where we'd have a say in this until we got a map of this area.

Thank you.

CHAIRMAN BANGS: Thank you, Harvey. Anyone else.

Mr. Reifenstuhl.

MR. REIFENSTUHL: I'm sorry I was late on the hand raise. Well, there's a letter in there from the State on Page 91. What does that mean? It was included in the packet and I'm curious what OSM's
response is to that.

Thank you.

MR. LARSON: This is my understanding and you are not talking to the expert here. It is my understanding that the State during the public process has brought an issue to the Board for their consideration and that is in fact that there is some patents that were in place that need to be adjudicated. Their opinion is that the current thought regarding jurisdictions for Makhnati specifically is that it needs to have further review.

So that's my understanding of this, is they have a difference of opinion about whether or not the Federal government has jurisdiction on Makhnati because of these other things. What happens to it now, I mean there's got to be some adjudicator somewhere to make that consideration and make a ruling. I don't know exactly how that's going to work.

CHAIRMAN BANGS: Thank you, Mr. Larson.

MR. LARSON: Jennifer will know.

CHAIRMAN BANGS: Jennifer.

MS. HARDIN: Thank you, Mr. Chair. For the record, it's Jennifer Hardin from OSM. If it is okay with the Chair, I'd like to respond to that question related to the State of Alaska's letter. Before coming to this meeting I did speak with our regulations specialist at OSM and the patents that the State addresses in its letter that you have in your packet, specifically Patent No. 50-68-0194. It does not include either of the adjacent submerged lands or the fill lands that connect Makhnati Island to the rest of the chain of islands. Similarly, Patent 50-90-0267 includes lands surveyed on Japonski Island and the Survey 1496, but also it does not grant ownership to the State of any adjacent submerged lands.

So, in essence, the State's concerns that are expressed in this letter do not have any bearing on the proposed rule and other than the concerns expressed in this letter the State did not have any other comments on the lands that have been included in the proposed rule you have in front of you.
CHAIRMAN BANGS: Thank you.

Anyone else.

Mr. Douville.

MR. DOUVILLE: You know, we've discussed this Makhnati Island area before and this was brought forth by the Sitka Tribe and Chairman Littlefield was adamantly -- well, maybe that's the wrong term, but they through their research decided that this was Federal water and I think the goal was to have a place where they could have their fish eggs and be able to regulate it somewhat to ensure they did get their subsistence. I think some of this is where this started. I could be incorrect. Maybe somebody could explain that, but the State is opposed to this particular piece.

I don't know. I guess I'm getting lost, but that's where it came from originally. Sitka Tribe isn't here to speak to it, but perhaps it would be nice if they would.

CHAIRMAN BANGS: Thank you, Mr. Douville. I think when this list becomes complete and we get an accurate map, I think we will probably discuss this a lot more at length, including Makhnati Island and at that point there would be a request to hear comments from the Sitka Tribe.

Anybody else have any comments or questions.

Patty.

MS. PHILLIPS: Thank you, Chairman Bangs. On Page 86 under jurisdictional background and perspective, it says the Peratrovich case dates back to 1992 and here we are in 2016, 24 years later. I'd like to highlight a couple of the proposed rules. It is the duty of the Secretaries of Agriculture and Interior to identify any submerged lands and the marine waters overlying them within the Tongass National Forest to which the United States holds title.

And this one. In its May 31, 2011, order, the Court stated that the petition process was not sufficient and found that concerns about costs and management problems simply cannot trump the
congressional policy that the subsistence lifestyle of rural Alaskans be preserved as to public lands. The Court acknowledged in its order that inventorying all these lands could be an expensive undertaking, but that it is a burden necessitated by the complicated regulatory scheme which has resulted from the inability of the State of Alaska to implement Title VIII of ANILCA. The Court then enjoined the United States to promptly initiate regulatory proceedings for the purpose of implementing the subsistence provisions in Title VIII of ANILCA with respect to submerged public lands within Tongass National Forest and directed entry of judgment.

I just wanted to read that into the record, Mr. Chair.

CHAIRMAN BANGS: Thank you for that, Patty.

Any other comments or questions.

MR. SCHROEDER: Yes.

CHAIRMAN BANGS: Mr. Schroeder.

MR. SCHROEDER: I find this pretty confusing in that we don't have a map before us showing what the areas are. Also that we don't know what the final list of areas might be because only the ones that are mentioned are covered in this notice and this action. I'd really benefit a lot if we had legal counsel on board to go over where these things stand and what might be involved. That would be obviously at some later date.

CHAIRMAN BANGS: Thank you, Mr. Schroeder. Point well taken. I think that may come with the final list and a map that gives us some information that we need and then I guess we could ask for legal consultation at a later date.

Okay. I'd like to take a 10-minute break and come back and move along.

Thank you.

(Off record)
(On record)

CHAIRMAN BANGS: We're going to continue a short discussion about the Tongass Submerged Land Proposed Rule. In reading it, I think that Cathy and a couple other Council Members are correct in assuming that what they're asking for is a recommendation to the Federal Board.

Now the process is not finished yet and in my mind it's kind of hard to make a recommendation when it's an ongoing process, but I would entertain a motion that the Council could move forward to the Federal Board in regards to making a recommendation.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. Just a quick clarification for Mr. Larson. Should I make the motion on what we just suggested and then we would have a discussion or should we have the discussion where we need more information before we can make the motion?

MR. LARSON: Mr. Chair. It's appropriate to make the motion to focus our discussions. Motion first.

CHAIRMAN BANGS: Okay, Ms. Needham.

MS. NEEDHAM: Thank you, Mr. Chair. Before I make the motion I just want to explain to my fellow Council Members that in reading the proposed rule on Page 84 in the right-hand column it states that the Regional Advisory Councils will hold a public meeting to receive comments on the proposed rule during this meeting cycle, which is what we did before the break, and that the Councils will make recommendations to the Federal Subsistence Board and the Board will discuss and evaluate the proposed regulatory changes, which is this proposed rule, during a public meeting in Anchorage in January of 2017.

Because we do not have the opportunity to meet again as a Council prior to that time, I felt it was important that we move this back to the table to decide if we wanted to make a recommendation to the Board at this time based on the information that we were given.
I'm going to read in a motion that's in the second-hand column towards the bottom and then hope that we would have a discussion and ask for more information to decide if we support or oppose the motion.

So I move that we recommend to the Federal Subsistence Board that this proposed rule would add those submerged parcels as described within the proposed rule to the subsistence regulations to ensure compliance with the Court order.

MR. REIFENSTUHL: Second.

CHAIRMAN BANGS: A motion has been made and been seconded to make a recommendation to the Federal Board. Is there some discussion.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. I think the first thing I would like to ask is Harvey asked if we could see a map of these areas because the proposed rule describes them in words and we're very visually learning people and I believe those maps are available, so I'd want to make sure that those are presented to us or that every Council Member has the opportunity to look at the map that is projected on the wall or at the table.

CHAIRMAN BANGS: Okay. This is the map projected on the wall behind us and it shows the points that were described in your booklet.

John.

MR. YEAGER: Thank you, Mr. Chair. After looking at the Register, is it my understanding that all the Councils will hold public meetings and take comments and kind of follow suit with us or are we satisfying this requirement by just one Council holding a single public meeting?

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: Mr. Chair. Mr. Yeager. All Councils will have a public meeting with an opportunity for the public to comment on the proposed rule. As far as I know, none of the other Councils have availed themselves to making a recommendation to
the Board.

CHAIRMAN BANGS: Mr. Kitka.

MR. KITKA: Thank you, Mr. Chair. Realizing this was a public comment period, I just was curious whether this has come across to the tribes through their government to government consultation, which is supposed to come before the public comments.

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: Mr. Chair. It's my understanding the public comment period has come and gone some time ago. This is the public hearing for the Council to weigh in on this issue.

CHAIRMAN BANGS: Mr. Schroeder.

MR. SCHROEDER: I have some concerns and perhaps we may express them in our motion and our recommendation to the Federal Board. On the one hand the Court has ordered about five years ago and five years is kind of like a long time. Then the Court appears to order the Agencies to do this piece of work and it's not done in five years.

Then on the bottom of the second column on Page 86 there's this completely lame statement: The review process is ongoing and expected to take quite some time. Now this kind of sounds like a job I don't want to do and I say I'm on it but can't quite say when it's going to get done. I don't think if this has some importance that really that's appropriate. I think there should be a time fixed for getting this piece of work done.

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: Mr. Chair. Yes, and I think there's others that share that sentiment. However, the proposed rule that is before us today is only for those items that are associated with the proposed rule. What happens in the future, we're not certain of that. What we're talking about now is these 31 or 32 sites, should they be subject to Federal jurisdictions for subsistence or not.

CHAIRMAN BANGS: Mr. Schroeder.
MR. SCHROEDER: Just following up. I completely understand that, Robert. However, this is our opportunity to make a recommendation to the Federal Subsistence Board and this gives us an opportunity to say something about this lack of alacrity on the part of the Federal agencies in complying with the law.

CHAIRMAN BANGS: Thank you, Mr. Schroeder. So are you referring to amending the recommendation that Cathy made with a timeframe? What are you getting at?

MR. SCHROEDER: Perhaps it would be good not exactly in our recommendation because we could include some wording that says that we note that the Federal agencies have acted rather slowly at resolving this issue and that we would like this to be taken care of, the remaining areas to be decided by some date certain. That isn't exactly our recommendation. The recommendation is somewhat separate.

CHAIRMAN BANGS: Thank you.

Any other comments.

Patty.

MS. PHILLIPS: Thank you, Mr. Chairman. This proposed rule provides a list, but it doesn't provide a detailed map. I appreciate the generic map provided behind us, but it's not substantial enough in my opinion to provide the detailed layout of the submerged land within the Tongass.

I would like to see much further detailed mapping so I know exactly what sites they're talking about. They've been ordered to provide more detail and they haven't yet. I think providing more detailed maps as the list continues on, we need those detailed maps with these 31 or 32 sites and for all the other sites that have yet to be identified.

Thank you.

CHAIRMAN BANGS: Thank you, Patty.

Mr. Kitka.

MR. KITKA: Thank you, Mr. Chair. This Council might know that some of us were still here, Mr.
Schroeder was our coordinator at the time and John Littlefield brought this up before the Council and he asked that all the sites be brought to the attention of -- that was still somebody's lands that belonged to the Federal government. At that time we were told that it would be too big of an undertaking. I believe those were the words he used. Is that right, Mike?

CHAIRMAN BANGS: Mr. Douville.

MR. DOUVILLE: I'm sorry, I was lost in thought. When you were talking, I was trying to get a grasp on what we're trying to do. Maybe you could ask again.

MR. KITKA: Thank you, Mr. Chair. I don't know if it's important, but I remember John Littlefield bringing this topic up a long time ago when Mr. Schroeder was the coordinator and John was just starting at that time to be our chairman and he brought this up on the submerged lands that were Federally owned and he wanted a list and maps at that time. They said it would be too much of an undertaking at that time.

MR. DOUVILLE: I don't recall specifically, but John was interested in the Makhnati Island area and I think he did make mention of other submerged lands and nobody wanted to go there.

If I may make a comment, Mr. Chair. I have no objection to including these lands and having them come under our subsistence regulations. Our charge is to enhance or make things better, make the path better to subsistence and that, to me, looks like what we would be adding. We'd be adding area to come under Federal rule for rural subsistence users and that's what we're talking about. It doesn't matter where they're at. If we're adding to it, I think it's probably a good thing.

That's my own personal assumption.

CHAIRMAN BANGS: Thank you, Mike. One second. I'd like to mention that from what I understand, the vast majority of these withdrawals are navigational aid locations, which the Coast Guard wants to maintain so they don't have to deal with the State. So they can pull up there in their cutters, their buoy tenders, pull the buoys out, maintain them and some of
them are log transfer facilities, but the vast majority of them from what I understand are their navigational aids. So they're not going to be something that's going to affect us at all unless you want to go crab fishing around where there's a bunch of batteries laying on the bottom that the Coast Guard threw over.

These are places that are navigational aides, so they're giving us some space around them and I think some of them depict 200 feet from this rock where there's an aid and 100 feet this way, but that's so they can go in there and work on these things without having to deal with the State.

I agree with Mike saying that it's just adding to our subsistence waters, but the reality is I don't think it's going to affect subsistence users very much in my opinion from what I'm gathering as to where these places are. And the log transfer facilities a lot of them are log dumps where they filled in the beach so that they could dump the logs into deeper water.

I'd really rather have like Patty said, a detailed map and a description of what those lands are used for by the Federal government. Then I would be more willing to make a recommendation that made sense. But right now it's very confusing to me, but I feel like this is something that the Federal government wants to keep so that they can maintain their aides.

Steve.

MR. REIFENSTUHL: Thank you, Mr. Chair. I concur with Patty and you now. I just don't think there's enough information there. I mean the map, if you look at the dots on that scale of a map, represents hundreds of acres. So I mean you could take a vote on that and you don't really know exactly how much you're granting. So I think we need more information.

CHAIRMAN BANGS: Thank you, Steve.

Cathy and then Ken.

MS. NEEDHAM: Thank you, Mr. Chair.

This discussion that we're having right now is the sole reason why I didn't want to lead off by making a recommendation. I wanted us to have this dialogue on
the record so that once we have the dialogue and points
that we feel are important feedback to give the Federal
Subsistence Board and how we feel, then we would make a
motion and to put that letter together or that
recommendation with each of these things in it. That's
what I was getting at when I asked Mr. Larson if I
should make the motion that we had discussed about
during break or if we should have a discussion first
and then do a motion.

So I just want to remind you there is a
motion on the floor, but I'm also willing to rescind it
if we want to go back so that we can actually have our
recommendation include these important points that
you're pointing out to us right now in our dialogue.

CHAIRMAN BANGS: Thank you, Cathy.

Ken.

MR. JACKSON: Mr. Chairman. If these
are going back before statehood in 1959 and they had
those log dumps or whatever, I agree with you guys. I
think we should have more specific points as to what
we're really dealing with and possibly get -- there's
11 here that they want to do and possibly get a
recommendation on more. Give us an idea of how much
we're dealing with.

But I agree with you guys.

CHAIRMAN BANGS: Thank you, Ken.

Steve.

MR. REIFENSTUHL: Ken brings up a point
I think I understand. I mean this is a proposed rule.
The lands that the Forest Service is looking at, other
additional areas would be another rule. They're not
just going to fold it into this one, I presume. So
what we are looking at is specific to what the BLM has
brought forward and we will be looking at another rule
sometime in the future.

CHAIRMAN BANGS: Mr. Larson.

MR. LARSON: Yes, Mr. Chair. I want to
make it clear that none of these parcels that are
identified in these 26 paragraphs here are log transfer
facilities. These are the aids to navigation
withdrawals. And you can see when you look at these
that you can get an approximate size, so many feet
here, so many feet there, but there will be a new --
once the list has been compiled by the agencies, there
will be another proposed rule for those other types of
withdrawals. For instance, the log transfer
facilities, but that's not this. This is the aids to
navigation.

I've had some ex parte communications
and it's my understanding that this list, the proposed
rule and that map is going to be the basis for the
Board's decision as well. So
I don't think there's going to be an expectation that
they
would be looking at a different map than you are.

CHAIRMAN BANGS: Thank you, Mr. Larson.
I know it's very confusing when they could have simply
said that these are navigational aid sites and it would
have cleared a lot up in my mind at the beginning. It
just seems like missing information that they had to
start with.

Cathy.

MS. NEEDHAM: Thank you, Mr. Chair.
One question I would have is if these are navigational
aid sites, how many acres per site are we talking about
having set aside and does that reduce or enhance
subsistence opportunities for subsistence users? I
mean we only have these lat/long coordinates in here,
so I have no idea. Is it like per site one acre, per
site 20 acres? Do we know?

CHAIRMAN BANGS: Thank you, Ms.
Needham. I don't know if anybody in here can answer
that, but from my experience of using navigational aids
there's a big array of difference in what size the site
is. Some of them are on small rocks islands and they
want to have the surrounding area, 100 feet this way,
1,000 feet. I don't think there's any set site size.
I could be wrong, but that's my interpretation.

Mr. Larson.

MR. LARSON: Mr. Chair. I could speak
to that issue of the jurisdiction for subsistence.
Because portions of these areas are intertidal, then
there is no subsistence use now. It's clear that BLM
and the State of Alaska has recognized these particular spots are, in fact, Federal public land. The question is whether or not the subsistence regulations should apply here.

CHAIRMAN BANGS: Ken.

MR. JACKSON: Mr. Chair. When you say navigation aids, I immediately thought of like airports and breakwaters. There's some places around Sitka where the herring spawn right up against those places. I'm just, like everybody else, confused as to what areas we're talking about. That would add a lot of area to some of the places that at one time were submerged, but we put stuff on to build them up so they can use them for landing and breakwaters and everything.

Thank you.

CHAIRMAN BANGS: Thank you, Ken. So what I think we need to do is decide whether we want to move forward with the recommendation that Cathy gave us and I wish that maybe she could read that again so we understand exactly what she was saying.

Cathy.

MS. NEEDHAM: Mr. Chair. The motion I made that I don't necessarily feel now is inclusive of the discussion that we just had. I'll say that first.

The motion I made was to recommend support for the proposed rule that would add these submerged parcels to the subsistence regulations to ensure compliance with the court order. We would make that recommendation to the Board that we would support the proposed rule. But in my opinion, now that we've had a healthier discussion about this topic, that our recommendation might want to include some of the key points that we pointed out as a Council as what's been confusing about this or where we needed clarification before they move forward on their final evaluation of this proposed regulatory change. Or you could just knock it down and start over. I don't care.

CHAIRMAN BANGS: Yes, Mike.

MR. DOUVILLE: It seems to me that not all of these are on land. I mean some of them -- it
says submerged lands for one and some of them start at low water. In the case of Ship Island, Clarence Straits, one of the lines runs a quarter mile off the shore of Cleveland Peninsula, so there is some significance to it. I mean they're not all -- I mean without the real map and the exact lat and longs and lines drawn in specifically that you can see, it's hard to determine. In any case, if it enhances subsistence, then I would support it even if it's by a small amount.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: Thank you, Mr. Chair. I would agree with Mr. Douville that where there's Federal submerged lands that we should be supporting the ANILCA claim over it. However, this is a proposed rule and an administrative record, so administrative practice should include the due diligence of providing mapping that shows exactly the footprint of that identified location.

Thank you.

CHAIRMAN BANGS: Thank you, Patty. I'd like to throw an idea out there that might help this process out. If we voted the way you guys feel about her proposed recommendation, we during the night, tomorrow, whatever, put a workgroup together to come up with a recommendation that encompasses the thoughts that the Council had and then bring it to us tomorrow and then we could adopt a proposal that covers all of our points.

So I'm just throwing that out there. If that would make things easier and we could move along and then this evening we could write a proposal for those who are interested for a recommendation to the Federal Board and then bring it before the Council tomorrow.

Donald.

MR. HERNANDEZ: Thank you, Mr. Chair. I think that's a worthwhile idea although I don't necessarily know if I'd recommend doing it this evening. I think it might be a good idea if we could at least have some daytime hours in case we need to ask questions of some Federal agencies or whoever to get some answers. Maybe if we do it the following day
we'll have some time to maybe get some questions answered.

CHAIRMAN BANGS: Thank you, Donald. I concur with that.

Any other thoughts.

(No comments)

CHAIRMAN BANGS: So we have a motion or a recommendation on the floor for the Council to decide and it was seconded. What's your thought, Cathy?

MS. NEEDHAM: My thought is that if the second concurs, that I would remove the motion from the floor so that we can work towards building a more thorough recommendation to the Federal Subsistence Board by workgroup if the second concurs.

CHAIRMAN BANGS: Thank you, Cathy.

Does the second.....

MR. REIFENSTUHL: I agree.

CHAIRMAN BANGS: The second has been removed and the proposal has been removed for the recommendation. Okay. So who wants to be on a work group.

(Laughter)

CHAIRMAN BANGS: Anybody volunteer? I'll volunteer to be part of it. Patty.

MS. PHILLIPS: I have a dinner date.

CHAIRMAN BANGS: Well, we have tomorrow. I think we should go along with what Donald said. It was my own opinion that we might spend tomorrow. Steve, Patty, John.

Okay. Let's make time tomorrow sometime maybe over breakfast or in the afternoon or something, then we could have a recommendation brought before the Council on Thursday. Does that sound good with everybody? Okay. So we don't need to vote on it or anything. I think we could just move on.
Cathy.

MS. NEEDHAM: Thank you, Mr. Chair. I just want to thank the Council for bearing with me on bringing this subject back to the table to make sure that we did our due diligence and voted on our -- are going to be able to work towards coming up with a recommendation like we were asked to.

CHAIRMAN BANGS: Thank you, Cathy.

Okay. I'm glad we got that squared away somewhat. So now I'd like to move along with the Draft Nonrural Determination Policy.

MS. HARDIN: Thank you, Mr. Chair.

Members of the Council. My name is Jennifer Hardin and I'm the Acting Fisheries Division Chief for the Office of Subsistence Management. I'm here with you this afternoon to talk with you a little bit about the Draft Nonrural Policy that will outline the administrative process for future nonrural determinations in the Federal Subsistence Management Program.

The Draft Policy that we are going to discuss today begin on Page 12 of your book. I have a very short PowerPoint presentation up on the wall behind you or the back wall. So we are now nearing completion of the process to review and revise the rural/nonrural process. As you all know, this has been underway in earnest since at least 2012.

I'd like to just summarize briefly how we got here today before moving on to the Draft Policy. In November of 2015 the final rule was published in the Federal Register changing the Rural Determination process. A copy of that Final Rule is located in your book on Page 20. The Final Rule states that the Federal Subsistence Board determines which areas or communities are nonrural. All other communities are therefore rural. So this Final Rule really simplified the regulatory language related to rural status.

A list of nonrural communities was also published in 2015 in the Federal Register. That rule is located on Page 26 of your book. Also you can find a list of the communities that were listed as nonrural in the Draft Policy on Page 13. As a reminder, the list of nonrural communities that exist in Federal regulations today represents the pre-2007 list of nonrural areas.
So the next up in the process happened in January of 2016. At that time the Board directed staff to develop a draft policy that defines the administrative process for future nonrural determinations. A draft of that policy was approved by the Board to be presented to Regional Advisory Councils for your feedback and your comments.

So that brings us to today. The Draft Nonrural Policy, as I said at the beginning, begins on Page 12 of your book and that's what I'm going to turn to now. I'm not planning to walk through the policy in detail with you today, but rather hope to focus our time on hearing your feedback on the process that's outlined in the policy and also the suggested process timeline that's associated with the Draft Nonrural Policy.

I'm not going to step through the process point by point, I would like to note a few items regarding the process and the timeline that are set out in the Draft Policy. First of all the Board will only address changes to nonrural status of communities or areas when requested in a proposal. The Draft Policy in your book covers what's required when someone wants to submit a proposal. It also addresses the administrative process of how we will handle proposals when they're received. It provides a general schedule and it outlines the public process involved on acting on proposals.

So if you look on Page 14 of your book you'll see that submitted proposals must address -- there's a bulleted list of items that must be contained in every proposal that's submitted to the Board. The Draft Policy lays out exactly what proponents should submit with their proposals. One of the items of note here is that some of the proposals must address why the Board should consider a change in status and also provide detailed information to support the change.

After receiving proposals and having those proposals validated by staff, which just means that staff will look at those proposals and determine if all the pieces are there, much like we do for fish or wildlife proposals. Those validated proposals would then be reviewed by Councils. Finally, the Board would be asked to make a determination of whether the proponent has met the threshold for doing a full analysis. Those threshold requirements are listed on
If the Board determines that the threshold has been met, those proposals would then move on to a full analysis. Councils will be asked to provide recommendations on those analyses as well as to provide input on the validated proposals before the threshold decision is made.

So in terms of the timeline for doing this. If you look on Page 17 and 18 of your book, Page 17 sets out a general process timeline and you'll see that the Nonrural Determination Proposals would be accepted every other year along with the call for fisheries proposals.

The Draft Nonrural Policy sets out a three-year period for proposal review analysis, Council input, tribal and ANCSA corporation consultation, public input, public meetings and Board deliberation and decision making. It's a rather lengthy process, but the purpose for that is to provide many points for contact with the Councils, with tribes, with ANCSA corporations and with the public.

So what we're asking you today is to give us your feedback on whether or not the policy as its laid out makes sense. If you have any comments on the timeline that is proposed, do you see any gaps in the policy and do you have any suggested changes or edits. All of this information will be compiled and considered for the next draft for the final version of the policy that will go in front of the Board and all your comments will also be provided to the Board.

Thank you, Mr. Chair.

I'll be happy to answer any questions.

CHAIRMAN BANGS: Thank you. What I'd like to do first is ask the Council if they have any questions and then I would like to go to the phone line to get comments from the public that's on the phone. I would entertain any questions from the Council first.

Mr. Douville.

MR. DOUVILLE: I guess I'd like some clarification on Saxman East?
MS. HARDIN: So the list of nonrural areas that are listed in the Federal Register are the pre-2007 list and Saxman East was included in that list. We understand that there's some questions about why that remains on the list and that's the origin of it. It was in the pre-2007 list. We do believe that this can be handled administratively very much through the process that we've outlined in the Draft Policy.

CHAIRMAN BANGS: Robert.

MR. LARSON: Mr. Douville. Saxman East is not part of Saxman. Saxman East, as Jennifer said, is a census designated area. It's the new subdivision of South Tongass that's outside of Saxman. That's where the elementary school is and the new subdivision out there. That's just what they call the area. It is not related to the community of Saxman.

CHAIRMAN BANGS: Any other questions from the Council.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: Thank you. So when you say that it could be handled administratively following the process you outlined, does that mean a three-year process?

MS. HARDIN: If the Board adopts the policy and the timeline that's proposed in the book, the full process would be a three-year process. As you can see on Page 18, again that's to provide multiple points of contact with the communities. We recognize the importance of rural and nonrural status in the program, so we want to provide enough time to have very thorough discussions of these matters and not try to short circuit public input on the process.

CHAIRMAN BANGS: Follow up.

MS. PHILLIPS: Thank you. Unrelated to that, but sort of related. The staff distributed customary and traditional use determinations for the harvest of fish and wildlife or customary and
traditional use areas for fish. Those would be great resources. I mean we had a customary and traditional use subcommittee and we requested maps to show us for each community what is their C&T use areas and we've now been provided those maps, but those would be very helpful in the determination of rural/nonrural designations.

What do you say to that if that would be part of your process?

MS. HARDIN: Thank you. Through the Chair. That's wonderful that those maps have been put together. That's the sort of information that we'll be asking the Board to provide to us when we come to you with proposals that seek to change the status, the nonrural status, or to make a community nonrural. So we'll be looking to the Council and other folks in the process to provide that feedback to us and that information.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: We've been under a three-year or a four-year C&T subcommittee discussions and recommendations and only to come back to we'll deal with the way it is now. And then to finally get these maps that we requested a long time ago. But we're just one region of 10 and the other 9 regions don't have these kinds of maps and charts to use as a resource.

So I hope that this process will continue on.

Thank you.

CHAIRMAN BANGS: Thank you, Patty.

MS. HARDIN: Through the Chair. Thank you very much. I definitely appreciate the information. I think one of the scenarios that you're pointing to is if we receive a proposal that would change the status of a community that's currently listed as rural and therefore we would have information about their customary and traditional uses. If we receive such a proposal and it moved to an analysis phase, we
I would absolutely be taking a very close look at all the information we have about customary and traditional uses and other traditional practices, cultural knowledge, all of this important information about subsistence way of life.

CHAIRMAN BANGS: Thank you.

Any other questions from the Council.

Mr. Schroeder.

MR. SCHROEDER: Thank you, Mr. Chair and Jennifer. The Council has weighed in on urban/rural determinations quite extensively for at least a decade. The Council has strongly suggested at other times that it was due deference on urban/rural determinations following the logic that subsistence taking can only occur if a place is classified as rural, so really this is pretty close to an issue of taking.

I note that the proposed procedure doesn't include that as well as the proposed rule, so I'm just noting that to the Council.

CHAIRMAN BANGS: Any other questions or comments from the Council.

(No comments)

CHAIRMAN BANGS: What I'd like to ask now if all the people on the telephone line to identify themselves and then I'd like to acknowledge Lee Wallace if he's still on there so that he may speak to the nonrural issue. So everyone that's on the phone line please identify themselves.

MR. WALLACE: Lee Wallace.

MR. SHARP: Dan Sharp with BLM.

MS. WESSEL: Maria Wessel, Fish and Game.

CHAIRMAN BANGS: Okay. I've heard three acknowledgments. If there's anyone else, please speak up now.

(No comments)
CHAIRMAN BANGS: Okay. I'd like to ask Lee if he has any comments or questions about nonrural.

MR. WALLACE: Thank you, Mr. Chair. Lee Wallace, president of village of Saxman. I attended the FSB workshop in July for the first reading and when I initially read the draft document that Saxman East raised a little concern of mine and I think rightly so, but during the public comment period I did make comment on it and they went into recess and when we were in recess Pat Petrivelli came to me and she explained why Saxman East was in the document. Robert Larson explained about a census designated place.

That all being said though, for years our battle for rural determination, one would see on the FSB site a listing of the nonrural communities in Alaska. They were listed as Anchorage, Fairbanks, Juneau and Ketchikan. Now what you see on Page 13 is a whole list of areas. One thing I'd like the Southeast RAC to consider is an addition to the draft document by adding a footnote or explanation for future readers clarifying the named nonrural places on Page 13. It can be simply done by the explanation of a census designated place in the past and that's why we have that list there. So for your consideration there.

The second consideration is on Page 16 entitled decision making. I propose for consideration by the Southeast RAC to include another bullet point. That bullet point would read something like this. When a proposal is received by the FSB, the FSB will copy the affected Federally recognized tribe immediately and I say that because if there is a future time when somebody wants to raise the proposal to change your status that the affected Federally-recognized tribe be notified immediately so we could start strategizing to take care of the issue instead of hearing it much later.

So that's my suggestions.

Thank you.

CHAIRMAN BANGS: Thank you, Lee.

Is there any questions for Lee from the Council.

(No comments)
CHAIRMAN BANGS: Hearing none. Thanks, Lee, for your comments and the bullet point is made point of it. Is there anyone else online that wants to speak to nonrural issue.

(No comments)


(No comments)

CHAIRMAN BANGS: Yes.

MS. HARDIN: It would be really wonderful if you could hear from the Council your thoughts on whether the policy and the timeline are appropriate, if the policy is laid out in a clear manner.

CHAIRMAN BANGS: Comments from the Council. Is it clear to the Council, does the policy make sense? Mr. Douville.

MR. DOUVILLE: Mr. Schroeder pointed out something that the Council was asking for deference in making these decisions and it looks like this policy here in front of us is only going to ask the Councils for confirmation of any information and that would be its total role in any decision-making process. It looks like the Board has taken this upon themselves and basically left the RACs out of it except for is this statement true sort of thing.

CHAIRMAN BANGS: Patty.

MS. PHILLIPS: Mr. Chairman. Jennifer, did the FSB discuss deference to the Council or under this decision-making bullet consider recommendations of the appropriate Subsistence Regional Advisory Council did they have some detailed discussion on that?

MS. HARDIN: Through the Chair. Thank you, Ms. Phillips. The Board did have a discussion about the deference that is called for in Section 805 of ANILCA and discussed that that deference that's required is for the take of fish and wildlife. However they also discussed quite a bit how important the Council is to this process in addition to verifying whether information that's been provided is accurate
and also providing information about whether the proposal and the analyses that are associated with proposals accurately depict the unique characteristics of the region in which the community resides and/or the community or area itself. So the Board discussed that information that's provided by you not only before the proposals are assessed for whether they meet the threshold but the analyses themselves are going to be critical to the decision-making process.


MR. YEAGER: Thank you, Mr. Chair. It seems to be my recollection that we spent a lot of time making sure that the Federal Board understood how much deference to the RACs meant to us and how strongly we felt about that. Lee Wallace was a very big proponent for us that deference play a big part in what we do. I kind of felt here that the Board only wants us for relevant information and that's it. They don't want any other participation from us, this last paragraph on Page 16. So I guess it leaves me a little put off here by deference of the Councils does not apply.

I'd just like to make a comment.

CHAIRMAN BANGS: Thank you, John. I think another point that we seem to have spoke to many times was not so much the threshold, the population, but the flare of the community as far as the characteristics go as being more important to the Council and I don't see much of that reflected or the characteristics of the community.

Don.

MR. HERNANDEZ: Thank you, Mr. Chairman. I was going to ask a question about that population threshold criteria because that was one of our major concerns and I'm just trying to see if that's been addressed here. I'm looking at threshold requirements for a proposal and I'm trying to read between the lines here and see if population changes would be considered in these threshold requirements. I'm kind of focusing more on making a determination from non-rural to rural, which I know is one of the issues we've talked about in regards to Ketchikan changing its status and population thresholds were always an issue there.
So in those criteria there's two things that are to be considered and one is based on information not previously considered by the Board or demonstrates that the information -- this is on Page 15, middle of the page -- demonstrates that information used and interpreted by the Board and designated the community as nonrural has changed since the original determination was made. I was just wondering if things like population changes are something that would be under consideration in regard to those thresholds that used to apply. Has this language kind of moved us away from those population thresholds that we were concerned about in the past?

MS. HARDIN: Thank you, Mr. Hernandez. Through the Chair. So as you know the regulations no longer include any set criteria for determining nonrural or rural status. Regarding whether or not a population could be something that the Board would consider when taking a look at thresholds or I think you were referencing the limitation on submission of proposals to change section, population is certainly one characteristic that the Board could look at, but it is not required to do so. Again, the intent of changing the regulations was to provide more flexibility and to acknowledge that while population may be important, it's not the only characteristic of a community that needs to be considered when thinking about nonrural status or rural status.

CHAIRMAN BANGS: Thank you.

Any other questions or comments.

Mr. Schroeder.

MR. SCHROEDER: Mr. Chair. Jennifer. Would it be appropriate -- I'm not exactly clear what our role is at this point. Can we suggest changes to the policy or are we simply here to hear information on the policy?

MS. HARDIN: Through the Chair. Thank you, Mr. Schroeder. We certainly want to hear your comments about the policy. If you think there are gaps in the policy, omissions, there are areas that are not clear, we're seeking that in feedback from you now.

MR. SCHROEDER: Just following up then. I think there are a couple of things that we may wish
to include in our comments. First is that this is a remarkable advance over what we've had to thrash through on urban/rural determinations for like 15 years. So that's like really a good piece of work. The two things that seemed to kind of stick in our craw a little bit is the manner of deference to Councils' recommendations.

Then perhaps having some chance to weigh in on threshold requirements because the Council looks at a lot of proposals and deliberates on them and makes recommendations when there may not be a full set of data provided. So I understand that the Federal program is saying first we kind of screen proposals to see if they're plausible at all to avoid someone simply sending in a two-line proposal that said, gee, I don't think Angoon is a rural community, so we don't want to jump in to having to do a whole lot of work for something that's just really spurious. However, it seems like we should be in that loop earlier on than a year down the line, so I'm not sure if other Council members feel that same way.

CHAIRMAN BANGS: Thank you, Bob.

MS. HARDIN: Thank you, Mr. Chair. Thank you, Mr. Schroeder. I just want to point out on Page 17 if you look at number 3 in that table you'll see that proposals would be accepted between January and March of an even year and then between August and November we would be taking those proposals out to the affected Regional Advisory Councils for their review and discussion of the proposals. Following that process and receiving recommendations from the Councils, then those proposals would go to the Federal Subsistence Board for the threshold determination. So the Board will be looking to comments from the Councils when making the decisions about threshold determinations.

CHAIRMAN BANGS: Thank you. Are there any other Council discussion in regards to recommendations to the policy or any changes that they feel are reflective of this Council.

(No comments)

CHAIRMAN BANGS: I see you were taking notes, so you kind of got the sense of the Council's concerns.
MS. HARDIN: Thank you, Mr. Chair.
Would you like me to let you know what I jotted down
and see if I caught everything?

CHAIRMAN BANGS: Please.

MS. HARDIN: I noted that there was
some questions about whether the level of detail that's
provided for nonrural areas in the final rule is the
same as listed pre-2007 and we can find that out pretty
quickly. And one comment I heard was that the Council
would like to see more or clearer information about the
role of the Council in the overall process and
providing detail in the policy that the Councils will
be looked to for more than simply verifying information
but for providing details that addressed the flair of a
community or the unique characteristics of a region and
how that relates to the proposals at hand. Deference
is an important issue that the Council still has
concerns about and would like to see the Board provide
devference on rural and nonrural determinations. And
the importance of the Council being involved in the
process prior to a threshold determination being made
by the Board.

CHAIRMAN BANGS: Thank you.

Any other bullet points that the
Council would like to make.

(No comments)

CHAIRMAN BANGS: I would like to ask if
you could get together with Robert and maybe put
together a letter with regards to those points that we
could agree to or recommend to send on to the Federal
Board at the end of the meeting or near the end of the
meeting.

MS. HARDIN: Certainly, Mr. Chair.

CHAIRMAN BANGS: Thank you. Is there
any other -- let's see. There's no other questions
about nonrural, so we're done with that for now.

MR. HOWARD: Mr. Chair.

CHAIRMAN BANGS: Mr. Howard.

MR. HOWARD: Thank you, Mr. Chairman. I
was just looking at this real quick and it has reference to individuals submitting a proposal. This could lead to a bunch of individuals submitting whereas if you have just the organizations or community may request changes of existing, it would streamline it. Where if I wanted to submit a proposal, I'd have to go to the local tribe or the city and have them do it. Then it becomes a local issue before it becomes anything else. I'm not sure if we can have individuals removed where it can be submitted by a tribe or a community. Then you already have gone through the community process by having the individual bring the idea to the tribe or to the city. Just a thought.

Thank you, Mr. Chair.

CHAIRMAN BANGS: Thank you, Mr. Howard. Okay. We're going to move to the Federal Subsistence Board 805 non-consensus action report. I think Mr. Robert Larson could give us some information.

MR. LARSON: Thank you, Mr. Chair. I'd like to preface this by saying this is a good opportunity to tell the Council that they've done due diligence and they have convinced the Board to do whatever they recommended regarding our wildlife proposals. If you look on Page 30 there's a letter from the Chairman of the Board and it references the six proposals on the consensus agenda. The Council is part of that group with the State and the InterAgency Staff Committee.

Also on Page 32 the three proposals that the Council modified different than the OSM's preliminary conclusion and the Board adopted all of the recommendations. So job well done. From my experience at the Board meeting and the presentation by your Chairman was compelling. Compelling testimony, compelling evidence. The written documentation was very well received, very well done. All of the Council's recommendations were adopted by the Board.

CHAIRMAN BANGS: Thank you, Mr. Larson. I think we have to back up just a slight bit here. I caught Mr. Reeves off guard there just coming off the plane and has a short bullet point presentation with slides and I was hoping that he would be able to give us a little better presentation now that he's prepared.

MR. REEVES: Thank you, Mr. Chair. In
front of you is a colored printout of the same
presentation. If you direct your attention to the wall
there I'll give you a little taste of Federal
subsistence fish data here.

My name is Jeff Reeves. I'm with the
Forest Service. Part of my duties is data steward of
the Federal database, so I enjoy the opportunity when I
get to put this information together for you guys.

This first slide is looking at the State personal use
and subsistence harvest data for about a 25-year
period. It's just an average harvest by each species
and you can see pretty much that the State system the
harvest is primarily directed at sockeye. You can see
a little bit of chinook and coho. Pink and chum are a
little bit higher than the others. I think that's
fairly typical because the directed coho fishing didn't
occur until about 10 years ago and it's a little bit
more limited under the State system and it can only
occur where there's a positive C&T.

This is pretty much a depiction of a
State-managed fishery. Typically occurs in marine
water. Typically propagated by seining.

Now Federal fisheries, since they're
governed by regulations in 36 and 50 CFR, the picture
there with the booklet with the crab that's the current
regulation book. So if you are going to fish Federal
fisheries, that's the booklet that you'll want.

The Federal program in Southeast issues
five permits. They're kind of listed there in order by
how they might be promulgated, either first by salmon
and then the next of the bottom three are the steelhead
permits that are issued in the region. The permit
there on the right in the picture that's typically what
you'd be issued. The top piece is just a personal
information sheet that's separated from it and the
bottom two thirds of that is the permit that you would
actually have out in the field with you.

What this slide shows is the Southeast
management zones and it also gives you a list of who
the in-season manager is for some of those districts
and also for your zone support biologist. You'll
notice there's been a few changes. Prince of Wales now
instead of having two individual in-season managers
it's been accumulated into one. In the zoned areas too
you also see that there's been a couple of assistant
biologists that have been added in. This just gives
you a reference of if you have any questions for those
regions who you can talk to.

This is a descriptive map of C&T
determinations for specific communities. You can see
across Southeast there's some defined areas that
there's individual C&Ts for. An area that's clear or
that's kind of a more white there's no C&T so all rural
residents would apply there.

There's one area actually in the
Southeast that if you go to the next slide, please,
Terry, you'll see that there's actually multiple
communities will have some overlapping C&Ts.

This one and the next one after this
you're going to get into specific allowable fishing
gear by species. You can see if you're targeting
sockeye, pink and chum, there's gaffs, spears, gillnet,
seine, dipnets, cast nets, hand lines, rod and reel.

The coho fishery is a little bit more
restrictive in that it allows less gear. The Stikine
fishery you can see that there's some specific
regulations especially regarding gillnets that they
can't exceed 15 fathoms or a certain size mesh unless
it's the chinook season.

Here we have for the steelhead, trout
and char fisheries. You can see the gears get a little
bit more -- I don't want to say restrictive as much as
it's more gears that in some cases we'll allow for
release of especially a fish that may not meet a size
limit or something like that.

This is the good part. In certain
fisheries the Federal regulations do allow incidental
harvest. So basically if you're targeting sockeye and
you caught a coho, you'd be allowed to take it. Or if
you were targeting steelhead and you caught a trout you
could keep it. In some cases where there's a few other
odd little species like this whitefish from the Stikine
tribs or Prince of Wales an incidental flounder that
might migrate up the river.

So this graph here what it's showing is
it's looking at the harvest by species in all the
Southeast Federal fisheries, but it does not include
the Stikine. What it shows here is that predominantly
the harvest is sockeye and cohos. There's a little bit harvest of pinks and then as you see other species.

This shows the same harvest, but it's based over the chronology of Federal management in the Federal fisheries. So you can see that in the beginning the dark blue bars is coho harvest and it kind of dropped down and then after 2004 all of a sudden sockeye harvest picked up, coho harvest picked up and the green bars in there is pink salmon and you'll see that there's actually some scattered years where some of the pink harvest was actually fairly high.

The higher pink harvest could be related to in some cases a lower harvest of individuals of cohos and sockeyes. The one year in 2013 was kind of high. That was actually one individual that actually harvested a lot of them and when I inquired with him as to why they harvested so many they were actually using them for trapping bait that year.

You can see there's been an upper trend in the permits being issued.

When I was looking at the harvest, I decided let's see who's doing this harvest. What it turns out is that pretty much over three-quarters of the harvest is being done by Prince of Wales Island residents. There's multiple communities on the island, which is one of the reasons why it's so big. I believe the other reason why the Prince of Wales harvest is so much more in comparison to these other communities is the fact that Prince of Wales has a highly developed road system. Federal jurisdiction is above the main high water line. The large road system kind of makes sense why there would be so much more harvest.

The next slide looks at the Prince of Wales communities just to see where is it happening at. Thorne Bay is actually the pink section on the left, which I have no idea why it's showing category name on there. The red portion is the community of Craig. I was kind of surprised that Thorne Bay had the largest contribution figuring that it's only about half the size of Craig in population.

The Stikine River. Here's the development of the Stikine fishery over time. The bars obviously are harvest, the red line is permits issued.
The scale on the right side corresponds to the red line and the permits issued. The scale on the left is for the harvest. The light blue bars is the sockeye harvest and then chinook is in yellow. Coho is in the dark blue. The pink salmon are the green bars and then the reddish-brown bar is chum salmon.

You can also see over time that the popularity of this fishery is definitely increased as there was a rapid climb in permits issued. Even the trend over the past few years still has a slight upward increase.

Here is a breakdown of the Stikine harvest by community and obviously you can see Wrangell is about two-thirds of the harvest, which actually makes a little bit of sense since the river is right in their back door and Petersburg is about the other third of the harvest.

So now this is to look at gears, so when you compare all the fisheries, so Yakutat our general salmon permit through Southeast and the Stikine River predominantly the fish are taken by gillnet with dipnet and rod and reel behind there. If you pull out the Stikine data and Yakutat, all of a sudden you see the majority is occurring by dipnet and rod and reel gear and there has been a slight growth in some seine harvest in a few areas. The light green section down in the bottom corner about 7:00 there that's gillnet harvest with Yakutat and the Stikine removed.

This is on the Carter River of why dipnets would be quite effective in Federal waters.

This is looking at the Prince of Wales spring and winter fisheries. The blue corresponds to the spring fishery, the red is the winter fishery. The bars are the harvest, the lines are number of permits issued. They both correspond to one scale there on the left. You can see in the beginning with the spring steelhead fishery there's a bunch of permits that kind of dropped off over time. It really, really climbed and number of permits over the past five, six years for some reason has dropped off.

I still can't put a finger on why it's had that drop off over time. You kind of see the same thing even there at the tail end on the winter fishery that number of permits have kind of dropped off for the
past few seasons as well. You can see that harvest has
been fairly stable. It does fluctuate each year,
particularly in the winter. The fluctuation in the
winter numbers is more dependent on winter weather
conditions and access to the fishing sites and by no
means is not a reflection of steelhead returns into the
system.

The steelhead harvest is a predominant
rod and reel fishery. As you can see there is a
small number that have been taken by traditional means
and even one or two that have been harvested by dipnet.
With that that kind of concludes what I
had for you. If you have any questions regarding
Federal fisheries I'll be glad to take them. Thanks.

CHAIRMAN BANGS: Thank you, Jeff. That
was a real good presentation.
Do you have any questions for Jeff.

(No comments)

CHAIRMAN BANGS: Okay. I'd like to
start tomorrow
morning with the fisheries proposals. We have two of
them to go over. I don't think they'll take a real
long time. Recess until -- oh, Melinda.

MS. BURKE: We skipped over number 8.

CHAIRMAN BANGS: We were going to do
those in the morning every day, but now that we have a
telephone if there's anybody on the public or tribal
comments on non-agenda items we can cover that now. It
won't take up too much time. Is there anybody on the
phone.

MR. WALLACE: Hi, Mike, it's Lee
Wallace.

CHAIRMAN BANGS: Hi, Lee.

MR. WALLACE: Just one quick comment
that won't take too long. You just heard from Staff
that FSB Chair Tim Towarak resigned and they're looking
for nominations October 7th is when the nomination
period ends. Throughout the years working with and
observing and interacting with the Southeast RAC
there's a number of individuals on the Southeast RAC which would really, in my opinion, make a good chairman for the FSB. So while you're having dinner and relaxing tonight, maybe a number of you could consider nominating from your group a person to have Secretary Jewell consider for FSB Chair. So that's my pitch for you guys.

CHAIRMAN BANGS: Thank you, Lee.

Any other comments on non-agenda items.

(No comments)

CHAIRMAN BANGS: Thank you very much. We're going to recess until tomorrow. Let's try to start at 8:30 and try to get through the majority of the agenda tomorrow so we're not pressed for time on Thursday. So 8:30 tomorrow morning.

Thank you.

(Off record)

(PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

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

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

THAT the foregoing pages numbered 02 through 104 contain a full, true and correct Transcript of the SOUTHEAST FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I taken electronically on the 4th day of October in Petersburg, Alaska;

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

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

DATED at Anchorage, Alaska, this 7th day of November 2016.

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