

1 FEDERAL SUBSISTENCE BOARD
2
3 PUBLIC REGULATORY MEETING
4
5 VOLUME III
6
7 COAST INTERNATIONAL INN
8 ANCHORAGE, ALASKA
9
10 MAY 20, 2010
11 8:30 o'clock a.m.
12
13 MEMBERS PRESENT:
14
15 Mike Fleagle, Chairman
16
17 Charlie Bunch, Bureau of Indian Affairs
18 Julia Dougan, Bureau of Land Management
19 Geoff Haskett, U.S. Fish and Wildlife Service
20 Wini Kessler, U.S. Forest Service
21 Sue Masica, National Park Service
22
23 Michael Bangs - Southeast RAC
24 Judy Caminer - Southcentral RAC
25 Molly Chythlook - Bristol Bay RAC
26 Sue Entsminger - Eastern Interior RAC
27 Weaver Ivanoff - Seward Peninsula RAC
28 Jack Reakoff - Western Interior RAC
29
30
31 Denby Lloyd, State of Alaska Representative
32
33 Keith Goltz, Solicitor's Office
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1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 5/20/2010)

4
5 (On record)

6
7 CHAIRMAN FLEAGLE: Good morning. The
8 Federal Subsistence Board is back on record. And today
9 is Thursday, May 20, the final day of the three-day
10 meeting. Four days were planned, but due to the great
11 work done by all the Staff and the State of Alaska of
12 Alaska combined, we were able to take these 108
13 proposals and reach consensus on all but 37 prior to
14 coming to the table. And Geoff pointed that out this
15 morning and thought it would be worthwhile mentioning,
16 that the public opinion -- perception might be that
17 because we do take up the non-consensus proposals at
18 the meeting here, it appears that we're struggling.
19 And when we take the number of 37 compared to the total
20 number of 108, I think it shows the opposite, that
21 there's a lot of room to cooperate and coordinate.

22
23 Geoff.

24
25 MR. HASKETT: The only thing I would
26 like to add, actually it's Tina that pointed it out to
27 me yesterday, so while we have many places where we do
28 disagree and have some fairly major jurisdictional
29 issues that we deal it, I think it was a good point to
30 make that on the majority of these, we really did come
31 to consensus, and I think that's a good thing.

32
33 CHAIRMAN FLEAGLE: All right. Credit
34 where credit's due. Thank you, Tina and Geoff, both
35 for raising that before us.

36
37 MR. PROBASCO: And our Councils, too.

38
39 CHAIRMAN FLEAGLE: And our Councils,
40 too, yeah. I think I mentioned them. All right.
41 Anyway, but thank you, hard work for the Councils, too.
42 And I appreciate you guys being here adding perspective
43 to the issues as we move through them, each one of you
44 for your respective areas.

45
46 All right. We delayed and we postponed
47 and delayed long enough, and he made it. Good morning,
48 Don.

49
50 First off though for the day, before we

1 move on to the proposals, is public comment period for
2 non-agenda items. This will be the final opportunity
3 for non-agenda items. And this opportunity is provided
4 at the beginning of each day of the meeting. Pete, do
5 we have anybody signed up?
6

7 MR. PROBASCO: This morning I have no
8 cards. Mr. Chair.
9

10 CHAIRMAN FLEAGLE: Okay. Great. And
11 second is public comment period for the consensus
12 agenda items.
13

14 MR. PROBASCO: I have none either.
15

16 CHAIRMAN FLEAGLE: Alrighty. We'll
17 move on to the agenda as prepared, and we dropped off
18 with Proposal 10-92, next in line.
19

20 Good morning, Don.
21

22 MR. RIVARD: Good morning, Mr. Chair.
23 Members of the Board. Regional Council
24 representatives. My name is Don Rivard with the Office
25 of Subsistence Management.
26

27 The analysis for WP10-92 starts on Page
28 946 of your book.
29

30 Proposal WP10-92, submitted by Phillip
31 Solomon of Fort Yukon requests the harvest limit be
32 increased to 5 black bears in Unit 25. The harvest
33 limit for black bear in Unit 25 has been 3 bears in
34 Federal and State regulations since 1990.
35

36 In March 2002, the Alaska Board of Game
37 established a community harvest permit program for
38 black bear in Unit 25. The program allows people in
39 the community or other group to pool their individual
40 harvest limits of three bears so that one hunter may
41 harvest more than three bears each year for use by the
42 community or group.
43

44 The program requires a hunt
45 administrator who signs up participants, distributes
46 harvest permits to participating hunters and monitors
47 and reports harvest to the Alaska Department of Fish
48 and Game.
49

50 The program is not likely to increase

1 harvest, and is intended to better accommodate
2 traditional hunting and sharing practices and improve
3 harvest reporting.

4
5 Participants are required to have a
6 valid community harvest permit for each bear taken.

7
8 To date, local users have not utilized
9 this program for black bear.

10
11 Household survey data indicates that
12 annual black bear harvest for the Yukon Flats area,
13 which is in Unit 25D, has been between 32 and 68 for
14 the years 2003 through 2008. Current harvests are
15 lower than the estimated annual recruitment of 176 to
16 350 bears.

17
18 The Alaska Department of Fish and Game
19 and the U.S. Fish and Wildlife Service are currently
20 conducting a study to estimate the density of black
21 bears in a 500-square mile study area within Unit 25D
22 where a large portion of the black bear harvest occurs
23 and where most of the villages in Unit 25 are located.
24 Results from this study are expected in August 2010.

25
26 Mr. Chair. The OSM conclusion is to
27 oppose Proposal WP10-92. There is ample opportunity
28 for local residents to harvest black bears as current
29 regulations allow an annual harvest limit of three
30 bears for individuals. The community harvest permits
31 under State regulations provide additional harvest
32 opportunities in Unit 25, but local users have yet to
33 utilize these community harvest permits.

34
35 And then as previously mentioned, the
36 Alaska Department of Fish and Game and the Fish and
37 Wildlife Service are conducting a study to estimate the
38 density of black bear in Unit 25D. Results from this
39 study are expected in August 2010. Once the results
40 are known, better decisions can be made in regards to
41 black bear management and harvest limits. A future
42 proposal may be warranted if population data indicates
43 sufficient abundance to support a more liberal harvest
44 limit.

45
46 Thank you, Mr. Chair.

47
48 CHAIRMAN FLEAGLE: Thank you, Don.

49
50 A summary of public comments, Ann.

1 MS. WILKINSON: Thank you, Mr.
2 Chairman. We did not receive any written public
3 comments for this proposal.

4
5 CHAIRMAN FLEAGLE: Thank you. Public
6 testimony, Pete?

7
8 MR. PROBASCO: No one has signed up.
9 Mr. Chair.

10
11 CHAIRMAN FLEAGLE: Thank you. Regional
12 Council recommendation, Sue.

13
14 MS. ENTSMINGER: Yeah. Thank you, Mr.
15 Chair. I was trying to find this is in transcripts,
16 but I can't find it.

17
18 We recommend a deferral. The Council
19 felt that there's adequate numbers of black bears in
20 this unit to accommodate a small additional harvest.
21 Local residents are not well aware of the option to
22 participate in a community harvest program.

23
24 And I just wanted to try to remember
25 what was said at the Council meeting, and I believe
26 Andrew Firmin, the Council member from Fort Yukon,
27 expressed concern about the paper trail and all the
28 paperwork that they've got to deal with in doing this
29 community harvest, and it's not kind of a user friendly
30 thing to deal with, and it's easier for them if you'd
31 set a larger harvest. So that's why.....

32
33 And then we were looking at the
34 assessment, and they said -- we deferred it due to
35 that. We'll look forward to seeing the report from the
36 assessment.

37
38 CHAIRMAN FLEAGLE: Okay. Thank you.
39 Department of Fish and Game comments. Tina.

40
41 MS. CUNNING: Our comments are in your
42 book on Page 951. We are supportive of the additional
43 opportunity for subsistence users, because the
44 resources are sufficient, but we're neutral on this
45 proposal at this time.

46
47 *****
48 STATE OFFICIAL WRITTEN COMMENTS
49 *****
50

1 Alaska Department of Fish and Game
2 Comments to the Federal Subsistence Board

3
4 Wildlife Proposal WP10-92:

5
6 Increase the hunter bag limit of black
7 bears in Unit 25 from 3 bears to 3 5 bears per year.

8
9 Introduction:

10
11 The proponent is requesting
12 liberalization of the annual federal subsistence black
13 bear harvest limit for Unit 25. The proponent
14 indicates the current federal subsistence limit of
15 three black bears per year does not meet his
16 subsistence needs, and he would prefer to harvest and
17 eat more black bears per year.

18
19 Impact on Subsistence Users:

20
21 If adopted, federal subsistence users
22 could harvest an additional two black bears per year in
23 Unit 25.

24
25 Opportunity Provided by State:

26
27 The current bag limit is 3 black bears
28 annually in all of Unit 25. In Unit 25D, there is
29 additional opportunity to obtain a Community Harvest
30 Black Bear Permit so that a hunter can harvest more
31 than 3 bears annually as long as the total number of
32 animals taken by hunters in the group does not exceed
33 the combined bag limits of the people who signed up.
34 The community harvest regulation allows a group of
35 people to combine their individual bag limits into a
36 group bag limit. To date, no black bears have been
37 harvested under the Community Harvest Black Bear
38 Permit.

39
40 Conservation Issues:

41
42 None. There are numerous black bears
43 in Unit 25D, and the additional harvest would likely be
44 low to moderate. Most hunters do not take 3 bears
45 annually. When the opportunity to take 5 black bears
46 annually was available in some other parts of the
47 state, it did not result in an increase in harvest.

48
49 Enforcement Issues:

50

1 Differences in federal and state
2 regulations resulting from adoption of this proposal
3 create enforcement problems in areas with mixed land
4 ownership. The boundaries between federal and state
5 lands are not marked and often difficult to locate on
6 the ground.

7
8 Other Comments: The department is
9 implementing an intensive management program in a
10 portion of Unit 25D, and additional harvest on black
11 bears may help reduce predation on moose calves.

12
13 Recommendation: Neutral.

14
15 The department supports providing
16 additional opportunity for subsistence users when
17 resources are sufficient. The current federal and
18 state hunting regulations provide the opportunity
19 necessary for subsistence on federal public lands
20 if/when populations decline in the future; i.e., an
21 expanded bag limit when the population is high should
22 not be used in the future to unnecessarily elevate a
23 higher meaningful preference than that which is
24 reasonably necessary for federally qualified
25 subsistence users on federal public lands.

26
27 CHAIRMAN FLEAGLE: Thank you.
28 InterAgency Staff Committee comments. Polly.

29
30 DR. WHEELER: Mr. Chair. The
31 InterAgency Staff Committee has no comments beyond the
32 standard comment.

33
34 CHAIRMAN FLEAGLE: Great. Thank you.
35 Discussion. Pat Valkenburg.

36
37 MR. VALKENBURG: Yeah. Thank you, Mr.
38 Chairman. I should also point out that very similar to
39 the proposal on grizzly bears for Unit 25, the Board of
40 Game under an agenda change request will be considering
41 methods and means and bag limits for black bears in the
42 Yukon Flats. And they would also likely be considering
43 a trapping proposal there. So whatever the Federal
44 Board chooses to do here, we have an opportunity to
45 match that at the fall meeting.

46
47 CHAIRMAN FLEAGLE: Thank you, Pat.
48 Pete.

49
50 MR. PROBASCO: Thank you, Mr. Chair.

1 Pat, has that agenda change -- I was
2 thinking yesterday when you were talking. Has that
3 agenda change request been approved or is it still in
4 the request stage?
5
6 MR. VALKENBURG: It has been approved.
7
8 MR. PROBASCO: Okay. Thanks.
9
10 CHAIRMAN FLEAGLE: Okay. Thank you.
11 Discussion.
12
13 (No comments)
14
15 CHAIRMAN FLEAGLE: I was curious. One
16 piece of information that I didn't find in the analysis
17 was how many people actually harvest three bears let
18 alone want to harvest more than three bears? Is that
19 information available? And maybe the Department has
20 some harvest data?
21
22 MR. VALKENBURG: Very few.
23
24 CHAIRMAN FLEAGLE: Pat.
25
26 MR. VALKENBURG: Yeah. Thank you.
27 Very few people harvest three bears, but the reporting
28 is probably not very good. We know that there is a
29 large unreported harvest. We also know that there's a
30 substantial harvest of black bears by snaring,
31 particularly around problem bears around fish camps and
32 that sort of thing. So I don't think the data in this
33 case is really meaningful.
34
35 CHAIRMAN FLEAGLE: All right. Makes
36 sense.
37
38 And under the State's community harvest
39 permit program, if any person wanted to harvest more
40 than three bears, he could just find a comrade and the
41 two of them can apply for the community harvest permit
42 and he can go hunt and get six bears, right?
43
44 MR. RIVARD: Yes, Mr. Chair, that's my
45 understanding.
46
47 CHAIRMAN FLEAGLE: All right. Other
48 questions. Other discussion. Sue.
49
50 MS. ENTSMINGER: Can you -- the State

1 say how many people might have picked up these permits
2 and how easy it is for them to get them? I mean, if
3 you're a user out there and you -- if someone's not
4 there to give you the permit, how easy for them to get
5 it to even be able to do it?

6

7 CHAIRMAN FLEAGLE: I'm sure they have
8 the answer, but I think from the presentation we had
9 yesterday is a hunt administrator in the communities is
10 named, which in this case is probably the tribal
11 government I'm guessing. And the analysis said that
12 nobody has applied for one yet.

13

14 MS. ENTSMINGER: I think they're shy.

15

16 CHAIRMAN FLEAGLE: Further discussion.

17

18 (No comments)

19

20 CHAIRMAN FLEAGLE: Ready for a motion.

21 Geoff.

22

23 MR. HASKETT: Okay. I'm going to make
24 a motion to defer this Proposal 92, and I'll provide my
25 rationale opposition -- I was going to be in
26 opposition. I'll provide my rationale to the motion if
27 I get a second.

28

29 MR. BUNCH: Second.

30

31 CHAIRMAN FLEAGLE: There's your second.

32 Go ahead.

33

34 MR. HASKETT: Okay. I understand
35 Eastern Interior's rationale to defer the proposal
36 until the black bear study is completed, and I think
37 that will give us some additional information we could
38 use, so I'm going to go ahead and agree with the
39 Council to -- I think it's a good idea to defer the
40 proposal, stating we'll have more information from the
41 study and the planning process.

42

43 CHAIRMAN FLEAGLE: Discussion.

44

45 (No comments)

46

47 CHAIRMAN FLEAGLE: I'll support the
48 motion to defer. I don't think based on the
49 information present there was enough information that
50 would warrant the increase to five, but considering

1 that there's further research ongoing and this may be a
2 legitimate request.....

3

4 I shouldn't have said it that way. All
5 these requests that come to us are legitimate. We
6 determine whether or not we enact them into regulation.

7

8 But, yeah, I would support the motion
9 to defer.

10

11 Is there any further discussion.

12

13 DR. KESSLER: Mr. Chair.

14

15 CHAIRMAN FLEAGLE: Wini.

16

17 DR. KESSLER: Is there a timeframe
18 associated with the deferral?

19

20 CHAIRMAN FLEAGLE: Go ahead, Geoff.

21

22 MR. HASKETT: As I understand, this is
23 kind of like the one we talked about yesterday, that we
24 could have that set up for the January 11 meeting. The
25 study's supposed to be done I think sometime in the
26 near future.

27

28 CHAIRMAN FLEAGLE: Any objection to
29 that.

30

31 MR. PROBASCO: The next wildlife cycle.

32

33 CHAIRMAN FLEAGLE: Yeah, the next
34 wildlife cycle.

35

36 Okay. Clarification. Want to do it
37 next available opportunity?

38

39 MR. HASKETT: Yes, next available
40 opportunity which I'm thinking we could do for the
41 January meeting.

42

43 CHAIRMAN FLEAGLE: Yeah, it's similar
44 to the wording we did on the last deferral, which is no
45 later than the next wildlife meeting, but if an
46 opportunity arises prior to that, we could take it up.

47

48 MR. HASKETT: That would work with me.

49

50 CHAIRMAN FLEAGLE: Okay. Any

1 objection.

2

3 (No objection)

4

5 CHAIRMAN FLEAGLE: A friendly amendment
6 there.

7

8 Go ahead, Sue.

9

10 MS. ENTSMINGER: Thank you, Mr. Chair.
11 When you do a deferral like that, and you're publishing
12 the books on a two-year cycle, is that correct? And if
13 you took something up and had a season, would it still
14 go in effect between? You know, it wouldn't be in the
15 book, but when you pass a regulation, there would be an
16 additional regulation that's not in the book?

17

18 CHAIRMAN FLEAGLE: I'm not sure I
19 understand the question. Polly.

20

21 DR. WHEELER: I do, because I had the
22 same question yesterday. And the answer is, yes, it
23 would be published in the Federal Register. And then
24 what we could do is issue an errata sheet, or an update
25 sheet for the handy-dandy. I mean, the handy-dandy we
26 only publish every two years, but we can make it -- you
27 know, we could put it on our website, we can do some
28 other stuff there. But it would be a regulation,
29 because it's in the Federal Register.

30

31 Mr. Chair.

32

33 MS. ENTSMINGER: Thank you.

34

35 CHAIRMAN FLEAGLE: Bombard leaflets
36 into the rural communities.

37

38 (Laughter)

39

40 CHAIRMAN FLEAGLE: Are we ready for the
41 question on the motion to defer.

42

43 (Board nods affirmatively)

44

45 CHAIRMAN FLEAGLE: The question's
46 recognized on Proposal 92.

47

48 Pete, please poll the Board.

49

50 MR. PROBASCO: Thank you, Mr. Chair.

1 Final action on WP10-92, to defer the proposal. And
2 first this morning is Mr. Fleagle.

3

4 CHAIRMAN FLEAGLE: Yes.

5

6 MR. PROBASCO: Ms. Masica.

7

8 MS. MASICA: Yes.

9

10 MR. PROBASCO: Ms. Kessler.

11

12 DR. KESSLER: Yes.

13

14 MR. PROBASCO: Mr. Bunch.

15

16 MR. BUNCH: Yes.

17

18 MR. PROBASCO: Ms. Dougan.

19

20 MS. DOUGAN: Yes.

21

22 MR. PROBASCO: And then Mr. Haskett.

23

24 MR. HASKETT: Yes.

25

26 MR. PROBASCO: Motion carries, 6/0.

27

28 CHAIRMAN FLEAGLE: Thank you. We now
29 move to Proposal 93 dealing with 25D moose. Don.

30

31 MR. RIVARD: The analysis for Proposal
32 WP10-93 starts on Page 953 of your book.

33

34 Proposal WP10-93, submitted by Phillip
35 Solomon of Fort Yukon requests that the dates of the
36 Federal fall moose season for Unit 25D remainder be
37 changed from August 25th to September 25th to August
38 1st to October 1st, to provide an additional 30 days to
39 harvest moose.

40

41 The proponent states that due to low
42 moose harvest, high fuel prices, high food prices, and
43 the need to work, local residents need more time to be
44 able to harvest moose more opportunistically in
45 conjunction with other subsistence-related activities,
46 such as cutting and gathering firewood in early August.

47

48

49 If this proposal were adopted, the
50 additional 30 days of harvest opportunity would likely

1 lead to an increase in the amount of moose harvested.
2 This could lead to a conservation concern given the low
3 population size and density.

4
5 Meat spoilage is a primary concern with
6 the early August opening requested by the proponent.
7 In the Yukon Flats area, temperatures in early August
8 are variable, but have historically reached 80 to 90
9 degrees. Therefore meat will have a higher likelihood
10 of spoiling if harvest is allowed in early August.

11
12 The OSM conclusion is to support
13 Proposal WP10-93 with modification to only extend the
14 end of the season by six days. A six-day increase at
15 the end of the current fall season will provide for
16 some additional harvest opportunity consistent with the
17 proponent's request while addressing conservation and
18 meat spoilage concerns over a 30-day increase in the
19 fall season starting in early August.

20
21 The proposed modification regulation is
22 on Page 960.

23
24 Thank you. Mr. Chair.

25
26 CHAIRMAN FLEAGLE: Thank you, Don.

27
28 A summary of public comments, Ann.

29
30 MS. WILKINSON: Mr. Chairman. We did
31 not receive any public comments for this proposal.

32
33 CHAIRMAN FLEAGLE: Thank you.

34 Testimony. No?

35
36 MR. PROBASCO: No one's signed up, Mr.
37 Chair.

38
39 CHAIRMAN FLEAGLE: Regional Council
40 recommendation. Sue.

41
42 MS. ENTSMINGER: Yeah. Thank you, Mr.
43 Chair.

44
45 The Council supported the OSM
46 modification. And they were in support of the current
47 planning effort with the Fish and Wildlife Service and
48 the Fish and Game to analyze moose hunting regulations
49 in the area. The additional six days to the current
50 Federal regulations would not undermine that process

1 and will provide additional subsistence hunting
2 opportunities.

3

4 CHAIRMAN FLEAGLE: Thank you.
5 Department of Fish and Game comments. Tina.

6

7 MS. CUNNING: The Department and the
8 Yukon Flats Refuge will be examining regulations in
9 Unit 25D during the next year at the request of the
10 Eastern Interior RAC in an effort to align and simplify
11 the regulations. And that effort will involve all
12 communities in Unit 25D, and then we will be submitting
13 proposals as a result of that process to both the
14 Federal and the State Boards.

15

16 So we're neutral at the present time on
17 the option of the extension of six days that was worked
18 out through the modification. But the other option
19 would be for the Board to defer action until the State
20 and Federal analysis is done with the communities out
21 there to develop the regulation proposals more
22 comprehensively.

23

24

25

STATE OFFICIAL WRITTEN COMMENTS

26

27

28 Alaska Department of Fish and Game
29 Comments to the Federal Subsistence Board

30

31 Wildlife Proposal WP10-93:

32

33 Extend the fall portion of the moose
34 season in "Unit 25D, remainder" from August 25 through
35 September 25 to August 1 through October 1.

36

37 Introduction:

38

39 The proponent requests liberalization
40 of the Unit 25D Remainder fall federal subsistence
41 moose hunting season from a 31-day season to a 61-day
42 season. The proponent indicates liberalizing the
43 federal subsistence moose hunting season dates will
44 assist meeting Fort Yukon residents' needs.

45

46 Impact on Subsistence Users:

47

48 If adopted, federal subsistence moose
49 hunting opportunity in Unit 25D Remainder will double.
50 Federal subsistence moose hunters could

1 opportunisticly take moose earlier in August while
2 out in the field conducting other activities.

3

4 Opportunity Provided by State:

5

6 The state resident moose hunting season
7 is from September 10 through September 20 and February
8 18 through February 28 as either a general season or by
9 permit CM001, and the limit is one bull. The state
10 nonresident moose hunting season is September 10
11 through September 20, and the limit is one bull with
12 50-inch antlers or antlers with 4 or more brow tines on
13 at least one side. Additionally, residents may obtain
14 a community harvest permit for moose.

15

16 Conservation Issues:

17

18 There may be conservation concerns for
19 moose in Unit 25D due to its low density moose
20 population but, at present, there is no conservation
21 issue extending the season to the end of September for
22 a bull-only hunt for federally qualified users based on
23 current harvest levels. There may be some concerns
24 about meat spoilage during the first 25 days of August
25 but subsistence users are usually skilled at meat
26 harvest and transport without spoilage.

27

28 Other Comments:

29

30 The Department and Yukon Flats NWR will
31 be examining moose regulations in Unit 25D during the
32 next year at the request of the Eastern Interior
33 Regional Advisory Council in an effort to align and
34 simplify regulations between federal public and non-
35 federal lands. The Department intends to involve all
36 communities in Unit 25D and submit proposals to both
37 federal and state boards in the future.

38

39 Recommendation:

40

41 Neutral, but urge that that the Board
42 defer action until the state and federal analysis of
43 moose regulations is completed in 2010, as originally
44 requested by the Eastern Interior Regional Advisory
45 Council, to develop moose regulation proposals for both
46 the state and federal boards.

47

48

49 CHAIRMAN FLEAGLE: Thank you.

50 InterAgency Staff Committee comments. Polly.

1 DR. WHEELER: Thank you, Mr. Chair. In
2 addition to the standard comments, the Staff Committee
3 just wanted to suggest that should the Board adjust
4 season dates at this time, the Board might want to --
5 or should anticipate a subsequent set of proposals
6 seeking changes that may or may not coincide with this
7 action. Mr. Chair.

8

9 CHAIRMAN FLEAGLE: Thank you.
10 Discussion.

11

12 (No comments)

13

14 CHAIRMAN FLEAGLE: Are we ready for a
15 motion. Geoff.

16

17 MS. DOUGAN: Mr. Chair.

18

19 CHAIRMAN FLEAGLE: Ms. Dougan.

20

21 MS. DOUGAN: I move to adopt the
22 Proposal WP10-93 with the modified language as supplied
23 by OSM and found on Page 960 of the Board book. If I
24 receive a second, I'll explain my rationale.

25

26 MR. BUNCH: Second.

27

28 CHAIRMAN FLEAGLE: Go ahead.

29

30 MS. DOUGAN: I note that the Eastern
31 Interior RAC is supporting OSM modified language to add
32 only the six days at the end of the season. This is a
33 more reasonable request for lengthening the season I
34 think.

35

36 But I certainly feel the early August
37 dates in the original proposal were problematic because
38 of the high potential for meat spoilage.

39

40 And I did hear the State offer the
41 option that we should consider the deferral. So I'd be
42 willing to consider the thoughts of my fellow Board
43 members before I make my final decision.

44

45 Thank you.

46

47 CHAIRMAN FLEAGLE: Okay. We have a
48 motion to adopt 93 with modification, but there's some
49 opportunity to entertainment deferment. Open for
50 discussion. Other Board members.

1 What's the timeframe on the process,
2 the planning process? Does anybody know.

3
4 MS. CUNNING: My understanding is it's
5 this year, that their intent was -- yeah, I'm getting a
6 nod in the back back there, yeah, that we were
7 intending to have it done by this fall was my
8 understanding, or late fall, early winter, is to have
9 that completed.

10
11 Do you know any more, Pat?

12
13 MR. VALKENBURG: No, I don't know any
14 more. But I do recall from talking to Region 3 Staff
15 that there were going to be discussions this summer
16 both about black bears and moose harvest. And that's
17 my impression also, that it will be completed by the
18 end of this year.

19
20 CHAIRMAN FLEAGLE: Geoff.

21
22 MR. HASKETT: Just I'll go ahead and
23 confirm that my understanding is they're going to meet
24 in August and plan on being done by the fall.

25
26 CHAIRMAN FLEAGLE: All right. Well, I
27 was just thinking that if we were to defer this, this
28 would postpone an extension by at least a year it
29 sounds like, if perhaps not two years for the whole
30 cycle. Anyway, I just throw that out.

31
32 Further discussion.

33
34 (No comments)

35
36 CHAIRMAN FLEAGLE: There's no motion to
37 defer yet. The motion stands as it is to adopt an
38 additional six days, close on October 1.

39
40 Hearing no interest for an amendment
41 for deferral. Are we ready for the question.

42
43 (Board nods affirmatively)

44
45 CHAIRMAN FLEAGLE: The question's
46 recognized on Proposal 93. Pete.

47
48 MR. PROBASCO: Thank you, Mr. Chair.
49 Final action on WP10-93 to adopt the proposal with
50 modification consistent with the Eastern Interior

1 Regional Council's recommendation to extend the season
2 six days.

3

4 Ms. Masica.

5

6 MS. MASICA: Yes.

7

8 MR. PROBASCO: Ms. Kessler.

9

10 DR. KESSLER: Yes.

11

12 MR. PROBASCO: Mr. Bunch.

13

14 MR. BUNCH: Yes.

15

16 MR. PROBASCO: Ms. Dougan.

17

18 MS. DOUGAN: Yes.

19

20 MR. PROBASCO: Mr. Haskett.

21

22 MR. HASKETT: Yes.

23

24 CHAIRMAN FLEAGLE: And Mr. Fleagle.

25

26 CHAIRMAN FLEAGLE: Yes.

27

28 MR. PROBASCO: Motion carries, 6/0.

29

30 CHAIRMAN FLEAGLE: Thank you, Don. We
31 now move on to Proposal 95 for 20C wolf. And we have
32 Tom Kron back at the table.

33

34 Welcome, Tom.

35

36 MR. KRON: Mr. Chair. Members of the
37 Board. Council Chairs. Proposal WP10-95 was submitted
38 by the Denali National Park and Preserve, and is co-
39 sponsored by the Denali Subsistence Resource
40 Commission. This proposal requests that the harvest
41 limit be reduced for wolf hunting in that portion of
42 20C within Denali National Park and Preserve.

43

44 The analysis for this proposal starts
45 on Page 971 of your Board book.

46

47 This proposal affects Federally-
48 qualified subsistence hunters from the communities of
49 Cantwell, Lake Minchumina, Nicolai, and Telida, and
50 those that have 13.44 permits to hunt in the portion of

1 Denali National Park that was established on December
2 2nd, 1980. These same subsistence users are
3 represented by the Denali Subsistence Resource
4 Commission which supports this regulatory change.

5
6 If this proposal is adopted, the
7 Federal harvest limit for wolf hunting would be reduced
8 from 10 per year to 6 in that portion of Unit 20C that
9 is within Denali National Park and Preserve. Under
10 Federal subsistence regulations, hunters would be
11 allowed to take one wolf from August 10 through October
12 31st, and an additional five wolves from November 1st
13 through April 30th.

14
15 There's no evidence that Federally-
16 qualified subsistence users have harvested any wolves
17 in Denali during the fall months, and no interest has
18 been expressed by these subsistence users in such
19 harvest opportunities.

20
21 The proposal provides a stairstepped
22 harvest limit that allows some opportunistic harvest in
23 the fall while attempting to restrict most of the wolf
24 harvest to the winter months.

25
26 Even if this proposal is adopted by the
27 Federal Subsistence Board, hunters would still be able
28 to take wolves under State regulations, those being
29 five-wolf limit from August 10th through April 31st in
30 Denali National Preserve lands.

31
32 As noted in the analysis, after the
33 proposal was submitted, the proponent clarified that
34 their intent was that the proposal only apply to that
35 portion of Denali National Park and Preserve within
36 Unit 20C.

37
38 The clarification in the proposal and
39 the analysis was presented to the Eastern Interior
40 Council and ADF&G at the winter 2010 Council meeting.
41 The same clarification is included in the first
42 paragraph of the discussion section in your Board book
43 on Page 972.

44
45 The regulatory wording recommended by
46 the Council and supported by local subsistence users,
47 the Denali SRC and OSM is found in your Board book on
48 Page 971.

49
50 Thank you, Mr. Chair.

1 CHAIRMAN FLEAGLE: Thank you, Tom.
2
3 Public comments. Ann.
4
5 MS. WILKINSON: Yes. We received two
6 comments opposing Proposal 10-95.
7
8 The Alaska Professional Hunters
9 Association stated that they have a high level of
10 respect for wolves, but believe that prey species
11 should be managed to provide maximum benefit to humans.
12 The Association also noted that this proposal is not in
13 keeping with the Board's mandate to provide important
14 subsistence opportunities.
15
16 The AHTNA Customary and Traditional
17 Council noted that some Cantwell residents are AHTNA
18 and hunt in Unit 20A. This proposal would give a non-
19 consumptive use priority over subsistence uses, which
20 would conflict with ANILCA's mandates.
21
22 And that concludes the public comments.
23
24 CHAIRMAN FLEAGLE: Okay. Thank you.
25 Before -- oh, well, go ahead. We don't -- public
26 testimony, Pete.
27
28 MR. PROBASCO: I have no one signed up.
29
30 CHAIRMAN FLEAGLE: Okay. Thanks. I
31 had Charlie Bunch wishing to address this.
32
33 MR. BUNCH: I had a question for Tom.
34
35 CHAIRMAN FLEAGLE: Yeah. Go ahead,
36 Charlie.
37
38 MR. BUNCH: Tom, who is the Denali
39 Subsistence Resource Commission? Who or what?
40
41 MR. KRON: Yeah. Mr. Chair. I think
42 that might be best directed to Amy Craver. She's the
43 -- or Sue.
44
45 MS. ENTSMINGER: Come to the table.
46 Why don't you come on up, Amy. She's the Staff from
47 the Park. She can describe it in more detail.
48
49 MR. BUNCH: Okay.
50

1 CHAIRMAN FLEAGLE: Welcome.
2
3 MS. CRAVER: Good morning, Mr. Chair.
4 My name is Amy Craver, and I'm the cultural resource
5 and subsistence manager for Denali National Park and
6 Preserve.
7
8 And the Subsistence Resource Commission
9 is a body that is made up of local subsistence users
10 that makes recommendations to Denali Park for hunting
11 and fishing regulations, management of our subsistence
12 resources for the Park.
13
14 CHAIRMAN FLEAGLE: And we understand
15 that this is established within ANILCA and this is
16 based on rural residents that have a customary and
17 traditional use for the park and preserve, correct?
18
19 MS. CRAVER: That's correct.
20
21 CHAIRMAN FLEAGLE: Jack.
22
23 MR. BUNCH: Thank you, Amy.
24
25 MR. REAKOFF: Mr. Chairman. I'm vice
26 chair of the Gates of the Arctic Subsistence Resource
27 Commission. They're set up under .805 of ANILCA.
28 They're to advise the Park Service and the Regional
29 Councils.
30
31 MR. BUNCH: Thank you.
32
33 CHAIRMAN FLEAGLE: Thank you.
34 Regional Council recommendation.
35
36 MS. CAMINER: Mr. Chair.
37
38 CHAIRMAN FLEAGLE: Judy, go ahead.
39 Sorry.
40
41 MS. CAMINER: Sorry. I just had a
42 quick question for Amy. I know in the past there have
43 been people from Cantwell on the Subsistence Resource
44 Commission. Is that the case currently?
45
46 MS. CRAVER: Yes, that is the case. We
47 have two members from the Cantwell community that are
48 on our Subsistence Resource Commission. We've got Jeff
49 Burney and Marie Gore.
50

1 CHAIRMAN FLEAGLE: All right. Thank
2 you. Now we turn to Eastern Interior for
3 recommendation. Sue.

4
5 MS. ENTSMINGER: Okay. Thank you, Mr.
6 Chair.

7
8 I would like to say, too, I -- every
9 park in Alaska that was created with ANILCA, there's an
10 SRC. And I'm on the Wrangell-St. Elias SRC. And the
11 appointment is made from our RAC. And there's like
12 three RACs that do that. And we appoint someone from
13 our -- well, they can be from the community or an AC.

14
15 And that gentleman was at our meeting,
16 our appointment to the RAC -- I mean, to the SRC, and
17 they came to the meeting and we supported their -- it
18 was their proposal, and we supported it. And his
19 testimony had a lot to do with us supporting the
20 proposal.

21
22 CHAIRMAN FLEAGLE: Thank you, Sue.

23
24 Alaska Department of Fish and Game
25 comments. Tina.

26
27 MS. CUNNING: Before I get started on
28 our official comments, just to clear the record, ANILCA
29 .808 established the Subsistence Resource Commissions
30 for each of the park areas where subsistence hunting is
31 allowed. And there are seven of them. Three of the
32 members are appointed by the Secretary, three are
33 appointed by the Governor, and three are appointed from
34 the RACs.

35
36 And the purpose is to develop a
37 subsistence hunting plan or program and monitor those
38 issues that affect subsistence hunting in the parks.
39 In the statute, there's supposed to be consultation
40 with the locals, local advisory committees, the State
41 and the Federal agencies.

42
43 So that's ANILCA section .808.

44
45 CHAIRMAN FLEAGLE: Thanks for the
46 clarification.

47
48 MS. CUNNING: This proposal was
49 primarily promulgated by interests of the National Park
50 Service in reducing hunting of wolves within certain

1 periods of time within Game Management Unit 20.

2

3 If you look at the background, which
4 you haven't, because it's on the consensus agenda,
5 there were many wolf proposals that came before the
6 Federal Board this time asking for similar types of
7 cut-backs in wolf seasons either during the shorter
8 seasons or certain periods when there are other users
9 in the area. And uniformly those wolf reductions in
10 seasons and uses were opposed across the whole State.
11 This is the only one that received some support through
12 the SRC and consequently then through OSM's analysis.
13 We find it problematic that the exact same reasons for
14 dismissing the other wolf proposal reductions are not
15 acknowledged in the analysis for this proposal.

16

17 The proponent incorrectly assumes that
18 a bag limit reduction and bag limit seasonal
19 distribution will protect Federal subsistence hunting
20 and trapping by limiting opportunities for incidental
21 harvest of non-prime wolf hides. Hide value depends on
22 what it will be used for subsistence users. Hides that
23 are not prime are suitable for making warm items for
24 personal use, consistent with subsistence uses.

25

26 Additionally, the proponent indicated
27 adoption of this proposal will result in continuing
28 significant commercial value to the wolf-viewing
29 tourist industry, which, if impacted by Federal
30 subsistence harvest may result in unfavorable publicity
31 and increased pressure on the National Park Service to
32 curtail Federal subsistence activities. Data do not
33 indicate that viewing opportunity is diminished under
34 current Federal and State wolf hunting or trapping
35 regulations. Furthermore, subsistence is a purpose of
36 Federal public lands and a responsibility of the
37 National Park Service to educate visitors of the value
38 of the subsistence way of life protected by Congress.

39

40 If adopted, Federal subsistence wolf
41 hunters will have their opportunity to harvest wolves
42 in autumn and fall significantly restricted to one
43 wolf. In addition, the Federal subsistence wolf hunt
44 bag limit would be reduced by up to 50 percent during
45 the November 2 through April 30 portion of the season.

46

47

48 Data are needed to indicate what the
49 customary and traditional subsistence needs are for
50 subsistence users on Federal public land.

1 The current State wolf hunting season
2 and bag limit in all of Unit 20 is five wolves during
3 August 10 through May 31. A divided Federal season
4 with periods assigned bag limits will create
5 enforcement issues in an area with mixed land ownership
6 and cause confusion and problems among the users and
7 public, particularly where State regulations are
8 significantly different from Federal regulations.

9
10 If adopted, the earlier part of the
11 season in which only one wolf may be taken should end
12 October 31 to avoid the one-day overlap with the
13 November 1 season.

14
15 We oppose this recommendation. This
16 restriction is not necessary to provide for
17 conservation of wolves and would unnecessarily restrict
18 Federal subsistence opportunity without achieving the
19 proponent's desire to benefit non-consumptive users.

20
21 *****
22 STATE OFFICIAL WRITTEN COMMENTS
23 *****

24
25 Alaska Department of Fish and Game
26 Comments to the Federal Subsistence Board

27
28 Wildlife Proposal WP10-95:

29
30 This proposal, submitted by the
31 National Park Service, would reduce the federal
32 subsistence hunting bag limit for wolves in Game
33 Management Unit 20 from 10 wolves to 6 wolves and
34 establish bag limits within two specified periods
35 within the season. The proposed bag limits and season
36 dates are 1 wolf during August 10 through November 1
37 and 5 wolves during November 2 through April 30
38 remainder of the season.

39
40 Introduction:

41
42 The proponent and federal subsistence
43 proposal book were unclear regarding what portion of
44 Unit 20 the proposal addresses. The Department assumes
45 the proposal was intended to focus on the portion of
46 Unit 20 C within Denali National Park in the Kantishna
47 area near the Denali Park Road frequented by wolf
48 viewing tourists. The proponent incorrectly assumes
49 that a bag limit reduction and bag limit seasonal
50 distribution will protect federal subsistence hunting

1 and trapping by limiting opportunities for incidental
2 harvest of non-prime wolf hides. Hide value depends on
3 what it will be used for by subsistence users. Hides
4 that are not prime are suitable for making warm items
5 for personal use, consistent with subsistence uses.
6 Additionally, the proponent indicated adoption of this
7 proposal will result in continuing significant
8 commercial value to the wolf viewing tourist industry,
9 which if impacted by federal subsistence harvests, may
10 result in unfavorable publicity and increased pressure
11 on National Park Service to curtail federal subsistence
12 activities. Data do not indicate that viewing
13 opportunity is diminished under current federal and
14 state regulations. Furthermore, subsistence is a
15 purpose of federal public lands and a responsibility of
16 the National Park Service to educate visitors of the
17 value of the subsistence way of life protected by
18 Congress.

19

20 Impact on Subsistence Users:

21

22 If adopted, federal subsistence wolf
23 hunters will have their opportunity to harvest wolves
24 in autumn and fall significantly restricted to one
25 wolf. In addition, the federal subsistence wolf hunt
26 bag limit would be reduced by up to 50% during the
27 November 2 through April 30 portion of the season.
28 Data are needed to indicate what the customary and
29 traditional subsistence needs are by federal
30 subsistence users on federal public land.

31

32 Opportunity Provided by State:

33

34 The current state wolf hunting season
35 and bag limit in all of Unit 20 is five wolves during
36 August 10 through May 31.

37

38 Conservation Issues: None.

39

40 Enforcement Issues:

41

42 A divided federal season with period
43 assigned bag limits will create enforcement issues in
44 areas with mixed land ownership and cause confusion
45 among the public, particularly where state regulations
46 are significantly different from federal regulations.

47

48 Other Comments:

49

50 If adopted, the earlier part of the

1 season in which only one wolf may be taken should end
2 October 31 to avoid a one-day overlap with the November
3 1 season.

4

5 Recommendation: Oppose.

6

7 This restriction is not necessary to
8 provide for conservation of wolves and would
9 unnecessarily restrict federal subsistence opportunity
10 without achieving the proponent's desire to benefit
11 non-consumptive users.

12

13 CHAIRMAN FLEAGLE: Thank you. Pat
14 Valkenburg, additional comments.

15

16 MR. VALKENBURG: Yeah. I did have one
17 additional comment.

18

19 I wanted to make it clear for the
20 record that the Department and the Board has no
21 intention of implementing predator control in Game
22 Management Unit 20C, at least in this portion of it.
23 There was a proposal from a member of the Fairbanks
24 Advisory Committee for a predator control program in
25 Game Management Unit 20C. The Department opposed that,
26 and if it is contemplated in the future, the Board may
27 consider the area, the Department would strongly
28 recommend that the only area for consideration would be
29 north of the Rex to Toklat Hot Springs Trail and east
30 of the Toklat River, and that is -- so the basis for
31 our opposition to this proposal has nothing to do with
32 predator control.

33

34 CHAIRMAN FLEAGLE: Thank you, Pat.

35

36 InterAgency Staff Committee comments.

37

38 DR. WHEELER: The InterAgency Staff
39 Committee has no additional comments beyond the
40 standard comments at this time. Mr. Chair.

41

42 CHAIRMAN FLEAGLE: Thank you.

43 Discussion.

44

45 (No comments)

46

47 CHAIRMAN FLEAGLE: Questions.

48

49 (No comments)

50

1 CHAIRMAN FLEAGLE: Ready for a motion.
2 Sue.

3
4 MS. MASICA: Mr. Chairman. I move that
5 we support Proposal 10-95 as recommended by the RAC,
6 and can provide more explanation if I get a second.

7
8 MR. BUNCH: Second.

9
10 CHAIRMAN FLEAGLE: Go ahead.

11
12 MS. MASICA: Mr. Chairman. You've
13 heard that this proposal is supported by the RAC, but
14 also by the Denali National Park Subsistence Resource
15 Commission and the Park Service who had submitted this
16 proposal together.

17
18 As you've heard, the proposal would
19 apply only to Denali Park and Preserve lands in Unit
20 20C, not 20A which was also the point in one of the
21 comments.

22
23 The intent of the proposal is to
24 protect subsistence hunting and trapping by limiting
25 the opportunities for incidental harvest of wolves near
26 the park road during a September subsistence moose
27 hunt.

28
29 This proposal affects the subsistence
30 users who live near, within the park's resident zone,
31 or have a subsistence permit. These users are
32 represented by the SRC that's the co-sponsor of this
33 proposal.

34
35 It still provides for a harvest. The
36 total goes from 10 to 6 in the two periods that are
37 indicated.

38
39 To our knowledge, there's no member of
40 the Denali SRC or permitted hunter for this area who
41 has expressed an interest in taking wolf during the
42 fall moose hunting season that would be affected by
43 this change in terms of the wolf take.

44
45 So we recommend supporting the
46 proposal.

47
48 CHAIRMAN FLEAGLE: Discussion. Wini.

49
50 DR. KESSLER: Yeah. Yes, Mr. Chair.

1 Thank you.

2

3 In considering, you know, what basis we
4 would have for rejecting the Council's recommendation.
5 Of course, we're limited to the three factors and the
6 only one that has really been raised here is this one
7 of detrimental to the satisfaction of subsistence
8 needs. But again there's no evidence that Federally-
9 qualified users have harvested any wolves in Denali
10 during the fall months, and no interest has been
11 expressed by subsistence users who reside in close
12 proximity to park and preserve in such harvest
13 opportunities. So I could not in my mind see that it
14 would be detrimental to subsistence use, and I intend
15 to support the motion.

16

17 CHAIRMAN FLEAGLE: Other discussion.

18

19 (No comments)

20

21 CHAIRMAN FLEAGLE: I'm going to vote
22 against it. I find the opposite. I recognize that
23 it's reducing the take in the fall, but it's also
24 reducing the take in the winter months. And I think
25 that that definitely could be detrimental to
26 subsistence users as we heard from one of the public
27 commenters. And I also don't feel that it's supported
28 by substantial evidence that this action is necessary.
29 So I'm not going to support the motion.

30

31 Further discussion.

32

33 (No comments)

34

35 CHAIRMAN FLEAGLE: Ready for the
36 question. Pete, on Proposal 95, poll the Board,
37 please.

38

39 MR. PROBASCO: Thank you, Mr. Chair.
40 Final action on WP10-95 to adopt the proposal
41 consistent with Eastern Interior Regional Advisory
42 Council's recommendation. And first is Ms. Kessler.

43

44 DR. KESSLER: Yes.

45

46 MR. PROBASCO: Mr. Bunch.

47

48 MR. BUNCH: Yes.

49

50 MR. PROBASCO: Ms. Dougan.

1 MS. DOUGAN: Yes.
2
3 MR. PROBASCO: Mr. Haskett.
4
5 MR. HASKETT: Yes.
6
7 MR. PROBASCO: Mr. Fleagle.
8
9 CHAIRMAN FLEAGLE: No.
10
11 MR. PROBASCO: And Ms. Masica.
12
13 MS. MASICA: Yes.
14
15 MR. PROBASCO: The motion carries, 5/1.
16
17 CHAIRMAN FLEAGLE: All right. Thank
18 you. That concludes our Eastern Interior suite of
19 proposals.
20
21 And we're noting that there's people
22 gathering in the room that may wish to testify on
23 future proposals on our schedule. And if anybody here
24 wishes to speak to any proposals, you need to complete
25 a green card which is found out in the lobby of the
26 hotel here, at the Staff table, and turn in to the
27 Staff there. Please complete the form and return it to
28 the table in advance of the time that you wish to
29 speak, and an opportunity will be provided during each
30 proposal for public comment.
31
32 Anyone having materials or handouts for
33 Board members should provide 30 copies to a Staff
34 person at the OSM public contact table as well. The
35 OSM Staff that are at the table will log in your
36 document and will ensure it is routed for distribution
37 at the next break in the meeting. And we respectfully
38 request that people do not hand materials directly to
39 FSB members, but follow this process which ensures a
40 complete administrative record. Materials and handouts
41 for Board members will not be distributed outside of
42 break times.
43
44 Okay. With that we now move into
45 multi-region crossover proposals. Southcentral,
46 Eastern Interior. And first up is Proposal 27, and we
47 have Cole Brown with us. Good morning.
48
49 MS. BROWN: Good morning, Mr. Chairman.
50 Members of the Board and members of the Regional

1 Council. For the record my name is Coleen Brown,
2 wildlife biologist with OSM.

3
4 The analysis for this proposal begins
5 on Page 306 of your Book.

6
7 Proposal WP10-27 was submitted by the
8 Paxson Fish and Game Advisory Committee, and requests
9 that the harvest limit of two caribou in Units 13A and
10 B and the harvest limit of two bulls in Unit 13
11 remainder be changed to one caribou for all of Unit 13.
12 In addition, the proponent requests to rescind the
13 authority delegated to the Glennallen Field Office
14 Manager of the Bureau of Land Management to announce
15 the sex of the animals to be harvested.

16
17 The proponent is concerned that once
18 lands are conveyed, more lands will be opened to
19 subsistence harvest which will create the potential for
20 harvest beyond sustainable levels.

21
22 From 2007 to 2009 the Nelchina Caribou
23 Herd has remained relatively stable with approximately
24 33,000 caribou. This is slightly below the lower
25 threshold of the Alaska Department of Fish and Game
26 management objective of 35,000 caribou.

27
28 There has never been a year when
29 Federal harvest exceeded State harvest. The highest
30 Federal harvest occurred in 2005 with 615 caribou. The
31 State harvest for the same year was 2,177 caribou.
32 Since 2001 the State hunt has been the primary source
33 for harvest, accounting for 74 percent of the overall
34 harvest. On average, a majority of Federally-qualified
35 subsistence users typically only harvest one caribou.

36
37 In 2009 the Tier II subsistence hunt
38 was eliminated. Two hunts were added, a Tier I hunt
39 and, as previously talked about, the community AHTNA
40 harvest hunt for the residents of eight AHTNA villages.
41 To date, the Federal harvest is 341 caribou out of a
42 harvest quota of 1,000, and the State harvest between
43 those two is a combined 392. So combined harvest for
44 State and Federal currently, to date, is well below the
45 1,000 caribou.

46
47 The State of Alaska was required to
48 submit the final statewide selections to BLM by
49 September 30th, 2009, and they did that. But since
50 then, they have filed an extension request to re-

1 prioritize lands. So as of this moment we don't know
2 how much of those lands would go to the State and how
3 much would be Federal, making it premature, since final
4 conveyances could take more than a year to process.

5
6 Currently Federally-qualified
7 subsistence users may harvest two caribou on Federal
8 lands, which comprises approximately 10 percent of the
9 land in Unit 13.

10
11 If this proposal is adopted, it would
12 preemptively reduce the Federal harvest limit from two
13 to one caribou and adversely affect Federally-qualified
14 subsistence users.

15
16 In addition, rescinding the delegated
17 authority to allow the sex of the harvested animals to
18 be determined by the Glennallen Field Office Manager in
19 consultation with various other managers would reduce
20 the ability for in-season management and could have
21 deleterious effects on the population. Once land
22 conveyances have been achieved, the resultant effects
23 can be evaluated.

24
25 OSM conclusion is to oppose Proposal
26 WP10-27.

27
28 Thank you, Mr. Chairman.

29
30 CHAIRMAN FLEAGLE: Great. Thank you.
31 Summary of public comments, Ann.

32
33 MS. WILKINSON: Yes, Mr. Chairman.
34 There were three written public comments, two in
35 opposition to the proposal.

36
37 The Wrangell-St. Elias SRC opposes this
38 proposal. It would adversely affect subsistence users
39 by reducing subsistence opportunity. The conservation
40 concerns are minimal and can be addressed through
41 current delegation of authority.

42
43 The AHTNA Customary and Traditional
44 Council opposes this proposal. The Federal take of two
45 caribou needs to stay in place so that qualified users
46 can have their need met. If a moose is not harvested,
47 then two can be taken under the Federal system. If
48 there's ever a decline due to over-harvest of caribou
49 in Unit 13, then measures can be made.

50

1 There was one comment in support, and
2 that was by the Chairman of the Paxson Fish and Game
3 Advisory Committee. And his comment is to clarify
4 their proposal. The Advisory Committee felt that the
5 present wording may be confusing. The harvest limit
6 should be one caribou for all of Unit 13. And he said,
7 we wish to -- the sex of the animal to be taken to
8 follow the State of Alaska, excuse me, regulations,
9 whatever that may be on any given season.

10

11 Thank you.

12

13 CHAIRMAN FLEAGLE: Thank you. Do we
14 have anyone who wants to testify on this one, Pete?

15

16 MR. PROBASCO: No, Mr. Chair.

17

18 CHAIRMAN FLEAGLE: Thank you. Regional
19 Council recommendations. I'll start with Southcentral.
20 Judy.

21

22 MS. CAMINER: Thank you, Mr. Chair.

23

24 We had good discussion on this
25 proposal. A lot of people felt this was kind of a
26 what-if situation. We don't know what the final land
27 status will be, and when it occurs we can deal with it
28 at that point in time.

29

30 The population of the caribou and the
31 population of the hunters seem to be relatively stable.
32 We do have management plans in place.

33

34 So basically the Council felt that this
35 proposal would be detrimental to subsistence uses, and
36 there is no conservation concern at this point in time.

37

38 CHAIRMAN FLEAGLE: Thank you, Judy.

39 Sue.

40

41 MS. ENTSMINGER: Thank you, Mr. Chair.

42

43 One of the crossover proposals. People
44 in our region have a C&T on the caribou there. And our
45 Council voted to oppose it. We determined that it's
46 premature to know if the land selections in this area
47 may result in significantly more Federal land under
48 Federal jurisdiction, which may result in additional
49 caribou harvest. The herd is healthy and is currently
50 capable of supporting a two-caribou limit.

1 CHAIRMAN FLEAGLE: Thank you.
2 Department of Fish and Game comments. Tina.

3
4 MS. CUNNING: As the OSM analysis
5 explained, this is an area of much change happening
6 between the land conveyance process, and the big change
7 that the Board of Game made in 2009 at the request and
8 working with the local users out there.

9
10 As you heard from Craig Fleener
11 yesterday, the State provides for two alternative Tier
12 I hunts open to all residents, but geared towards two
13 separately recognized uses, the local community-
14 oriented subsistence use and the non-local, much more
15 individually-oriented use.

16
17 One thing that may not be clear to
18 folks is that within the Tier I community use provision
19 that was set up as requested by the local subsistence
20 hunters, the Federally-taken caribou are counted
21 against that total. And the same is true for that
22 portion of the Tier I hunt which is a drawing type
23 opportunity for individuals, is that their -- the
24 Federally-taken caribou also count against the total
25 number of animals available for that hunt.

26
27 So what you're left with is that the
28 more caribou taken under the Federal regulation, the
29 fewer are available for both communal hunting and
30 individual hunting. Thus, the higher the Federal bag
31 limit may lead to an overall decrease of subsistence
32 opportunities for the local rural users that it's
33 designed to protect.

34
35 We support reducing the bag limit to
36 one caribou for that reason. It provides the hunt that
37 under Tier I that was requested and carefully worked
38 out with the local users, maximizes the amount of
39 opportunity for local people in the area to participate
40 in their subsistence and traditional uses.

41
42 We oppose the removal of defined
43 delegated authority granted to the Federally-designated
44 Bureau of Land Management official. That designation
45 locally has worked very well. It's very careful. It's
46 a tough hunt, because there's so much interest in it,
47 and we do not want to have that delegated authority
48 removed.

49
50 Thank you.

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STATE OFFICIAL WRITTEN COMMENTS

Alaska Department of Fish and Game
Comments to the Federal Subsistence Board

Wildlife Proposal WP10-27:

This proposal would:

(1) reduce the bag limit for federal subsistence permittees in Game Management Unit 13 from two caribou to one and (2) remove delegated authority of the inseason designated federal official to assign sex of caribou harvested.

Introduction:

The amount of federal public land open to federal subsistence hunting in Unit 13 is about 2% of the unit. The federal subsistence hunt can exceed 50% of the yearly harvest quota. With increasing federal land ownership, individuals harvesting under federal subsistence regulations could significantly impact the caribou herd north of Denali Highway and could impact subsistence opportunity of federally qualified users hunting under the recently enacted State community harvest system that applies on all lands (federal, state, and private). Annual federal subsistence caribou harvests in Unit 13 have been as high as 600 animals. Total Nelchina Caribou Herd harvest quotas in recent years ranged from 1,000 2,000 caribou. The harvest quotas for both bulls and cows for the entire herd are set by the Alaska Department of Fish and Game prior to the hunting season each year. Quotas are based on modeling of annual herd size and composition data. Cow harvests are only recommended in years when the herd is within or above the population objective of 35,000-40,000.

Impact on Subsistence Users:

An average of 138 individuals (range = 84 204) from 2003 2007 reported taking two caribou. Federal subsistence regulations allow any federal hunter to be a designated hunter, so multiple caribou could still be harvested in households with two or more hunters.

1 negotiated and locally-oriented subsistence hunting
2 system adopted by the Alaska Board of Game for this
3 region, as requested by the users and applicable on all
4 federal and nonfederal lands in the area.

5

6

Enforcement Issues:

7

8

9 Enforcement of the herd harvest quota
10 is difficult with the federal program authorizing
11 multiple bag limits for individuals. Also, emergency
12 orders closing a season are less effective when hunters
13 can take more than one animal, especially when animals
14 are abundant during fall migrations near highways.
15 Further, enforcement issues could arise if Bureau of
16 Land Management and State-managed hunts allow different
17 sexes of animals to be harvested.

17

18

Other Comments:

19

20

21 The Department supports the flexibility
22 of defined federal inseason management authority for
23 the Nelchina Caribou Herd as long as the decisions do
24 not adversely affect herd conservation. This authority
25 is used to set the sex of animals to be harvested prior
26 to the hunting season and to restrict cow or bull
27 harvests inseason if necessary for conservation
28 purposes, similar to Department authority over State
29 hunts. The Department's Glennallen office has worked
30 hard to maintain this federal inseason management
31 authority, and the current system works well. This
32 authority is necessary to maintain consistency between
33 federal and State hunts for the benefit of caribou
34 hunters on an annual basis.

34

35

36 Removing the delegated authority to
37 announce the sex of caribou to be harvested by the
38 federal designated official will not necessarily impact
39 the federal subsistence harvest, but it could delay
40 implementation of management recommendations. If this
41 portion of the proposal is adopted by the Federal
42 Subsistence Board and the delegated authority to
43 announce the sex of the caribou to be harvested is
44 rescinded, the Bureau of Land Management designated
45 official will be required to annually submit a Wildlife
46 Special Action to the Federal Subsistence Board to
47 establish the sex of the caribou to be harvested.

47

48

Recommendations:

49

50

(1) Support reducing the bag limit to

1 one caribou. (2) Oppose removal of the defined
2 delegated authority granted to the federally designated
3 Bureau of Land Management official to announce the sex
4 of the caribou to be harvested.

5
6 CHAIRMAN FLEAGLE: All right. Thank
7 you.

8
9 InterAgency Staff Committee comments.
10 Polly.

11
12 DR. WHEELER: Mr. Chair. The
13 InterAgency Staff Committee has no additional comments
14 at this time beyond the standard comment. Thank you.

15
16 CHAIRMAN FLEAGLE: Great. Thank you.

17
18 Open for discussion.

19
20 (No comments)

21
22 CHAIRMAN FLEAGLE: Questions.

23
24 (No comments)

25
26 CHAIRMAN FLEAGLE: Comments.

27
28 (No comments)

29
30 CHAIRMAN FLEAGLE: Ready for a motion.

31
32 MS. DOUGAN: Mr. Chair.

33
34 CHAIRMAN FLEAGLE: Julia.

35
36 MS. DOUGAN: I move to adopt Proposal
37 WP10-27, and given a second I would like to speak in
38 opposition to that proposal.

39
40 MR. BUNCH: Second.

41
42 CHAIRMAN FLEAGLE: Proceed.

43
44 MS. DOUGAN: Mr. Chair. As mentioned
45 by both OSM Staff and the State, I think an underlying
46 piece of this proposal was the concern over the
47 changing land patterns and when those patterns might be
48 finalized. The BLM is very close to conveying most of
49 the lands that we're responsible for conveying, both to
50 Native Alaskans, Native corporations, and the State.

1 However, the State did adjust their
2 priorities for conveyance in this area within the last
3 probably six, eight months. I don't remember the date.
4 So we have been working together to then figure out how
5 we will move through that process. And I can assure
6 the Board the lands in this area will not be conveyed
7 this year. And I can't even be assured that they will
8 in the next year. So given that, I think that a
9 proposal based on fluctuating land ownership right now
10 is pretty speculative.

11
12 And it appears from the analysis that
13 the Nelchina Caribou Herd is reasonably healthy at this
14 time. The hunt is managed using an annual harvest
15 quota, and both State and Federal managers have
16 authority to close their respective hunts to avoid
17 exceeding that quota.

18
19 And I think in addition BLM's delegated
20 authority to announce the sex of animals that may be
21 harvested in an important management tool that can
22 actually aid in herd conservation. I see no reason to
23 rescind that authority at this time.

24
25 I intend to vote in opposition of this
26 proposal, and I note that both the Eastern Interior and
27 Southcentral RACs are also opposed for the same
28 reasons.

29
30 Thank you.

31
32 CHAIRMAN FLEAGLE: Thank you. Further
33 discussion.

34
35 (No comments)

36
37 CHAIRMAN FLEAGLE: I concur. I feel
38 that the justifications laid out by Ms. Dougan and what
39 are presented in the Staff analysis, I don't see any
40 action -- or any reason to take this action that would
41 restrict Federally-qualified subsistence users from
42 harvesting additional caribou under the current
43 regulations.

44
45 Are we ready for the question. It
46 appears so.

47
48 Pete, on Proposal 27, please poll the
49 Board.

50

1 MR. PROBASCO: Mr. Chair. Final action
2 on WP10-27, to adopt the proposal. And first up, Mr.
3 Bunch.
4
5 MR. BUNCH: Opposed. No.
6
7 MR. PROBASCO: Ms. Dougan.
8
9 MS. DOUGAN: No.
10
11 MR. PROBASCO: Mr. Haskett.
12
13 MR. HASKETT: No.
14
15 MR. PROBASCO: Mr. Fleagle.
16
17 CHAIRMAN FLEAGLE: No.
18
19 MR. PROBASCO: Ms. Masica.
20
21 MS. MASICA: No.
22
23 MR. PROBASCO: And Ms. Kessler.
24
25 DR. KESSLER: No.
26
27 MR. PROBASCO: Motion fails, 0/6.
28
29 CHAIRMAN FLEAGLE: Let's go ahead and
30 stand down for a 10-minute break, and we'll resume
31 after that with Proposal 28.
32
33 (Off record)
34
35 (On record)
36
37 CHAIRMAN FLEAGLE: Good morning. The
38 Federal Subsistence Board is back on record.
39
40 And we're resuming with Proposal 28.
41 And at the table we still have Coleen Brown. Welcome.
42 Good morning.
43
44 MS. BROWN: Good morning, Mr. Chairman.
45 Members of the Board and members of the Regional
46 Councils.
47
48 The analysis for WP10-28 begins on Page
49 324 of your meeting book.
50

1 Proposal WP10-28 was submitted by
2 Paxson Fish and Game Advisory Committee and requests
3 that the harvest limit of one antlered bull moose be
4 changed to one antlered bull moose per household for
5 Unit 13B, and that the season be changed from August
6 1st to September 20th to August 20th to September 30th.

7
8 Similar to the previous proposal, the
9 proponent is concerned that once lands are conveyed,
10 more lands will be open to subsistence harvest which
11 would create the potential for moose harvest in Unit
12 13B beyond sustainable levels.

13
14 From 2001 to 2007 there's a general
15 increase in the Unit 13B population. There has been an
16 increase in bull/cow ratios and calf/cow ratios are
17 stable.

18
19 The State general harvest season in
20 Unit 13 is the predominant source of moose harvest
21 under State regulations. Prior to 2009 the State Tier
22 II hunt provided a State subsistence opportunity. This
23 has been eliminated and a Tier I hunt and an AHTNA
24 community harvest hunt with a limit of one bull per
25 hunter has been established for residents of eight
26 AHTNA villages.

27
28 Currently the Federal harvest season in
29 Unit 13 allows for a longer subsistence opportunity for
30 Federally-qualified subsistence users, but takes only
31 one-quarter of the harvest compared to State users.
32 Annual reported harvest by Federal subsistence users
33 has been consistent from 2004 to 2007 with an average
34 of 33 bulls harvested while the State harvest was an
35 average of 123 bulls.

36
37 If the proposal was adopted, it would
38 shift the time of the harvest season and put the
39 harvest during the time of the rut, which would
40 increase vulnerability of the bulls.

41
42 There is an upward population trend of
43 moose in Unit 13B and can support the current harvest
44 regulations.

45
46 In addition, adoption of one permit per
47 household would reduce the opportunities for Federal
48 subsistence users to harvest moose in Unit 13B while
49 the State regulations have no such restrictions.

50

1 An accurate estimate of conveyed lands
2 and the effect of changing land status on the harvest
3 of moose are unknown at this time and would
4 preemptively and adversely affect subsistence users.
5 Once land conveyances have been achieved, the resultant
6 effects can be evaluated.

7
8 OSM conclusion is to oppose Proposal
9 WP10-28.

10
11 Thank you, Mr. Chairman.

12
13 CHAIRMAN FLEAGLE: Thank you. Summary
14 of written public comments. Ann.

15
16 MS. WILKINSON: Yes, Mr. Chairman. We
17 received one, and that one was in opposition. AHTNA
18 Customary and Traditional Council stated that, we do
19 not know what the take of moose will be in Unit 13B,
20 and a decision should not be made to shorten the
21 season. If over-harvest occurs, then action can be
22 taken to address the problem.

23
24 Federally-qualified subsistence users
25 need to have a longer moose season than the State
26 system allows so that subsistence needs can be met.

27
28 Thank you.

29
30 CHAIRMAN FLEAGLE: Thank you. Public
31 testimony. Pete.

32
33 MR. PROBASCO: I have no one signed up
34 for this proposal.

35
36 CHAIRMAN FLEAGLE: Thank you. Regional
37 Advisory Council recommendations. Judy.

38
39 MS. CAMINER: Thank you, Mr. Chair.

40
41 The Council opposed this proposal.
42 Many of the similar reasons from before. This is
43 restrictive to subsistence users. Another what-if
44 situation, as we just heard from Member Dougan, the
45 what-if is even going further into the future.

46
47 The Council also did not like the idea
48 of extending the hunting season into the rut season.

49
50 Thank you.

1 CHAIRMAN FLEAGLE: Thank you. Sue, for
2 the Eastern Interior?

3
4 MS. ENTSMINGER: Yeah. Thank you, Mr.
5 Chair.

6
7 The Eastern Interior supported the
8 proposal -- we're on 29. I just had a bad moment
9 there. It is 29, right?

10
11 SEVERAL: 28.

12
13 MS. ENTSMINGER: 28. I'm sorry. I'm
14 on the wrong one.

15
16 Opposed. The Council determined that
17 there is no evidence to support this proposal. There
18 is no reason to shift the moose season into the
19 breeding season.

20
21 CHAIRMAN FLEAGLE: Okay. Thank you.
22 Department of Fish and Game comments. Tina.

23
24 ** MS. CUNNING: Mr. Chairman. Our comments can
25 be found on Pages 334 and 335 of your book. There's
26 actually two parts to this proposal. Just to be sure
27 we're clear, that everyone was in opposition, including
28 the State, to shifting the moose season into the rut.

29
30 That would have been on the consensus
31 agenda except for us being in the lone point about
32 supporting that portion of the proposal regarding
33 changing the bag limit to one antlered bull moose per
34 household. That is currently in Federal regulations in
35 another portion of Unit 13. This would make the
36 regulation the same on both sides of the Denali
37 Highway. We'd actually like to see it applied to all
38 of Unit 13.

39
40 The reduction in the bag limit we do
41 not believe would impact Federal subsistence users.
42 During the five years from 2003 to 2007, only six
43 families took the second Federal subsistence moose, and
44 one family took three.

45
46 Given that we have a community harvest
47 program in effect here now, it's going to be really
48 important to monitor this. We realize this is going to
49 go down in defeat, but be aware that we are going to
50 come back with that -- once the community harvest

1 system is in effect, as lands change, to try to make
2 some more consistency in these regulations across Unit
3 13.

4
5 CHAIRMAN FLEAGLE: Okay. Thank you.
6 InterAgency Staff Committee comments. Polly.

7
8 DR. WHEELER: Thank you, Mr. Chair.
9 The InterAgency Staff Committee has no additional
10 comments beyond the standard comments. Thank you.

11
12 CHAIRMAN FLEAGLE: Thank you. Board
13 discussion.

14
15 (No comments)

16
17 CHAIRMAN FLEAGLE: Ready for a motion.

18
19
20 MS. DOUGAN: Mr. Chair.

21
22 CHAIRMAN FLEAGLE: Ms. Dougan.

23
24 MS. DOUGAN: Thank you, Mr. Chair. I
25 move to adopt Proposal WP10-28. And if I receive a
26 second, I will explain why I'm presently opposed to the
27 proposal.

28
29 DR. KESSLER: Second.

30
31 CHAIRMAN FLEAGLE: There's your second.

32
33 MS. DOUGAN: Thank you. With respect
34 to conveyance issues raised by this proposal, I'll
35 reference my earlier remarks during deliberations on
36 Proposal WP10-27. And to reiterate, it's very unlikely
37 that lands in this unit will be conveyed during the
38 cycle of the Board. However, should some of these
39 lands be conveyed, management authority -- excuse me.
40 Should some of these lands be conveyed, I think that
41 authority exists to alter the dynamics of the hunt.
42 And I feel the Federal Subsistence Board has the
43 ability to respond appropriately via a special action
44 request. However, I feel it will be very unlikely that
45 that will be necessary.

46
47 Similar to Proposal 27, once
48 conveyances are finalized, I think we should revisit
49 this issue. I could potentially be supportive of a one
50 permit per household requirement if it were applied to

1 both State and Federal hunts on Unit 13.

2

3 I note that both of the affected RACs
4 voted in opposition to the proposal for moving the hunt
5 into the rut and for lessening the overall hunting time
6 available for subsistence users. I am in agreement
7 with the position taken by the RACs and will oppose
8 this proposal.

9

10 CHAIRMAN FLEAGLE: Further discussion.
11 Charlie?

12

13 MR. BUNCH: Well, it seems to have the
14 same arguments that Proposal 27 does, and I would vote
15 to opposition of it.

16

17 CHAIRMAN FLEAGLE: Was that a call for
18 the question.

19

20 MR. BUNCH: Call for question.

21

22 CHAIRMAN FLEAGLE: The question's now
23 recognized on Proposal 28. Pete, please poll the
24 Board.

25

26 MR. PROBASCO: Thank you, Mr. Chair.

27

28 Final action on WP10-28 to adopt the
29 proposal. Ms. Dougan.

30

31 MS. DOUGAN: No.

32

33 MR. PROBASCO: Mr. Haskett.

34

35 MR. HASKETT: No.

36

37 MR. PROBASCO: Mr. Fleagle.

38

39 CHAIRMAN FLEAGLE: No.

40

41 MR. PROBASCO: Ms. Masica.

42

43 MS. MASICA: No.

44

45 MR. PROBASCO: Ms. Kessler.

46

47 DR. KESSLER: No.

48

49 MR. PROBASCO: And Mr. Bunch.

50

1 MR. BUNCH: No.

2

3 MR. PROBASCO: Motion fails, 0/6.

4

5 CHAIRMAN FLEAGLE: All right. We now
6 move on to Proposal 104. And we have a new person at
7 the table. Please introduce yourself.

8

9 MS. HYER: Good morning, Mr. Chairman.
10 Members of the Board and Council members. I'm Karen
11 Hyer and I'm a biologist with OSM.

12

13 And please turn to Page 1036. Wildlife
14 Proposal 10-104, submitted by Leif Wilson on behalf of
15 the Upper Tanana/40 Mile Advisory Committee requests
16 that a joint Federal/State drawing permit hunt for
17 Chisana Caribou Herd be established starting fall 2011.
18 The harvest quota would be in accordance with the
19 recommendations of the Chisana Caribou Herd Management
20 Plan.

21

22 If the Chisana Caribou Herd Management
23 Plan is not completed by the time the hunt is
24 implemented, the proponent recommends following the
25 draft management plan and establishing the harvest
26 limit as one bull and the hunting season would be
27 September 1st through September 30th.

28

29 A portion of the permits would be
30 issued for a Federal subsistence hunt and the rest of
31 the permits would be issued for a State hunt. The
32 proposal states that the allocation would be determined
33 by past harvest records.

34

35 The Chisana Caribou Herd is a small
36 herd that ranges between Alaska and southwest Yukon,
37 Canada. While on its Alaska range, the herd resides
38 primarily on Federal land within the Wrangell-St. Elias
39 National Park and Preserve within Unit 12. The Federal
40 lands occupied by the herd are currently closed to all
41 hunting.

42

43 There is a Federal customary and
44 traditional use determination for the caribou in Unit
45 12, which includes the Chisana Caribou Herd. This
46 determination is for all rural residents of Unit 12,
47 Dot Lake, Healy Lake, and Mentasta Lake.

48

49 Due to conservation concerns, all
50 hunting of Chisana Caribou in Alaska and Canada stopped

1 in 1994.

2

3

4 Data concerning the herd size and
5 composition can be found on Page 1041, Table 1. Based
6 on surveys conducted in 2005 and 2007, the population
7 is estimated to be around 700 animals. The next survey
8 is scheduled for October 2010.

8

9

10 Last year a planning process began to
11 develop a five-year international management plan for
12 the Chisana Caribou Herd through a cooperative effort
13 between the State, Federal, and Canadian agencies.
14 Currently the plan is in draft form, and it has not
15 gone out for public review.

15

16

17 The draft management plan recommends a
18 2 percent harvest quota, which given recent estimates
19 of herd size would equate to approximately 14 animals
20 being available for harvest. This harvest would be
21 split between Alaska and Yukon, resulting in as few as
22 seven animals harvested in Alaska.

22

23

24 If a hunt is established, the Board
25 needs to carefully consider whether or not the closure
26 should be lifted for all users or lifted only for
27 Federally-qualified users. While the level of
28 participation by Federally-qualified users is unknown,
29 it may exceed the harvestable surplus, which would mean
30 no animals would be available for harvest under State
31 regulations.

31

32

33 If the proposal is adopted and the
34 number of Federally-qualified users were to exceed the
35 harvestable surplus, an ANILCA section .804 analysis
36 would need to be developed in order to determine which
37 Federally qualified users are most dependent on the
38 Chisana caribou.

38

39

40 Recently, the Alaska Board of Game
41 supported a complementary proposal that would establish
42 the framework for the State if the Federal Subsistence
43 Board was to open the Federal hunt to all users.

43

44

45 OSM's preliminary conclusion entering
46 the Council meetings was to defer the proposal. You
47 will be hearing from the Councils directly with their
48 recommendations, but I will note what note what those
49 recommendations are as they relate to OSM's conclusion.

49

50

The Eastern Interior Regional Advisory

1 Council supported Proposal 10-104 with the intent of
2 starting the process towards a State/Federal drawing
3 hunt.

4

5 The Southcentral Regional Advisory
6 Council opposed the proposal, stating that opening a
7 hunt on the Chisana caribou without a final management
8 plan is premature.

9

10 Considering the approach being proposed
11 for this hun, would require support of both Councils,
12 the OSM conclusion moved to oppose. This is noted in
13 the addendum of the Staff analysis.

14

15 Two key components need to be in place
16 for the hunt to be established. First, the Chisana
17 Caribou Herd Management Plan needs to be finalized and
18 supported by all agencies involved with the herd.
19 Second, the 2010 census needs to be completed to
20 establish a harvestable quota.

21

22 Once the management plan and the census
23 are complete, the framework will exist to establish an
24 accurate harvestable quota and develop a hunt.

25

26 That ends my comments.

27

28 CHAIRMAN FLEAGLE: Great. Thank you.

29

30 Summary of public comments. Ann
31 Wilkinson.

32

33 MS. WILKINSON: Mr. Chairman. I have
34 received, had comments -- excuse me, summarized seven
35 comments. I just received two rather lengthy ones.

36

37 This one, I don't know who it's from.
38 Sue Entsminger. Do you want to speak to this one then?
39 It will be hard for me to summarize this lengthy thing
40 for her, since she's sitting right there.

41

42 CHAIRMAN FLEAGLE: Well, it's okay.....

43

44 MS. ENTSMINGER: Can I speak as a
45 public or.....

46

47 CHAIRMAN FLEAGLE: Pardon? The
48 question again, please. Sue, I'm sorry, I was
49 beginning to speak when you asked a question and I
50 didn't hear the question. What was the question,

1 please.

2

3 MS. ENTSMINGER: Yeah. I think I owe
4 everybody an apology. Not? Okay.

5

6 MR. PROBASCO: Let me speak.

7

8 CHAIRMAN FLEAGLE: Pete.

9

10 MR. PROBASCO: Ms. Chair and Ms.
11 Entsminger. You as the Chair for your RAC can speak to
12 the RAC's recommendation. That does not preclude you
13 from speaking for yourself as a private individual, so
14 you have that ability as well. In the past we've had
15 chairs at this meeting fill out a testimony card and
16 then provide that testimony from their personal
17 perspective to the Board. And that's totally well
18 within your right.

19

20 MS. ENTSMINGER: Then the apology would
21 be I didn't fill out a card. And then there will be
22 some more apologies later.

23

24 CHAIRMAN FLEAGLE: If you desire to
25 testify on your personal behalf on this, we'll accept a
26 card. And if you do, reserve those comments until such
27 time as you're called to the chair over here where you
28 will not be sitting as the representative from the
29 Eastern Interior Council.

30

31 Okay. Just go ahead and summarize the
32 written comments that you had prior to that one,
33 please.

34

35 MS. WILKINSON: We received seven
36 comments, now eight, regarding this proposal. The
37 AHTNA Customary and Traditional Council adamantly
38 opposes this proposal. That Council recommends that
39 the hunt should be structured similar to the Cordova
40 moose draw permit hunt.

41

42 The Council stated that if the herd can
43 sustain a small hunt, it should be conducted within the
44 parameters of ANILCA, not a joint drawing permit hunt.
45 Federally-qualified subsistence users do have the
46 priority.

47

48 Leif Wilson, Craig Roach, Vanessa and
49 Brian Thompson, Mike Cronk, Sue Entsminger and Danny
50 Grangaard, all of the Tok area, support the proposal.

1 And also this one that I just received is from the
2 Chairman of the Fortymile -- excuse me, Upper
3 Tanana/Fortymile Advisory Committee, and they were in
4 support of this proposal as well.

5
6 Reasons given were that the proposal's
7 harvest plan is conservative and sustainable. The herd
8 can support a small harvest. Establishing a hunt will
9 elicit more public involvement and conservation of this
10 herd. This proposal fosters cooperative international
11 and multi-agency management.

12
13 Other comments that were made were to
14 support a positive customary and traditional use
15 determination for Chistochina. Human hunters, not
16 wolves or bears, should cull the herd. And hunters
17 give a first-hand account of the herd's status, which
18 helps the monitoring process.

19
20 Thank you, Mr. Chairman.

21
22 CHAIRMAN FLEAGLE: Great. Thank you.

23
24 Public testimony. Pete.

25
26 MR. PROBASCO: Thank you, Mr. Chair.

27
28 Our first person to testify on this
29 proposal, 104, is Wilson Justin.

30
31 CHAIRMAN FLEAGLE: Good morning.
32 Welcome, Wilson, and ask that you come to the
33 microphone at the center of the table, turn it on,
34 speak your name for the record, and begin with your
35 comments.

36
37 MR. JUSTIN: Thank you, Mr. Chair.
38 Wilson Justin. I work for Mulchatna Tribal Consortium,
39 a Title V compact organization in the upper Copper.
40 But I also represent Chisana Tribal Council's interest
41 in any and all deliberations before this Board and
42 other advisory councils on either hunting/fishing
43 regulations or cultural issues that comes up in these
44 public discourses.

45
46 I am going to -- there are a lot of
47 testimonies and corrective type of testimonies that I
48 could do on this issue, and it would take considerable
49 amount of time, so I'm going to limit my testimony to
50 several items, and begin by saying that Chisana

1 unilaterally opposes 104 and will continue to do so,
2 because Chisana has a government-to-government
3 relationship with the National Park Service. And we
4 believe that the deliberative process that is
5 undertaken by the National Park Service suits and
6 serves Chisana's activities well in terms of any
7 discussion of these types of games.

8

9 I am going to start on the Chisana Herd
10 proposal by referring to the name, Chisana Herd and
11 Mentasta Herd. In my estimation, it is completely moot
12 and irrelevant whether or not you call this herd
13 Mentasta or Chisana, and I will tell you why. These
14 designations came into being during the deliberations
15 by the big game hunting guides in the early 60s. The
16 guides who utilize the Chisana/Mentasta herd in Nabesna
17 drainage called them Mentasta herd. Those guides who
18 utilized the Chisana herd in the Chisana drainage
19 called them Chisana. This was a contest between guides
20 about who was going to be able to manipulate the Guide
21 Board in giving preference in taking those caribou in
22 the commercial guiding activities. So the name is
23 completely moot.

24

25 The designation of these caribou to my
26 people has already been one of two: Mountain Caribou
27 or the Medicine People Caribou. Now, the Medicine
28 People were referred to as Naltsiine. My dad, Chisana
29 Joe, Titus Joe and Titus John, four brothers, were from
30 Nabesna/Chisana. And my dad's buried at Nabesna, my
31 uncle, Chisana Joe as Titus Joe, is buried at Chisana.
32 Bill Joe, who is mentioned at adoptive father of Gillum
33 Joe from Chistochina, is a Naltsiine. He would have
34 been considered by all the other clan of the AHTNA
35 region to have a right, a preference of hunting for
36 those caribou. That's how our clan system work.

37

38 I will mention one other item before I
39 conclude my testimony. There has never been in my life
40 in any way, shape or form any contrary comments to the
41 issue of the fact that these caribou were always
42 designated as Medicine People Caribou all the way in to
43 Canada.

44

45 My last name, Justin, is properly a
46 derivative of a Canadian word that is adjus chuh'.
47 Now, in the Canadian clans, adjus chuh' means skilled
48 worker, designating Medicine People. That's why I have
49 the name Justin as along with other members of my
50 family.

1 The interplay in a cultural sense about
2 this caribou has been going on for thousands of years
3 in the Chisana/Nabesna/White River drainage. And that
4 cultural nuance has never been mentioned, recognized
5 or, in my estimation, properly respected in the
6 deliberations, and it angers me that I still have to
7 come to this process in this day and age defending
8 practices, belief, and a system that has been going on
9 for these thousands of years, and not see in any way,
10 shape or form the kind of testimony that would reflect
11 respect for those beliefs.

12
13 I conclude my testimony and I thank the
14 Council for the privilege of doing so.

15
16 CHAIRMAN FLEAGLE: Thank you, Wilson.
17 Questions from Board members.

18
19 (No comments)

20
21 CHAIRMAN FLEAGLE: Council reps.

22
23 (No comments)

24
25 CHAIRMAN FLEAGLE: Thank you. Very
26 good testimony.

27
28 MR. WILSON: Thank you.

29
30 CHAIRMAN FLEAGLE: And, Wilson, you are
31 quoted in the analysis, too, by the way on this
32 proposal, if you want to look in the book. So there is
33 some reference.

34
35 MR. WILSON: I'll go look.

36
37 CHAIRMAN FLEAGLE: Thank you. Further
38 testimony, Pete.

39
40 MR. PROBASCO: Yes, Mr. Chair. I have
41 two more individuals. And the next person is Mr. Wade
42 Willis.

43
44 MR. WILLIS: Thank you. And I
45 appreciate the opportunity to speak again on this
46 topic.

47
48 My name is Wade Willis. I'm an
49 Anchorage resident.

50

1 And I want to speak on the management
2 plan for the Chisana. I think the Federal Subsistence
3 Board, if you guys want to support opening up a hunt,
4 that you should have your intent to set the limit for
5 this hunt based on the final caribou management plan
6 and not try to set a number at this time.

7
8 I also want to address the State's
9 request to have a co-management status, co-permit.
10 This herd is basically on Federal land, and I think the
11 Board of Game has clearly shown that this herd is not a
12 priority for the residents of Alaska by finding a
13 negative C&T. I don't anticipate this herd ever having
14 a harvestable surplus in the near future that would
15 exceed what is necessary for the rural Federally-
16 qualified subsistence harvest.

17
18 And I just don't see any need for the
19 Federal Subsistence Board to consider giving half of a
20 harvest of only seven right now to a State Board of
21 Game. And the main reason I do not want to see that is
22 because my subsistence rights are not being protected
23 by the State as they so literally claim. We can look
24 throughout the draw hunts around this State and we can
25 see abuses of protecting my subsistence rights.

26
27 And two that I'll point out to you now
28 are in November up at the Board of Game meeting, they
29 allocated in a draw hunt for muskox, which we've just
30 now got enough muskox to start going around for
31 residents to harvest, right? They allocated, they
32 guaranteed 10 percent of a muskox drawing permits to
33 nonresidents. They didn't give the opportunity to
34 participate in a draw hunt, which to me seems
35 ridiculous that if we're in a draw hunt status, what
36 are we letting nonresidents in in the first place? But
37 they didn't just give them the opportunity to draw
38 these permits, they guaranteed them these permits.
39 That's a perfect example of where my subsistence rights
40 are being denied by the Board of Game.

41
42 Why does the Board of Game do this?
43 Because the Board of Game is biased towards supporting
44 commercial guiding. That is the flat -- when it comes
45 to allocating between subsistence residence and the
46 guiding industry, they will support the guiding
47 industry. They will say, the guiding industry is going
48 to get a percentage of this so that they can survive.
49 You can see it in the Chugach sheep hunts big time.

50

1 Another problem that I see with the
2 State wanting half, they're going to open this up to
3 possibly nonresidents. That was their -- my impression
4 of their intent at the Board of Game meeting in
5 Fairbanks. This is a woodland caribou herd, right?
6 Well, the guiding industry, they cater to trophy
7 hunters, right? Well, a woodland caribou is a
8 different kind of caribou than any other caribou in the
9 state, right? So this will be a highly prized caribou
10 for the guiding industry, because these rich guys can
11 have another kind of caribou from Alaska.

12
13 So we've seen in the sheep populations
14 where guides have gone down to the Lower 48 and
15 garnered thousands of applicants for out draw permits
16 and overwhelmed the residents in receiving draw permits
17 for sheep in the Chugach. So that's a perfect example
18 of the abuse of protecting my guiding -- or my
19 subsistence rights in this state.

20
21 I highly recommend you guys manage this
22 herd federally. And in the future, which it's going to
23 be a long ways away in my opinion, that that herd ever
24 got to have a harvestable surplus where the
25 nonresidents or non-Federally-qualified users could
26 have a stay, then you could take a look at co-managing
27 at that time. But at this time, stay Federal in my
28 opinion.

29
30 Thank you.

31
32 CHAIRMAN FLEAGLE: Thank you, Wade.
33 Questions.

34
35 (No comments)

36
37 CHAIRMAN FLEAGLE: Thanks for the
38 testimony.

39
40 Pete.

41
42 MR. PROBASCO: Yes, Mr. Chair. Our
43 final testifier on this will be Sue Entsminger.

44
45 CHAIRMAN FLEAGLE: Welcome, Sue, public
46 citizen.

47
48 MS. ENTSMINGER: Public seat, I see
49 that now. Thank you.

50

1 (Laughter)

2

3 MS. ENTSMINGER: Yeah, I like this side
4 better.

5

6 (Laughter)

7

8 MS. ENTSMINGER: Mr. Chairman and
9 members of the Board and the Councils. I feel like I
10 owe everyone an apology actually.

11

12 I distributed some comments that might
13 have not been thought out totally on my part. I'm
14 overworked right now. The day that I was to come down
15 here, I lost my favorite dog of 13 years, and it kind
16 of probably had an impact on what's on this paper right
17 here that I have distributed.

18

19 So I want to publicly apologize to
20 Wilson if anything in here has offended him, because I
21 feel so strongly about us all working together on these
22 issues. And we had a talk and we've concluded that we
23 do need to have more time to talk to each other and get
24 together. And I think that everything's gotten so busy
25 for everybody's lives any more that it's really hard to
26 do stuff like that. You make phone calls and someone's
27 at a meeting, or somebody's busy and you just don't get
28 together. And somewhere along the line I pray that we
29 can do that.

30

31 But, you know, I'm compelled to bring
32 out, to read this part of ANILCA to explain where I
33 might be coming from. And it's .801 where Congress
34 finds and declares that the continuation of the
35 opportunity for subsistence uses by rural residents of
36 Alaska, including both Natives and non-Natives, on
37 public lands, and by Alaska Natives on Native lands, is
38 essential to Native physical, economical, traditional
39 and cultural existence, and to non-Native physical,
40 economical, traditional and social existence, and that
41 being the difference between the Native and non-Native
42 is cultural and then non-Native is social.

43

44 And sometimes in the non-Native ways,
45 if there is some type of disrespect that they feel, it
46 isn't a disrespect. It's probably the difference
47 between the two cultures. I respect them deeply, and I
48 just feel like sometimes you have to bring out your
49 point of view on this.

50

1 And in this particular proposal, there
2 was a lot of time spent by the local people, and I
3 attended a lot of meetings. We attended them with the
4 Park Service. I got the OSM. I helped the advisory
5 committee. And I apologize if I'm mixing, I'm trying
6 not to do that. But there was so much work done within
7 the community, and it was something I'd just like to
8 see happen more is that.

9
10 And so at any rate, I will try to -- I
11 had talked to some people in the area that actually
12 have lived over there and hunted over there. And
13 there's actually a long history of the guiding industry
14 over there, and I guess I need to -- I feel like as an
15 individual I need to remind us that, I forget which
16 part of ANILCA it is, where you provide this commercial
17 interest that's in the RACs right now, that sometimes
18 it's hard to get all that out to you, and understand --
19 I don't know. I'm babbling. I'm sorry. It's really
20 hard. It's sensitive.

21
22 And I would like to see us continue
23 working towards this, because the local people feel
24 with the two systems, it's kind of cumbersome, you
25 know, to meet the two cycles. The Interior, is there's
26 a two-cycle, and then we have a two-year cycle, and
27 they don't always meet. And we need to figure out how
28 to work that together and have a respect for the people
29 that worked pretty hard on this proposal.

30
31 I'm going to stop there.

32
33 CHAIRMAN FLEAGLE: Thank you, Sue. I
34 haven't had a chance to completely read your written
35 document, but maybe if you would just summarize your
36 position on the proposal, whether you support the
37 proposal as presented.

38
39 MS. ENTSMINGER: I support going
40 forward with trying to start a hunt in the Chisana
41 caribou.

42
43 CHAIRMAN FLEAGLE: Okay. Thank you.
44 Questions.

45
46 (No comments)

47
48 CHAIRMAN FLEAGLE: All right.
49 Appreciate your testimony.

50

1 Any others.

2

3 MR. PROBASCO: That's it, Mr. Chair.

4

5 CHAIRMAN FLEAGLE: Thank you. Regional
6 Council recommendations. And we'll start with
7 Southcentral again. Judy.

8

9 MS. CAMINER: Thank you, Mr. Chair.

10

11 I would say, comment on Sue's personal
12 testimony, that certainly Southcentral RAC and all the
13 RACs support Section .801.

14

15 And that maybe in a way was the basis
16 of our concern, that this proposal clearly does need
17 more work, and it seemed preliminary to have an
18 allocation and a discussion of exactly how the hunt
19 would work before we had the draft management plan and
20 before we had the census. Now, we understand that no
21 decisions on an actual hunt would be made until those
22 pieces of information came in, but I think
23 unfortunately people ended up being very focused on the
24 details of how a hunt would actually occur.

25

26 So we'd heard a lot of testimony and
27 had quite a bit of discussion regarding the need
28 perhaps to do an .804 analysis, because as was
29 mentioned before, with a small number of animals
30 available for harvest, there needs to be some sort of
31 determination of who would be eligible for a potential
32 hunt, and a number would have to be decided upon, and
33 then look at how to divide it up a little bit more.

34

35 We did hear from Wilson at the time,
36 too, and we appreciated his comments about the
37 historical and cultural discussion that needed to be
38 part of the analyses and part of the deliberations
39 here, too.

40

41 There was also a lot of strong feeling
42 by the Council and other representatives that a local
43 person would be good to have on the management -- or on
44 the planning team. We understand there might be
45 difficulties, because of positions and who represents
46 whom and so on and so forth between Canada and the
47 U.S., but certainly this local knowledge is essential
48 towards getting a very good and complete plan.

49

50 They wanted Chistochina particularly

1 involved, and if it came to it, it looked like
2 Chistochina may need to apply for a customary and
3 traditional use should this herd be amongst one of the
4 ones hunted. Or should the area be one that would be
5 hunted, because they do not have C&T right now. We did
6 have an offer from the Park Service to assist
7 Chistochina, which was certainly very helpful to them.

8

9 So basically we wanted Chistochina to
10 be invited to the working group.

11

12 Our Council opposed this proposal,
13 mostly because it did not seem to be kind of ripe for
14 discussion yet. We did have some discussion about
15 delaying or deferring it. Some members felt that
16 deferring lets things languish too long, and that in
17 some ways that's harder for subsistence users. But
18 really a lot of people also said a new proposal might
19 look quite different after the management plan is
20 completed.

21

22 So our Council did oppose, felt that
23 subsistence needs needed to be determined. We couldn't
24 tell at this point really whether this would be
25 detrimental to subsistence users or not.

26

27 I think that concludes it.

28

29 CHAIRMAN FLEAGLE: Thank you, Judy.

30

31 Sue, for the Eastern Interior.

32

33 MS. ENTSMINGER: Yeah. Thank you, Mr.

34 Chair.

35

36 The advisory committee member from the
37 Upper Tanana/Fortymile was at our meeting and so he was
38 able to present it.

39

40 And, of course, there was many meetings
41 that occurred before that. I think that the Park
42 Service -- we met with the local Wrangell-St. Elias
43 Park Service, and I went, attended all the meetings of
44 the Upper Tanana/Fortymile. And it was a good joint
45 effort of working with the Department of Fish and Game
46 and the Park Staff to work out the proposal. The
47 advisory committee asked for OSM staff to be involved
48 in it.

49

50 And the proposal was put in as a

1 placeholder proposal. It was recommended that that be
2 how it be done, to start a proposal, because the
3 committee felt strongly that if you are going to work
4 on starting a hunt somewhere, you have to start
5 somewhere. They started two years ago putting the
6 proposal before the Board of Game, and the Park Service
7 had asked for this management plan to come into place,
8 which it is in its final status right now. And I think
9 during deliberation there will be more come out.

10

11 But we supported this proposal as
12 written, and felt that there was no reason to defer the
13 proposal. Although the population assessments are not
14 available as of yet for 2010, there is sufficient
15 information to support the Chisana Herd Management
16 Plan. The Council supported a similar recommendation
17 for a parallel State regulation to the Board of Game.

18

19 And I'll probably have some more as you
20 talk through the discussion.

21

22 CHAIRMAN FLEAGLE: Okay. Thank you.

23

24 Department of Fish and Game comments.

25 Tina.

26

27 MS. CUNNING: Mr. Chairman. Yesterday
28 we distributed copies to everyone of our revised
29 comments for Wildlife Proposal 10-104. It's a single
30 page.

31

32 This proposal establishes a joint
33 Federal/State drawing permit hunt for the Chisana
34 Caribou Herd starting fall 2011, following
35 recommendations in the draft management plan for the
36 Chisana caribou. That management plan is dated for
37 2010 to 2015. It was distributed by the Yukon
38 Department of Environment on April 22, 2010 for public
39 review.

40

41 In the 1980s and early 1990s, an
42 average of 29 Chisana caribou were harvested annually
43 with about 60 percent of the harvest taken by Alaska
44 residents who primarily used aircraft for access.
45 Access to the Chisana Caribou Herd is difficult and is
46 mostly limited to aircraft. Harvest by Federally-
47 qualified subsistence users in Unit 12 averaged less
48 than two caribou between 1981 and 1983, and 1990 to
49 1993.

50

1 We have genetic information that the
2 Chisana herd does not mix with the adjacent Mentasta
3 Caribou Herd. It is distinct from the other herds in
4 the Yukon and Alaska.

5
6 There are less than 10 permanent
7 residents living within the range of the Chisana
8 Caribou Herd, and there is no access by boat or road to
9 the area.

10
11 A joint Federal/State drawing permit
12 would ensure that a portion of the harvest is available
13 for Federal subsistence users on Federal public lands.

14
15
16 State regulations have not allowed
17 hunting for Chisana caribou since 1993. As you've
18 heard earlier, at the March 2010 meeting, the Alaska
19 Board of Game passed a regulation authorizing a joint
20 State/Federal permit drawing hunt beginning in 2011.
21 However, unless the Federal Subsistence Board passes
22 WP-104 or lifts the closure to hunting on Federal
23 lands, the new State regulation will have no effect.

24
25 Population data collected by USGS and
26 the Department of Fish and Game indicate that the
27 Chisana Caribou Herd has had a harvestable surplus of
28 bulls since 2003.

29
30 The draft Chisana Caribou Management
31 Plan recommends allowing harvest when the bull/cow
32 ratio does not fall below 35 per 100 and the calf
33 recruitment remains about 15 calves per 100 cows over a
34 three-year average. The sustainable harvest of bulls
35 was approximately 20 to 25 in fall 2009. And this
36 harvest would have no affect on the herd size.

37
38 The Chisana Caribou Herd Management
39 Plan will be a joint agreement on management between
40 the Yukon Department of Environment, White River First
41 Nation, Canadian Wildlife Service, National Park
42 Service, U.S. Fish and Wildlife Service, Department of
43 Fish and Game. The management plan will set guidelines
44 for a limited hunt on the Chisana herd while protecting
45 the herd from over-harvest.

46
47 We recommend supporting this proposal
48 under guidelines for a limited harvest shared between
49 Alaska and Canada as contained in the management plan,
50 and using a joint State/Federal permit to monitor

1 harvest in Alaska.

2

3 CHAIRMAN FLEAGLE: Thank you. Pat
4 Valkenburg, additional comments.

5

6 MR. VALKENBURG: Thank you, Mr.
7 Chairman. I just have a few additional comments.

8

9 I wanted to point out that the draft
10 management plan was circulated for review among the
11 cooperators about three weeks ago. We anticipate that
12 there will be a public review draft available sometime
13 this summer, so that plan is on track and probably
14 ahead of schedule. So I think it will certainly be
15 finalized in time to have a hunt in 2011.

16

17 I'd also like to direct the Board's
18 attention to Page 1041 in your book, to Table 1. Tina
19 mentioned that there has been a harvestable surplus in
20 the herd since 2003, and you can see in the table on
21 the left column, bulls per 100 cows. We have been
22 above the proposed prescription of 35 bulls per 100
23 cows in the draft management plan since 2003. In 2009
24 we had 49 bulls per 100 cows, which is a high bull/cow
25 ratio by any measure.

26

27 The other thing I would like to point
28 out is the second column there, calves per 100 cows.
29 There was some discussion about what the effect of the
30 captive rearing program was on the Chisana Caribou
31 Herd, and whether the cessation of the captive rearing
32 program was going to have much effect on the
33 harvestable surplus. And I think the take-home message
34 there is if you look at 2002, the increase in calf/cow
35 ratio from 2001 to 2002 was significant. Calf/cow
36 ratio tripled, and that was the year before the captive
37 rearing program started. So the effect occurred before
38 the treatment occurred. And then if you look again in
39 2008, in the year after the captive rearing program
40 ended, the effect remained there. So I think the
41 conclusion from that is, whatever effect the captive
42 rearing program had, which was approximately to protect
43 15 caribou calves per year, was relatively small. So
44 there's something going on with recruitment in the herd
45 besides the captive rearing program.

46

47 So I think in the future the
48 harvestable surplus, as in any small caribou herd,
49 needs to be determined through modeling by monitoring
50 the bull/cow ratio and recruitment. If recruitment

1 dries up, bull/cow ratio typically declines very
2 rapidly, and the harvestable surplus disappears. And
3 so I think it's critically important to continue to do
4 fall composition counts on this caribou herd, but it's
5 also quite clear that there is a harvestable surplus
6 and there has been one since 2003.

7
8 Also, going to the Board of Game
9 discussion at the meeting in early March, the Board had
10 a long discussion, came very close to designating the
11 herd as a positive C&T finding on the herd. They
12 backed away from doing that because of evidence that
13 the take by Federally-qualified subsistence hunters was
14 so small during the previous hunting season. At one
15 point they came very close to coming up with an ANS of
16 three to eight caribou, and then they decided on
17 reconsideration to not find for a positive C&T finding.

18
19 The one other thing that I want to
20 point out that's kind of interesting about the Chisana
21 herd is that the Federally-qualified subsistence users
22 who live closest to the resource are also involved in
23 guiding, and so even though a lot of the animals that
24 were taken in the previous general open seasons were
25 taken by guided hunters, the meat was used by
26 Federally-qualified subsistence users.

27

Thank you

28

29

CHAIRMAN FLEAGLE: Thank you, Pat.

30

31

32

STATE OFFICIAL WRITTEN COMMENTS

33

34

35

Alaska Department of Fish and Game
Comments to the Federal Subsistence Board

36

37

38

Wildlife Proposal WP10-104:

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Introduction:

In the 1980s and early 1990s, an

1 average of 29 Chisana caribou was harvested annually
2 with about 60% of the harvest taken by Alaska
3 residents, who primarily used aircraft for access.
4 During the last five years that hunting was open,
5 nonresidents took 58% of the harvest. Following a
6 decline in the herd in the early 1990s, hunting in
7 Alaska and Canada was stopped. Between 2003 and 2006,
8 a captive rearing program was conducted by Yukon
9 Department of Environment, which may have slightly
10 increased the number of calves recruited into the
11 population. From 2004 through 2008, the population was
12 stable and is estimated at 700-800 caribou. Access to
13 the Chisana Caribou herd is difficult and is mostly
14 limited to aircraft. Harvest by federally-qualified
15 subsistence users in Unit 12 averaged less than two
16 caribou between 1981-1983 and 1990-1993. The Chisana
17 Herd does not mix with the adjacent Mentasta Caribou
18 Herd or other herds in the Yukon and Alaska.

19

20 Impact on Subsistence Users:

21

22 There are less than 10 permanent
23 residents living within the range of the Chisana
24 Caribou Herd, and there is no access by boat or road to
25 the area. A joint federal/state drawing permit would
26 ensure that a portion of the harvest is available for
27 federal subsistence users on federal public lands.

28

29 Opportunity Provided by State:

30

31 State regulations have not allowed
32 hunting for Chisana caribou since 1993. At the March
33 2010 meeting, the Alaska Board of Game passed a
34 regulation authorizing a joint state/federal permit
35 drawing hunt beginning in 2011. However, unless the
36 Federal Subsistence Board passes proposal WP-104 or
37 lifts the closure to hunting on federal lands, the new
38 state regulation will have no effect.

39

40 Conservation Issues:

41

42 Population data collected by USGS and
43 the Alaska Department of Fish and Game indicate that
44 the Chisana Caribou Herd has had a harvestable surplus
45 of bulls since 2003. The draft Chisana caribou
46 management plan recommends allowing harvest when the
47 bull/cow ratio does not fall below 35/100 and calf
48 recruitment remains above 15 calves/100 cows over a
49 three year average. The sustainable harvest of bulls
50 was approximately 20-25 in fall 2009 and this harvest

1 would have no effect on herd size.

2

3

Other Comments:

4

5

The Chisana Caribou Herd Management Plan, 2010-2015, will be a joint agreement on management between Yukon Department of Environment, White River First Nation, Canadian Wildlife Service, National Park Service (Wrangell St. Elias), US Fish and Wildlife Service, and Alaska Department of Fish and Game. The management plan will set guidelines for a limited hunt on the Chisana Herd while protecting the herd from overharvest.

14

15

Recommendation:

16

17

Support, under guidelines for a limited harvest shared between Alaska and Canada, as contained in the management plan and using a joint state/federal permit to monitor harvest in Alaska.

21

22

CHAIRMAN FLEAGLE: InterAgency Staff Committee comments. Polly.

24

25

DR. WHEELER: Thank you, Mr. Chair.

26

27

The InterAgency Staff Committee recognizes that the Council recommendations on this proposal are split, as you've just heard. One in support and one in opposition. Deferring the proposal could be another course of action.

32

33

The National Park Service, the Fish and Wildlife Service, excuse me, and the Alaska Department of Fish and Game field staff have been working with their Canadian counterparts over the last year and a half on a management plan as you've heard again through the analysis and also some public testimony, for this small herd of caribou. The planning work and public review is not yet done however.

41

42

First, the draft management plan needs to undergo public review as Mr. Valkenburg just said. That should happen sometime this summer. And once that public review has occurred, the plan would need to be finalized by the international planning team.

47

48

Second, an updated population census, which is currently scheduled for fall 2010, also needs to be accomplished.

49

50

1 Third, several issues need to be worked
2 out within Alaska among Alaska Department of Fish and
3 Game, Federal Staff, and the public regarding
4 management of the proposed hunt, allocation of the
5 available animals between Federally-qualified and non-
6 Federally-qualified users, and other details of hunt
7 administration.

8
9 All of the issues raised by the
10 Southcentral Council need to be fully addressed and
11 sufficient opportunities for local input and broader
12 public involvement also need to occur. Regularly
13 scheduled fall 2010 and winter 2011 Council meetings
14 could be utilized to accomplish some of the needed
15 public review.

16
17 If all of the agency work and public
18 discussion within the next year, this proposal could be
19 put into a future Board meeting's agenda in 2011 if the
20 proposal were deferred at this point in time. In
21 summary, the end product of a vote to defer the
22 proposal could be the opening of a hunt in the fall of
23 2011 rather than in the fall of 2012, again based on
24 the supporting information. If all of the needed work
25 is not yet accomplished, the proposal simply would not
26 be brought before the Board until the next regular
27 cycle in 2012.

28
29 Mr. Chair, that concludes the
30 InterAgency Staff Committee comment.

31
32 CHAIRMAN FLEAGLE: Thank you, Polly.

33
34 Now open for discussion. Ms. Dougan.

35
36 MS. DOUGAN: Mr. Chair. Perhaps for
37 you or for Staff, I just think I need a little bit of
38 clarification. I listened to what Dr. Wheeler said,
39 but in the process, if the Board should choose to defer
40 the proposal until a time given, does it automatically
41 come back onto the agenda at that time?

42
43 CHAIRMAN FLEAGLE: Polly.

44
45 DR. WHEELER: Through the Chair. Yes,
46 our practice has been that if a proposal is deferred,
47 unless we get direction by the Board to hear it
48 earlier, it would come up at the next wildlife cycle,
49 which would be 2012. It will have the same number.
50 It's not going to have a new number so that people like

1 me won't be confused by that. But it will come --
2 unless we get directed other wise, it will come before
3 the Board at the next regularly scheduled wildlife
4 cycle.

5
6 MS. DOUGAN: Mr. Chair. If I could,
7 another question, please.

8
9 CHAIRMAN FLEAGLE: Go ahead.

10
11 MS. DOUGAN: And if we oppose, am I
12 correct in my assumption that a new proposal would need
13 to be submitted, come through the RAC as if it was a
14 new proposal?

15
16 DR. WHEELER: Yes. Again, through the
17 Chair. Yes, that's correct. If this Board were to
18 vote this proposal down, then anybody, public or agency
19 or anybody else could submit a new proposal for
20 consideration at the next wildlife cycle.

21
22 MS. DOUGAN: Thank you.

23
24 DR. WHEELER: Mr. Chair.

25
26 CHAIRMAN FLEAGLE: Pete.

27
28 MR. PROBASCO: Thank you, Mr. Chair.
29 Just to add to what Ms. Wheeler is saying, is also on
30 the deferred proposal, if it went to the next cycle,
31 that also would go back to the Council to review and
32 act upon accordingly. Mr. Chair.

33
34 CHAIRMAN FLEAGLE: Further discussion.

35
36 MS. CAMINER: Mr. Chair.

37
38 CHAIRMAN FLEAGLE: Sue. Okay. I've
39 got Sue first and then I'll call on you, Judy.

40
41 Go ahead.

42
43 MS. ENTSMINGER: Yeah. Thank you, Mr.
44 Chair.

45
46 I just wanted to make a few more
47 points. Especially, you know, I really think it's
48 important for us to be working together and I feel like
49 the Park Service did a lot of work working with
50 Advisory Committee, and I'd like to see that continue.

1 It was stated to the committee when
2 they put the proposal forth that it would -- they
3 didn't have to work out the details. The details could
4 be worked out later, because they didn't have the
5 details. So, you know, those kinds of things are
6 things that Dr. Wheeler had suggested that, you know,
7 don't worry about that. We'll work through the process
8 and we'll come up with the details of a hunt.

9
10 And I wanted to also point out that in
11 Unit 12, you know, it's not managed by herd, it's just
12 by caribou. And there's other opportunities in Unit
13 12, for people that have C&T there to hunt caribou in
14 Unit 12. The Nelchinas come up into Refuge, and
15 there's an opportunity to hunt there sometimes. And
16 then they also have C&T for the Fortymile caribou, so
17 they can hunt there. And I might be missing something,
18 but there's other opportunities. Some of the people in
19 Unit 12 can actually hunt in Unit 13 on that two
20 caribou limit. So I think if people are concerned
21 about things, that that's something that you have to
22 keep in mind.

23
24 And I also would like to bring out when
25 you took up WP10-32b, which was the GMU 7 and the
26 caribou where there was -- Southcentral actually said
27 up to five would go to C&T, and they still had the
28 State hunt, that this is the kind of thing that, you
29 know, I see you set a precedent by voting that way, and
30 that's the kind of thing that our local people are
31 after, is to see some joint effort between the State --
32 the Fortymile Caribou Herd, it's been a joint
33 State/Federal permit and it has worked well. And it
34 just -- I mean, they just wanted to stay away from Tier
35 II, and it's a way for all the agencies to be working
36 together.

37
38 And, you know, some people might
39 complain about the State in some of these hunts, but
40 it's -- you know, in our area we can't complain about
41 that. We think that works really great.

42
43 So I wanted to bring all of that out.
44 Thank you.

45
46 CHAIRMAN FLEAGLE: Thank you, Sue for
47 the additional comments.

48
49 Judy.
50

1 MS. CAMINER: Thanks. I was just going
2 to go back to the discussion on deferral or new
3 proposal. A deferral would have, my understanding, the
4 exact same wording as it has right now, and a new
5 proposal while dealing with the same area and resource
6 might look a lot different. So those might be two
7 other ways to look at it.

8
9 CHAIRMAN FLEAGLE: And a new proposal
10 may be based on the recommendations of the plan.

11
12 Other discussion. Sue.

13
14 MS. ENTSMINGER: Or you can amend and
15 add your details in.

16
17 CHAIRMAN FLEAGLE: Sue Masica.

18
19 MS. MASICA: That was just a
20 clarification I was looking for. If it was deferred,
21 there's also nothing that precludes, if the management
22 plan were to produce a result, that would result in a
23 proposal that would be significantly different from what
24 has been deferred, a new proposal could also be
25 submitted is that correct?

26
27 DR. WHEELER: Through the Chair. That
28 is correct.

29
30 CHAIRMAN FLEAGLE: Any or all of the
31 above, yeah. Pete's right.

32
33 Further discussion.

34
35 (No comments)

36
37 CHAIRMAN FLEAGLE: Are we prepared for
38 a motion. Ms. Masica.

39
40 MS. MASICA: Mr. Chairman. I move that
41 we defer Proposal WP10-104, and if I have a second, I
42 will speak to that further.

43
44 MR. BUNCH: Second.

45
46 CHAIRMAN FLEAGLE: Ms. Masica.

47
48 MS. MASICA: Mr. Chairman. It seems to
49 me one Council supports, one opposes. Deferring a
50 proposal in this case strikes me as a rational middle

1 ground with no downside. It does provide some
2 additional time for the cooperating parties who have
3 been working together on this to continue to do that
4 while the public comment that's been talked about, and
5 review to transpire, and also the additional survey
6 work that's planned to happen. It would certainly not
7 be my intent or thought that a deferral puts the
8 proposal on the back burner indefinitely. And perhaps
9 the deferral should be that it would be until the next
10 wildlife cycle or sooner if it's ready for the Board's
11 consideration.

12
13 It seems to me that that gives times
14 for the details and some additional information to be
15 gathered, and then we'll see where we go from there at
16 a point in the future.

17
18 CHAIRMAN FLEAGLE: Other comments.
19 Wini.

20
21 DR. KESSLER: Mr. Chair. It's always
22 cause for celebration when a population reaches
23 harvestable surplus and it's possible to open a hunt,
24 but also it's really important not to get the cart
25 before the horse, and it's very important to have this
26 plan done, and the census completed. And I think the
27 deferral motion will put things in the proper sequence
28 of allow that possibility, so I intend to support it.

29
30 CHAIRMAN FLEAGLE: Other comments.

31
32 (No comments)

33
34 CHAIRMAN FLEAGLE: I'm going to vote
35 against the motion to defer. I understand the
36 rationale for the motion, but I think based on the
37 testimony that we've heard, in addition to the one
38 Council's opposition, I think convinces me that this
39 proposal is premature, and that based on the outcome of
40 the management plan a true proposal could come forward,
41 as could other proposals from affect users. And I
42 think that would be the cleanest way in my mind to
43 allow the process to work.

44
45 Anyway, are we ready for the question.

46
47 (Board nods affirmatively)

48
49 CHAIRMAN FLEAGLE: The question's
50 recognized on Proposal 104. Pete, please poll the

1 Board.
2
3 MR. PROBASCO: Thank you, Mr. Chair.
4 Final action on WP10-104 to defer the proposal. Mr.
5 Haskett.
6
7 MR. HASKETT: Yes.
8
9 MR. PROBASCO: Mr. Fleagle.
10
11 CHAIRMAN FLEAGLE: No.
12
13 MR. PROBASCO: Ms. Masica.
14
15 MS. MASICA: Yes.
16
17 MR. PROBASCO: Ms. Kessler.
18
19 DR. KESSLER: Yes.
20
21 MR. PROBASCO: Mr. Bunch.
22
23 MR. BUNCH: Yes.
24
25 MR. PROBASCO: And Ms. Dougan.
26
27 MS. DOUGAN: Yes.
28
29 MR. PROBASCO: Motion carries, 5/1.
30
31 CHAIRMAN FLEAGLE: And for
32 clarification, that was also to defer to no later than
33 the next wildlife cycle. And if there were adequate
34 information available, the Board may take it up sooner
35 than that.
36
37 Judy.
38
39 MS. CAMINER: Mr. Chair. One thing I
40 think I heard Sue say yesterday, which I'd like to
41 mention to the Board, when we have these crossover
42 proposals, it sure might be useful for a member of the
43 away RAC, not the home RAC, to maybe teleconference in
44 for a specific proposal and just have that cross
45 communication early. It certainly would be helpful.
46
47 Thank you.
48
49 CHAIRMAN FLEAGLE: Pete.
50

1 MR. PROBASCO: Thank you, Mr. Chair.
2 And we have done that in the past particularly when
3 we've dealt with proposals on the Yukon most recently.
4 In fact, we've even gone as far as providing travel
5 support if the person could free up their schedule to
6 travel to that Council meeting. Whoever was first
7 would go on to the next one.

8
9 Mr. Chair.

10
11 CHAIRMAN FLEAGLE: Thank you. We have
12 now moved to multi-region crossover proposals for the
13 Western Interior and Yukon/Kuskokwim Delta. And we
14 begin -- okay. There's a request to stand down. Let's
15 take a 10-minute break.

16
17 (Off record)

18
19 (On record)

20
21 CHAIRMAN FLEAGLE: Good morning. We're
22 back on record. And Member Haskett was called out on
23 other pressing matters and we have Jerry Burg joining
24 the table for the Fish and Wildlife Service. Welcome,
25 Jerry.

26
27 With that, we're going to continue our
28 progress down our agenda. And we have up next Proposal
29 69.

30
31 Pippa Kenner. Thank you. Go ahead.

32
33 MS. KENNER: Thank you, Mr. Chair.
34 Good morning. For the record, my name is Pippa Kenner
35 with OSM, and the analysis for Proposal WP10-69 can be
36 found on Page 715 of your books.

37
38 Proposal WP10-69 was submitted by the
39 Kuskokwim Native Association, also known as KNA, and
40 requests the recognition of customary and traditional
41 uses of moose in Unit 21E for residents of Lower
42 Kalskag, Upper Kalskag, Aniak and Chuathbaluk.

43
44 Residents of the four communities have
45 demonstrated customary and traditional uses of moose in
46 a wide area accessible to them by snow machine,
47 snowshoes, and foot including the southern portion of
48 Unit 21E.

49
50 Available information supporting this

1 customary and traditional use determination, including
2 the results of annual household harvest surveys, Fish
3 and Game and Fish and Wildlife Service harvest ticket
4 and permit returns since 1983, the finding of
5 ethnographic studies describing areas used by the
6 communities to harvest moose, and the testimony at the
7 fall 2009 and winter 2010 Council meetings.

8

9 These communities are within 11 miles
10 of the Unit 21E boundary. However, it is difficult for
11 hunters to travel much past the boundary of Unit 21E
12 until winter when the area can be accessed by snow
13 machine.

14

15 The available information indicates
16 that the portion of Unit 21E south of Paimiut Slough is
17 the only area of Unit 21E that has been customarily and
18 traditionally used by the communities in the request.

19

20 Even though the proposal included Unit
21 21E in its entirety, the proponent stated that it was
22 the Paimiut Slough area that was customarily and
23 traditionally used to harvest moose by the four
24 communities based on testimony it had received from
25 residents in the communities, and it encouraged the
26 Western Interior Council to consider modifying the
27 proposed area to a portion of Unit 21E.

28

29 OSM modified the proposal in its
30 preliminary conclusion to include the southern portion
31 of Unit 21E, an area that should be interpreted as an
32 approximation of the area customarily and traditionally
33 used to harvest moose by the four communities. After
34 the Western Interior and Yukon-Kuskokwim Delta Council
35 meetings, OSM further refined the boundary. This is
36 the area defined in the analysis addendum and the final
37 OSM conclusion and on Map 4 on Page 733 of your Board
38 books.

39

40 The OSM conclusion is to support the
41 proposal with modification to include the area of Unit
42 21E south of Paimiut Slough as shown in Map 4.

43

44 Thank you, Mr. Chair. That's the end
45 of my presentation.

46

47 CHAIRMAN FLEAGLE: Thank you. Summary
48 of public comments. Ann.

49

50 MS. WILKINSON: Thank you, Mr. Chair.

1 We received one comment. It's actually a resolution
2 from the communities of Grayling, Anvik, Shageluk and
3 Holy Cross. And since resolutions are more significant
4 than a written comment, I'm going to go into this in a
5 little more detail.

6
7 They're saying that the history of
8 their people, that they defended this area and the area
9 up into the Innoko River from people downriver from
10 Paimiut Slough, and those from Anvik throughout
11 history. And whereas the Lower Kalskag, Upper Kalskag,
12 Aniak and Chuathbaluk are not historical customary or
13 traditional users of 21E, based on the aboriginal game
14 management of our area which existed before statehood,
15 and that of the territorial government; and whereas
16 those communities have historical customary and
17 traditional use within the area of 21E based on the
18 Federal program; and whereas there are records of
19 declining moose and caribou populations in Units 18 and
20 19, and that indicates poor management of these areas;
21 and whereas the villages of GASH retain the aboriginal
22 right to manage fish and game in their GMU to protect
23 fish and game for our families; they are resolved that
24 the people of Grayling, Anvik, Shageluk, and Holy Cross
25 declare the right to defend our GMU from increasing
26 hunting which would lead to the depletion of game for
27 our families; and they are resolved that they oppose
28 any propositions to hunt in GMU 12 -- excuse me, 21E
29 mentioned in this proposal.

30
31 Thank you. Oh, by anybody from
32 Kuskokwim Native Association now or at any time in the
33 future.

34
35 Thank you.

36
37 CHAIRMAN FLEAGLE: Okay. Thank you.
38 Pete, do we have any public testimony.

39
40 MR. PROBASCO: Polly.

41
42 CHAIRMAN FLEAGLE: Oh, Polly, excuse
43 me.

44
45 DR. WHEELER: Mr. Chair. Just for
46 point of reference, what Ann just referred to, what she
47 read from was handout 18 that was given out this
48 morning just so -- in the event you want to read it in
49 full.

50

1 Thank you, Mr. Chair.

2

3 CHAIRMAN FLEAGLE: Thank you. Pete.

4

5 MR. PROBASCO: Mr. Chair. We have a
6 fair number of that would like to testify. And as when
7 I get a bunch of testify cards, I do shuffle them, so
8 it doesn't go in the order that you handed them at the
9 desk.

10

11 So our first testifier will be Carl
12 Jerue.

13

14 CHAIRMAN FLEAGLE: Jerue.

15

16 MR. PROBASCO: Jerue. Excuse me.

17

18 CHAIRMAN FLEAGLE: Carl Jerue. Good
19 morning, Carl. Turn your microphone on, state your
20 name for the record and give your testimony.

21

22 MR. JERUE: Good morning. Thank you,
23 Mr. Chair. My name is Carl Jerue. I'm from Anvik.
24 I'm the First Chief of Anvik Tribal Council.

25

26 And I've been involved with moose
27 management in our area for the past 15 years or so.
28 And we've been working together with all users through
29 our moose management plans. And -- like I stated
30 during those meetings that we would be willing to work
31 with other areas if the moose population could sustain
32 that harvest. But judging from the past hunt from last
33 fall, we just can't see that the harvest -- that
34 additional harvest by additional users, cannot -- we
35 cannot sustain that.

36

37 And we did shut ourselves down a number
38 of times by closing the winter cow hunt. We shut that
39 one down.

40

41 We've been working together, like I
42 said, and we'd be willing to work with other areas, to
43 include them in hunts, but at this time I don't see
44 that the population can sustain this additional harvest
45 by other areas.

46

47 And I think I'll just leave it at that.
48 You've got a number of comments there. So thank you.

49

50 CHAIRMAN FLEAGLE: Thank you, Carl.

1 Questions.

2

3 (No comments)

4

5 CHAIRMAN FLEAGLE: Thanks for the

6 testimony.

7

8 Pete.

9

10 MR. PROBASCO: Next, Mr. Chair, we have

11 Mr. Tim Andrew.

12

13 CHAIRMAN FLEAGLE: Timothy Andrew.

14

15 MR. ANDREW: Good morning, Mr.

16 Chairman. Since this is a new day, I'll introduce

17 myself. My name is Timothy Andrew. I'm the director

18 of natural resources for AVCP.

19

20 Unit 21E was one of those areas that --

21 one of those areas that we used to be able to hunt

22 moose in when our moose populations were low both in

23 the Lower Kuskokwim area and also the Lower Yukon area.

24 In fact, a large number of people used to participate

25 in that fact both during the fall hunt and also the

26 winter hunt when it was authorized back then. And a

27 lot of people used to travel to that area to get their

28 moose from Bethel, and, you know, as a number of people

29 in Holy Cross told me that, you know, they'd see a

30 large influx of people come up with their big snow

31 machines and participate in that hunt.

32

33 But since the Federal management came

34 on line and the customary and traditional use

35 determinations came on, Russian Mission was the only

36 community that was authorized to hunt in the more

37 recent here.

38

39 But as far as the people that reside in

40 the areas that are proposing to be included in

41 customary and traditional use determination in 21E,

42 they are in a world of hurt right now. As you know,

43 Unit 19 moose populations are extremely low and

44 currently in the rebuilding stage. The former

45 Kuskokwim moose moratorium area is also in a rebuilding

46 stage and very limited opportunity to hunt. The only

47 healthy areas that these people might have an

48 opportunity to hunt would be in the Unit 18 remainder

49 or perhaps 21E if they were allowed to.

50

1 And I don't really know what the
2 harvestable surplus is like in 21E -- excuse me -- and
3 whether or not it can provide for more harvest by a
4 number of people that -- as proposed in the proposal.

5
6 But, you know, nonetheless it's a very
7 contentious issues between the two RACs, and I wish
8 there was a mechanism where we can develop a working
9 committee or a working group amongst the two RACs to
10 work out some of these issues, as this one, and come up
11 with some compromise or perhaps some workable solution
12 before coming to the Federal Subsistence Board. I know
13 it's going to be a hard decision on your behalf. But
14 if we had these working groups to work on these issues,
15 I think it would probably be a lot more of -- or less
16 of a heartache for you, the decision-makers. And, you
17 know, probably most likely be beneficial for the
18 proponents and those that oppose the proposal.

19
20 Thank you, Mr. Chair.

21
22 CHAIRMAN FLEAGLE: Thank you, Timothy.
23 Questions.

24
25 (No comments)

26
27 CHAIRMAN FLEAGLE: Thanks for the
28 testimony.
29
30 Pete.

31
32 MR. PROBASCO: Thank you, Mr. Chair.
33 The next person to testify is Mr. Peter Walker.

34
35 MR. P. WALKER: For the record I am
36 Peter Walker. I currently reside in Holy Cross. I'm
37 on the Anvik/Grayling/Shageluk State Fish and Game
38 Advisory Committee. I've been on the committee since
39 2003. And I've hunted in that area most of m life.

40
41 At the present time our moose
42 population is down to the point where the State could
43 come in, if it gets any lower to implement wolf and
44 predator control on State and private lands providing
45 private landowners give them permission to.

46
47 I speak in opposition to this proposal,
48 because, like I say, the moose population is already
49 down. With additional hunting pressure that we have
50 already from other areas in the State during the fall

1 hunt, as many as 40 percent of the people that reside
2 in Holy Cross don't get a moose in the September fall
3 hunt.

4

5 We could see maybe where if our moose
6 population built up as time went by, that then we
7 might, you know, go ahead and go with the proposal.
8 However, at this time, we don't see this as being good
9 for the moose population.

10

11 I've hunted, like I say, there and in
12 2008 I didn't get a moose. Last fall it took me two
13 weeks to get a moose.

14

15 We've been working with all user
16 groups, and they all know the problem, but it seems to
17 me as time go by that hunting pressure increased on one
18 side and then decreased from downriver in Unit 18 where
19 the moose are moving to.

20

21 And my question was as time go by, if
22 they're allowed to go in that area, would that expanded
23 to other areas northwest of Holy Cross and north of
24 Holy Cross where there is Federal land, or would you
25 just keep them at the boundary where they're proposing.
26 Either way it would be negatively impacted on the
27 subsistence users in that area and on the moose as
28 well.

29

30 CHAIRMAN FLEAGLE: Is that it, Peter?

31

32 MR. P. WALKER: Yeah.

33

34 CHAIRMAN FLEAGLE: Okay. Thank you.
35 Questions, Board members.

36

37 (No comments)

38

39 CHAIRMAN FLEAGLE: As far as the
40 question that you asked about the process, of course,
41 this proposal has been modified to reduce the area to
42 just a portion that's south of the Paimiut Slough.

43

44 And your question was whether or not
45 that this Board might consider expanding that again. I
46 think that the Board would be within its authority to
47 do so, but probably would tend not to, give that this
48 is the recommendation reached. So I hope that's a
49 clear enough answer. I mean, it's -- I don't think it
50 would -- well, I can't speak for what the Board is

1 going to do in the future, but when a proposal has some
2 level of consent between other groups, it -- the Board
3 doesn't tend to go above that. We did I think once
4 earlier in the meeting where we gave additional two
5 weeks of hunting to a moose population, but it's not
6 common.

7

8 MR. P. WALKER: Okay.

9

10 CHAIRMAN FLEAGLE: Thank you.

11

12 MR. P. WALKER: Thank you.

13

14 CHAIRMAN FLEAGLE: Pete.

15

16 MR. PROBASCO: Mr. Chairman. The next
17 person to testify is Mr. Robert Walker.

18

19 MR. R. WALKER: Good morning, Mr. Chair.
20 Members of the Board. I am sitting on Polly's left-
21 hand side usually, and when I'm on the RAC Board I sit
22 on the right-hand side.

23

24 Speaking to this, I am a member of the
25 Western Interior regional area RAC Board. One of the
26 things that we find on our RAC board is that when we
27 have our public meetings, we meet in the hubs now, not
28 in the villages any more. We're kind of like had this
29 the last five years. Jack could also relate to this
30 issue when we do talk about it. We don't have a lot of
31 input from the tribes any more, because we don't go to
32 the villages to hear their personal comments or, you
33 know, if they support or they oppose a proposal. And
34 this really has affected our way of doing things with
35 the RACs.

36

37 Now that we see where we have an issue
38 in 21E with proposal 69 here, that nobody didn't have a
39 chance to contest this, whereas they are speaking now,
40 and I am listening. And, you know, I think that you
41 should a hard point and take a listen to what they have
42 to say.

43

44 This could be a domino effect. We know
45 this already, because our RAC already dealt with the
46 Lower Yukon C&T proposal back in the early 2000 where
47 it escalated from one village to up to 12 villages, up
48 from 30 people up to 7,000 people, where, you know,
49 like we're going to have 7,000 people hunting in 21E
50 where there's only like 7500 moose and there's 400

1 hunters already there. Who's going to gain and who's
2 going to lose? I mean, this is something where you
3 have to look at and say, well, we're going to have to
4 draw a line here. Who's going to be the users? Are
5 we going to give people of the Kuskokwim C&T in 21E?

6
7 I know and you know that Region 6 is a
8 very big area that the Western Interior RAC have to
9 represent where it goes into Gates of the Arctic where
10 Jack lives all the way down to Russian Mission, to
11 Kalskag, up to McGrath on the Kuskokwim. And that's
12 where it resides. So we have a very diverse area where
13 we're the only probably people that have to put up with
14 other than just our own unit. You don't hear this from
15 further up in the Interior.

16
17 So I'm asking you to take a look at
18 this here. If you have to sit down and propose that it
19 be delayed until next year, maybe it should be. And
20 I'm asking you to do this, because I'd like to see more
21 people who would like to come and oppose or support
22 this.

23
24 Thank you, Mr. Chair. Members of the
25 Staff.

26
27 CHAIRMAN FLEAGLE: Thank you, Robert.
28 Questions.

29
30 (No comments)

31
32 CHAIRMAN FLEAGLE: Thank you for the
33 testimony.

34
35 Pete.

36
37 MR. PROBASCO: Thank you, Mr. Chair.
38 The next person to testify is Mr. Aaron Solomon.

39
40 MR. SOLOMON: Hello. I'm Aaron
41 Solomon. I represent the Grayling Tribal Council.

42
43 And we strongly oppose this, because of
44 the lack of moose. Maybe, you know, when I get older,
45 as old as these guys, you know, it might be a good
46 idea, but right now there's just so little moose and
47 there's so much hunters, adding new, adding more
48 hunters will just add to the problem.

49
50 That's all I've got to say. Thanks.

1 CHAIRMAN FLEAGLE: All right. Thank
2 you, Aaron.
3
4 Questions.
5
6 (No comments)
7
8 CHAIRMAN FLEAGLE: Thanks. Pete.
9
10 MR. PROBASCO: Next is Mr. Ken Chase.
11
12 MR. CHASE: One of the older guys has
13 to follow the young guy I guess.
14
15 (Laughter)
16
17 MR. CHASE: Mr. Chair. Members of the
18 committee. My name is Ken Chase. I am the Chair of
19 the GASH communities, Grayling, Anvik, Shageluk, Holy
20 Cross, Advisory group. I reside at Anvik and also have
21 a residence at McGrath.
22
23 I depend on subsistence probably 70
24 percent of my income at the present time, although I am
25 a registered Class A guide and transporter, and a Bush
26 pilot in this fall season for game.
27
28 I'm making a reference to the Proposal
29 69, and our committee met by teleconference on November
30 24 in '09. At that time all members voted to oppose
31 this proposal, the C&T for those four villages
32 mentioned. And a lot of discussion was made at the
33 time, and one of the points that day was this is kind
34 of hard, because we're looking at other groups of
35 people that are dependent on the resource as well as
36 trying to protect our interest in the use of this
37 resource. And we feel that in time, too, as other
38 people have said, that we may be able to work something
39 out.
40
41 And we also felt that proposal is a
42 little premature. The dialogue hasn't been well enough
43 between the user groups, the local people and the
44 people wanting intrusion to this and the Subsistence
45 Board.
46
47 During the first day of this meetings I
48 heard some pretty encouraging testimony or addressed
49 from the different people, and one of them was for the
50 State advisory groups and the Federal Board to have

1 better access to each other and sharing information, et
2 cetera, and that is very important I think. And this I
3 think was lacking in this proposal.

4

5 We work very close with the State, our
6 committee. And have a good working relationship with
7 the moose -- we have a moose management plan in place,
8 and if our moose get down to a point where we're
9 concerned with the Department's advice, we have a
10 predator control implemented that we hopefully can put
11 in place to sustain our moose population.

12

13 Excuse me. I attended my first RAC
14 meeting in Nulato on my own a few years ago, and then
15 as of late I've been going -- I went to the Galena RAC
16 meeting and also to the Fairbanks one in March. This
17 is a good start I think for the chairs of the advisory
18 committees to get to know the process.

19

20 And this is actually my first one with
21 the Federal Subsistence Board, so it's kind of an
22 awakening. And, Mr. Chair, I have to commend you for a
23 good meeting and a relaxed meeting, and very
24 informational.

25

26 My memory is getting a little short, so
27 I have to look at some notes.

28

29 The population, excuse me, in the four
30 villages that are requesting to get into the 21E is
31 double the amount we have in the four villages. And
32 the lower part of 21E, the part that's referred to, is
33 right now the largest population of moose in the
34 district 21E. And we can see problems arise from the
35 winter hunt where we have 40 moose allocated for the
36 winter hunt. And the Grayling area especially is
37 depleted for moose. They've had a hard time in the
38 last two, three, four, five years to get moose up
39 there. So if they had to travel that far, they would
40 be in competition with those people from the lower four
41 villages, which makes it double hard.

42

43 And those are some of the points that
44 we would like to make from the standpoint of the GASH
45 committee.

46

47 Like Robert said earlier, Robert
48 Walker, Mr. Walker, he's a member on the Western
49 Interior, and we also have another member from Holy
50 Cross. So there was two members on the RAC Interior

1 Board, and then one from Aniak. So this should be able
2 to be worked out, some sort of consensus before it
3 comes this far, you know, to this Board, and like I
4 say, I think it has to be looked at further.

5
6 And in closing I'd like to acknowledge
7 and thank the Western RAC Board for supporting our
8 committee in our efforts to introduce bison with the
9 State into our region. We have that program going
10 also, and the RAC has supported that. We appreciate
11 that.

12
13 And the four village councils'
14 resolution that was read to earlier, it was a bit harsh
15 I believe in my opinion, and I have to hope to say -- I
16 hope we can diffuse it a little bit and bring some of
17 that energy positively rather than negatively when we
18 discuss stuff.

19
20 I think the frustration was due to lack
21 of information and stuff in the early stages, so in the
22 future we hope we can improve that.

23
24 In closing, I'd like to say on the C&T,
25 too, that there is, say, knowledge of people from the
26 Kuskokwim area hunting in 21E. And I've been involved
27 in moose and management since the 1960s. I'm an old
28 guy. I've been back in -- I was in Bethel in the 1960s
29 meeting with a guy named Ray Baxter back when we first
30 put in the first controlled use area in Paradise
31 Management Area. And I've been involved in it ever
32 since. And moose in the early years were very, very
33 few down in that part of the country. And the people
34 there used pike and birds use on those areas. Moose, I
35 kind of disagree with that, but that's only my
36 thinking.

37
38 And with that, I thank you.

39
40 CHAIRMAN FLEAGLE: All right.
41 Appreciate the comments, Ken.

42
43 Questions. Jerry Berg.

44
45 MR. BERG: Yeah. Thank you, Mr. Chair.
46 And thanks, Ken, for attending, coming down to attend
47 the meeting and participate, and I appreciate all the
48 members that have come down from the GASH area.

49
50 I think there's always benefit of

1 having more dialogue between the different user groups
2 before we get to this stage. And you mentioned trying
3 to have a working group. But do you think if there was
4 more dialogue, do you think that would change the
5 information on the area of use that's kind of outlined
6 in the analysis, and/or the users, or -- because
7 there's quite a bit of information in the analysis to
8 support the users, and it seems like the use area was
9 in question, but there was a recommendation that came
10 forward from the Western Interior Council. Do you
11 think much of that would change from more dialogue if
12 given a chance?

13

14 MR. CHASE: I believe so. I think the
15 negative support for it now is because of lack of
16 dialogue, because of lack of at the grassroots level of
17 people knowing what was coming down. I know there was
18 a movement to change that area, 21, that's in question
19 and put it over into one of the other units and try to
20 deal with it like that. I don't know if that's the
21 right way or anything, but I think if more people, even
22 if -- I don't know if a working group is the word, but
23 not necessarily the political groups, but people off
24 the walk of -- regular walk of life would get involved
25 and come forth and discuss this, then I think we'd have
26 a better understanding or better reasoning to go either
27 way.

28

29 CHAIRMAN FLEAGLE: Other questions.

30

31 (No comments)

32

33 CHAIRMAN FLEAGLE: Thanks, Ken, again
34 for the testimony.

35

36 MR. CHASE: Thank you.

37

38 CHAIRMAN FLEAGLE: Pete.

39

40 MR. PROBASCO: Mr. Chair. Our next
41 testifier is Mr. Arnold Hamilton.

42

43 MR. HAMILTON: Hello. Yeah. I'm
44 Arnold Hamilton from Shageluk. I'm vice chairman of
45 the GASH. I should have came up before Ken did. He
46 stole my speech.

47

48 (Laughter)

49

50 MR. HAMILTON: Everything he said,

1 that's what we're doing. The only thing, you know, I'm
2 opposing this proposal from the Kuskokwim, because I
3 live in Shageluk, and in the -- I see they've said
4 traditional and customary. The only time they come
5 over is when they had big snow machines. They never
6 came -- they didn't even know how to run dogs over.
7 The only time they come over is, let's say, in the last
8 15 years when they come over to our country. They
9 never -- in the old days they didn't. I can -- I don't
10 want to embarrass those or get into that, but it's
11 never been that. They never come over. And then they
12 want.....

13

14 Another thing, too, is if they're going
15 to cut that boundary, okay, it's going to -- can we get
16 another piece of 21E? I mean, what's going to happen?
17 They've set the boundaries, and now if they do that, we
18 can -- anybody in the State can start moving boundaries
19 around.

20

21 So if you approve this, we can go up --
22 or go east towards McGrath and say we want a little bit
23 of this. They set the boundaries for -- let the
24 sleeping dog lie.

25

26 And that's our feelings from Shageluk.

27

28 And in closing, you know, Ken stole it
29 from me. I've been on this working group. You know,
30 we set up a moose management working group. We invited
31 people from Aniak and the Kuskokwim and Russian
32 Mission. Nobody came. It probably took about two
33 years and nobody came up to our meetings. And we got
34 the moose management plan in place now. But they
35 wouldn't -- we invited them.

36

37 And, you know, maybe a suggestion is
38 have a representative from Unit 18, 19 and 21E and have
39 a meeting in Shageluk, one person per village.

40

41 And in closing, I'd like to say I've
42 been on the -- Ken stole it, I've been on the wood
43 bison project. And we're bringing animals into the
44 Innoko country probably within the next year. And I
45 hope those old boys on the Kuskokwim don't try to steal
46 my animals.

47

48 (Laughter)

49

50 MR. HAMILTON: Thank you.

1 CHAIRMAN FLEAGLE: Thank you, Arnold.
2
3 Questions.
4
5 (No comments)
6
7 CHAIRMAN FLEAGLE: All right. Hearing
8 none. Next, Pete.
9
10 MR. PROBASCO: Thank you, Mr. Chair.
11 The next person to testify is Mr. John Aloysius.
12
13 MR. ALOYSIUS: Mr. Chair. I'm John
14 Aloysius, Jr. I'm representing the Holy Cross Tribal
15 there in Holy Cross. Excuse me.
16
17 I live there in Holy Cross. And as far
18 as -- I'm against the Proposal 69.
19
20 As far as that goes, there's a lot of
21 corporation land, Native allotments, and with that 5 to
22 10-mile area of 19A -- well, if you give an easement to
23 that 5 to 10-mile area, that's just like welcoming all
24 districts to come on in, you know. So I'm against
25 that.
26
27 And that's all I have to say here.
28
29 CHAIRMAN FLEAGLE: Okay. Thank you,
30 John.
31
32 Questions.
33
34 (No comments)
35
36 CHAIRMAN FLEAGLE: Next, Pete.
37
38 MR. PROBASCO: Thank you, Mr. Chair.
39 This will be the last person to testify, and it's Mr.
40 Mike Smith.
41
42 CHAIRMAN FLEAGLE: He was here
43 yesterday. Mike Smith. Has anybody seen him this
44 morning?
45
46 MR. REAKOFF: He was here and then he
47 left, I think.
48
49 CHAIRMAN FLEAGLE: He left. Last call
50 for Mike Smith. Ken's looking out in the lobby. He

1 had to catch a plane.

2

3 Okay. Well, that concludes public
4 testimony then.

5

6 And we can either break for lunch now
7 or get through the last of the reports and then break
8 for lunch and take up deliberation afterwards. What's
9 the pleasure of the Board.

10

11 MR. BUNCH: Get through.

12

13 (Laughter)

14

15 DR. KESSLER: Mr. Chair.

16

17 CHAIRMAN FLEAGLE: Wini.

18

19 DR. KESSLER: You know, in hearing the
20 testimony, and I really appreciate the individuals that
21 turned out, what I heard over and over is concern about
22 when there's not enough moose, who's going to get the
23 moose. And it might be useful to have a brief
24 explanation of what a C&T -- you know, what this
25 decision is before us, what that does or doesn't do,
26 and what actually happens when there has to be
27 decisions made about in times of shortage who's going
28 to get the moose or not. That might, I would hope,
29 help maybe allay some of the most severe concerns. It
30 might be a helpful exercise. Could we get that
31 explanation?

32

33 CHAIRMAN FLEAGLE: Sure we can do that
34 down under Item 7 where we get, you know, the
35 discussions, ask questions around the table, and I
36 think we should go ahead and go through with the other
37 reports before we get there.

38

39 All right. So Charlie wants to keep
40 moving, so let's go ahead.

41

42 Next is the Regional Council
43 recommendations. And we're going to go ahead and start
44 with the Western Interior. Jack, please.

45

46 MR. REAKOFF: Mr. Chairman. The
47 Western Interior Regional Council has dealt with this
48 issue with a special action request for the whole unit
49 of 21E from these communities in 19A. As you can see,
50 it's a very contentious area. There's a cultural

1 boundary there. And the Western Interior wrestled with
2 this cultural boundary.

3
4 Robert's right. Our hub community is
5 Aniak within the requested 19A, but we have had
6 meetings in 21E in Holy Cross. A pretty good turn out
7 in Holy Cross. An excellent turn out. We had evening
8 meetings with 50 people there.

9
10 And so we were working within what we
11 had. The Western Interior supported and modified the
12 boundary of the proposal to the Paimiut Slough up to
13 the upper banks, which are defined sandbanks and are
14 drawn Page 733 that was the Western sand banks on the
15 Paimiut Slough, and then drawn a line over, and this
16 would be found on Page 733 in your book, Map 4. That
17 was the Western Interior's delineation of where.....

18
19 We have Carl Morgan on our Council.
20 He's from Aniak. He gave testimony previously to having
21 used this area. And so to the Western Interior
22 Council's abilities, we have defined an area that -- we
23 had questions regarding Chuathbaluk's use. It was
24 pretty gray about their amount of use in 21E. We
25 included them in our final proposal, but I still wanted
26 to relay to the Board that I am a little bit gray on
27 their use. It's not real clear how much use they
28 actually had in 21E.

29
30 And so we wrestled with the aspects of
31 the winter hunt. There's a winter hunt in 21E, and
32 that was a huge calculation, because if you invite --
33 like allow a C&T, there will be lots of people that
34 will hunt and take the 40-moose quota. So we -- the
35 next proposal is 65, and so we wrestled with that
36 issue. We didn't want all of the harvest coming out of
37 one small area. We addressed that in our Proposal 65,
38 the winter hunt, and zoned that. And so the Western
39 Interior did a lot of work on this issue. And so our
40 recommendation was to define the area as the Paimiut
41 Slough to Molybdenum Mountain, from the upper banks,
42 the sand banks.

43
44 I do recognize and hear the testimony
45 that, you know, there are people that are from within
46 Unit 21E, that I feel that -- I feel for them. I would
47 have liked to have heard more testimony from them
48 myself.

49
50 So that's our position. Thank you.

1 CHAIRMAN FLEAGLE: Thank you, Jack.
2 And for the Yukon-Kuskokwim, do we still have Alex?
3
4 MR. PROBASCO: Ann.
5
6 CHAIRMAN FLEAGLE: Ann. Yukon-
7 Kuskokwim.
8
9 MS. WILKINSON: I'm sorry, sir, there
10 were no written public comments for this proposal.
11
12 CHAIRMAN FLEAGLE: Yukon-Kuskokwim
13 Council.
14
15 MS. WILKINSON: Oh, I'm sorry. Alex
16 isn't here. Okay. Sorry.
17
18 CHAIRMAN FLEAGLE: Alex is here. Would
19 you come up, Alex.
20
21 MS. WILKINSON: On the side. It's
22 okay.
23
24 CHAIRMAN FLEAGLE: Thank you, Ann.
25
26 Welcome back, Alex.
27
28 MR. NICK: Thank you, Mr. Chair. For
29 the record, my name is Alex Nick. I'm the coordinator
30 for Yukon Delta RAC.
31
32 Yukon Delta had a lengthy discussion on
33 this proposal and as it is in your book on Page 716,
34 Yukon Delta RAC supported WP 29 with modification
35 described in the OSM preliminary conclusion to include
36 on the Paimiut Slough area of Unit 21E, and you could
37 refer to Map 3, with an additional modification to keep
38 Chuathbaluk on the list of communities with a positive
39 customary and traditional use determination.
40
41 And do you want me to read that
42 modification into the record. Mr. Chair.
43
44 CHAIRMAN FLEAGLE: We have it. Thank
45 you.
46
47 MR. NICK: Yeah. And I'll just mention
48 on record that one of the discussions the Council
49 wrestled with during the deliberation was the --
50 because Chuathbaluk is close to the boundary, they felt

1 that there's at least some use of the area by the
2 residents of Chuathbaluk.

3
4 Mr. Chair.

5
6 CHAIRMAN FLEAGLE: Okay. Thank you,
7 Alex.

8
9 Department of Fish and Game comments.
10 Tina.

11
12 MS. CUNNING: Mr. Chairman. There were
13 11 C&T proposals before the Federal Subsistence Board
14 at this meeting. Five of those had sufficient
15 substantial evidence of use by a community or
16 individual of a particular population in the specific
17 area for us to be able to support the decisions. And,
18 hence, those five were on the consensus agenda. Six
19 are on the consensus agenda. This one is the last of
20 those.

21
22 We generally supported with
23 modification with C&T proposal because it does provide
24 more information closer to the sufficiency of
25 information that the court requires and that your
26 regulations require of community use of a particular
27 species in a particular area. However, there is still
28 some question about how the boundary modifications are
29 made and who has which use.

30
31 As you heard from the testimony here,
32 not only is there a sufficiency of information
33 important for making the C&T determination for who has
34 that subsistence priority, but that same information
35 then becomes critically important when you go into
36 .804, which is what these people are concerned about,
37 is moving into an .804 situation if there's
38 insufficient moose to support the harvest. So making
39 decisions by community of the area of use by that
40 species is very important for this Board.

41
42 We are, as I said, supporting this
43 proposal in general as modified, because there is more
44 information developed based on your eight factors in
45 the analysis, and it's unfortunate that it isn't on the
46 record. But we also note that there are three
47 Subsistence Division household annual surveys which
48 provided a fair amount of information. And there also
49 were a number of ethnographic studies done in these
50 areas with these communities that support this

1 decision.

2

3 Thank you.

4

5 *****

6 STATE OFFICIAL WRITTEN COMMENTS

7 *****

8

9 Alaska Department of Fish and Game
10 Comments to the Federal Subsistence Board

11

12 Wildlife Proposal WP10-69:

13

14 Submitted by Kuskokwim Native
15 Association, this proposal requests a positive finding
16 of customary and traditional use of moose in Game
17 Management Unit 21E by residents of Lower Kalskag,
18 located in Unit 18, and by residents of Upper Kalskag,
19 Aniak, and Chuathbaluk, located in Unit 19A.

20

21 Customary and Traditional

22 Determination:

23

24 For the most part, the analysis appears
25 to be complete and accurate, although the Department
26 did not attempt to check the specific data presented in
27 the tables or qualitative data. Recent information
28 from Division of Subsistence was used, which was
29 applicable to the issues. The information presents the
30 kind of documentation that is relevant to evaluate the
31 eight federal regulatory factors for making a customary
32 and traditional use determination of a specific
33 wildlife population by specific communities.

34

35 However, more specific information is
36 needed to clarify the differences in the boundaries of
37 the proposed area encompassed by the customary and
38 traditional determination and to discuss why
39 Chuathbaluk should not be included. The community
40 clearly has had a pattern of customary and traditional
41 use before residents set up the new community for
42 religious reasons and still exhibits family patterns of
43 harvest and sharing according to some discussion in the
44 federal staff analysis.

45

46 The Western Interior Regional Advisory
47 Council, which represents Central Kuskokwim (where the
48 proponents are from) and the GASH (area most affected
49 by the proposal), made a recommendation that parallels
50 the recommendation by the Office of Subsistence

1 Management (OSM), but retains the community of
2 Chuathbaluk that OSM proposes to delete and proposes a
3 different boundary. The Yukon-Kuskokwim Regional
4 Advisory Council supports modification in the boundary
5 proposed by OSM but retains the community of
6 Chuathbaluk as well.

7

8 Recommendation:

9

10 Although the Department supports this
11 proposal in general, it is conditional upon necessary
12 clarification as discussed above.

13

14 CHAIRMAN FLEAGLE: Thank you, Tina.

15

16 InterAgency Staff Committee comments.

17 Polly.

18

19 DR. WHEELER: Excuse me. The
20 InterAgency Staff Committee has no additional comments
21 at this time beyond the standard comment.

22

23 Mr. Chair. Thank you.

24

25 CHAIRMAN FLEAGLE: Okay. Thank you.

26

27 That brings us to the discussion
28 portion of the proposal. And I understand that there's
29 some intent to hear an explanation of how to segregate
30 between subsistence users in time of lack of resource.

31

32 And would you go ahead and ask the
33 question.

34

35 DR. KESSLER: Yes. I thought it would
36 be useful to differentiate what this decision is about
37 as opposed to the process that would be used to
38 determine who gets to use the resource when there's not
39 enough to go around. Because it seemed that the
40 concerns of some of those testifying was more towards
41 the latter.

42

43 Thank you.

44

45 CHAIRMAN FLEAGLE: Polly.

46

47 DR. WHEELER: Thank you, Mr. Chair.

48

49 Actually this very same question came
50 up at the Western Interior Regional Advisory Council

1 meeting, and we both kind of what the C&T actually does
2 and doesn't do, because a lot of conservation concerns
3 did come up.

4
5 And as we as Staff will almost always
6 include it in the actual analysis if there are
7 conservation concerns. Those are dealt with
8 separately.

9
10 The customary and traditional use
11 finding is to identify the people that customary and
12 traditionally use the resource in the particular area.
13 As we all know, ANILCA speaks to rural users and then
14 the C&T finding is identifying a pool of people that
15 can use that resource in that particular area.

16
17 When there are conservation concerns,
18 we deal with that through a Section .804 analysis. You
19 had one before you yesterday or the day before.
20 Proposal 21 was an .804 analysis. And under ANILCA
21 .804 there's three criteria that are looked at.
22 There's customary and direct dependence upon the
23 populations as a mainstay of livelihood. Local
24 residency or proximity to the resource. And then
25 availability of alternative resources.

26
27 So the C&T finding is strictly to
28 identify the pool of users, and as difficult as it is,
29 we separate out conservation issues from identifying
30 the pool of users. But understandably people link it,
31 because you can't help but link it. So when we do our
32 C&T analyses, we're looking strictly at the pattern of
33 use. We're not looking at the biological implications
34 of identifying that pool of users. And then if there
35 are conservation concerns, once there is a pool of
36 users identified, if and when there are conservation
37 concerns, we go down the road of the .804 analysis.

38
39 But I recognize that it is difficult to
40 separate out the C&T determination from the biological
41 implications of that decision.

42
43 Mr. Chair. I hope that helped.

44
45 CHAIRMAN FLEAGLE: Thank you. And this
46 is where Jack in his opening comments on the Council
47 discussion was recommending that our Board support the
48 creation of a Tier II process like the State uses that
49 would measure those direct dependence factors against
50 different community and use.

1 And, Jack, I don't know, maybe you want
2 to expand on that?

3
4 MR. REAKOFF: Yes. It's the proximity
5 to the resource, that's a significant issue that's not
6 addressed in a drawing permit. But I feel that the
7 Federal program should adhere to the .804 criteria in a
8 selection process for an .804.

9
10 And so I wanted to reiterate that the
11 Western Interior Council, as you see in testimony, that
12 it's very limited use of moose by Unit 19A residents
13 into 21E. I want to stress that, that there's not a
14 significant -- was never a significant amount of use to
15 the level to usurp all of the harvest of Unit 21E. And
16 so in future regulations and so forth, that should be
17 kept in mind, that their allocation should be to the
18 levels of previous use. And so that's what we wrestled
19 with when we reviewed Proposal 65.

20
21 Thank you.

22
23 CHAIRMAN FLEAGLE: Other discussion.
24 Jerry.

25
26 MR. BERG: Yeah. I was just curious.
27 I wanted to explore maybe a little bit with Jack. I
28 know, you know, there's been some discussion about not
29 much public participation in getting to the point where
30 we are now. And I know at the Western Interior meeting
31 in Fairbanks there was not much testimony from folks
32 from the Kuskokwim side. And then, of course, today
33 we're hearing mostly from folks, almost entirely from
34 folks from the GASH area. Now, I did participate in a
35 teleconference that Ken Chase mentioned in November of
36 last year, so there was some discussion there.

37
38 And I did not attend the Western
39 Interior Council meeting in Aniak, but was there much
40 discussion on this issue at that meeting in Aniak? Was
41 there much participation from folks in Aniak on this
42 issue during that meeting?

43
44 MR. REAKOFF: No, we don't typically
45 get a lot of public participation in Aniak. Aniak's a
46 community that does not really turn out.

47
48 I feel, my personal opinion is that KNA
49 is looked at as representing the people of that
50 community and KNA is the proponent of this proposal.

1 And so I -- they testified earlier in the meeting, Mike
2 did. And so there's a real want or need to see the C&T
3 by the people on Unit 19. That's why the Western
4 Interior was kind of torn. As a Council member we have
5 people within both sides within our region, and so we
6 have to look to all of the constituency in our region.

7
8 But Aniak, there's not a lot of public
9 testimony, but Carl Morgan voted for the proposal and
10 the special request opposed, because it was for the
11 whole unit. He's articulated his use in that unit, in
12 21E, as one of our Council members, and so, no, we
13 don't get a lot of dialogue out of the 19A communities.

14
15 CHAIRMAN FLEAGLE: Further questions.

16
17 MR. BUNCH: Mr. Chair.

18
19 CHAIRMAN FLEAGLE: Charlie.

20
21 MR. BUNCH: For Pippa. Pippa, are you
22 the author of this proposal or did you do the book?
23 Analysis, thank you.

24
25 MS. KENNER: Mr. Chair. I begin the
26 analysis. And as you know, it goes through a lengthy
27 public and review process, and in the end it is the OSM
28 analysis. But I have nurtured it through.

29
30 MR. BUNCH: Well, I have a question on
31 Table 5 in here, and I was hoping you could answer it.
32 I don't understand that -- on Page 725, I don't
33 understand that footnote that says, residents were not
34 Federally-qualified.

35
36 CHAIRMAN FLEAGLE: That's what they're
37 trying to obtain through this proposal. Currently they
38 are not Federally-qualified to hunt in that area, so
39 they're hunting under the general State provisions, the
40 State hunt.

41
42 MS. KENNER: Mr. Chair. Did you just
43 answer the question?

44
45 (Laughter)

46
47 CHAIRMAN FLEAGLE: Yeah. Go ahead
48 though. You might do it better. He still looks like
49 he's looking for help.

50

1 MS. KENNER: I just found the table.
2 Residents of the four communities were not Federally-
3 qualified to participate in the Federal winter hunt in
4 Unit 21E. What that means, which you have probably
5 just said, is that at the time that this survey was
6 started in 03/04 for a 12-month year covering '03 and
7 '04, that was the point that the winter hunt in State
8 regulations was closed. And so the communities that
9 are part of this survey were not legal to hunt in the
10 winter hunt in 21E during the three years of this
11 survey. They were not Federally-qualified. They
12 weren't eligible to hunt. They were in the fall hunt,
13 however. They were in the fall hunt under State
14 regulations.

15
16 MR. BUNCH: Okay. Thank you. That
17 clears it up for me. So they wouldn't have been able
18 to get anything. It would be they weren't eligible to
19 go, so that's all zeros. The only number you could put
20 in there for any of those.

21
22 MS. KENNER: That's what they told us.

23
24 MR. BUNCH: Okay. And on Table 6, I'm
25 assuming that that's a typo that these guys really
26 didn't go to 1E to hunt moose.

27
28 (Laughter)

29
30 MS. KENNER: That's correct.

31
32 MR. BUNCH: I'm assuming that's 21E.
33 Echo.

34
35 MS. KENNER: That's correct.

36
37 CHAIRMAN FLEAGLE: Further discussion.

38 Jerry.

39
40 MR. BERG: Well, I think that really
41 highlights some of the critical information for this
42 proposal. Even though the data in Table 5 doesn't show
43 use, as Pippa was saying, the winter, the State season
44 was closed and so people from the Kuskokwim side
45 couldn't go over to hunt. And so that -- so you would
46 expect that there wouldn't be any harvest shown there.
47 But in Table 6 it goes back 25 years and it does show
48 very significant use from three of the communities.

49
50 And I think, you know, it does kind of

1 jump out at you that Chuathbaluk doesn't have any
2 harvest information. But then there's this new map
3 shown on Page 727 that does show use by Chuathbaluk.
4 And I want to point that out, because that information
5 from that map was not available at the Council
6 meetings, and it is somewhat new information. You can
7 see in the upper left-hand corner of that map, the area
8 around Paimiut does show that folks from Chuathbaluk
9 did use that area in the past, so there is some
10 evidence for Chuathbaluk's use in the Paimiut Slough
11 area.

12
13 CHAIRMAN FLEAGLE: Other discussion.

14
15 (No comments)

16
17 CHAIRMAN FLEAGLE: Are we ready for a
18 motion.

19
20 MS. DOUGAN: Mr. Chair.

21
22 CHAIRMAN FLEAGLE: Julia.

23
24 MS. DOUGAN: Mr. Chair. Thank you. I
25 move to adopt Proposal WP10-69 using the language
26 provided by OSM in the analysis addendum. And if
27 receive a second, I will explain why I support that
28 proposal as modified.

29
30 MR. BUNCH: Second.

31
32 MS. DOUGAN: Thank you.

33
34 CHAIRMAN FLEAGLE: Go ahead.

35
36 MS. DOUGAN: Mr. Chair. First I would
37 like to thank all those that traveled, that took time
38 away from their families and probably some of their own
39 subsistence activities to come and speak to the Board.
40 And I also appreciate you sharing your personal
41 experiences and knowledge of the history, that's so
42 helpful to us, as well as your concern for moose
43 conservation.

44
45 And while the proposal before us is for
46 a C&T determination, not a harvest quota, I have to
47 sort of stay with that, that we're looking at what
48 communities should be in that group.

49
50 So given that, I am in support of the

1 proposal as modified by OSM. The analysis appears to
2 be complete and thorough and provides enough evidence
3 that residents of Aniak, Kalskag, Lower Kalskag and
4 Chuathbaluk used moose from the lands in 21E south of
5 the Paimiut Slough. And I believe that is captured on
6 Map 4.

7
8 Both the Yukon-Kuskokwim RAC and the
9 Western Interior RAC supported a positive determination
10 for these communities. The two RACs only differed in
11 the suggested northern boundary to be used. So given
12 those two boundaries that were supplied by the RACs, I
13 tend to support a boundary that best encompasses the
14 use area as explained in the analysis as well as one
15 that can actually be identified on the ground. And I
16 believe Map 4 meets that standard.

17
18 With all that said though, I'm still
19 very interested in hearing more of the perspective of
20 my fellow Board members on this issue, because I think
21 it is very difficult.

22
23 Thank you.

24
25 CHAIRMAN FLEAGLE: Discussion. Jerry.

26
27 MR. BERG: Well, I guess first of all I
28 just want to point out that the motion -- the
29 regulatory language put up on the screen is different
30 than the one referenced by Julia in her motion. So I
31 think we need to reference the information that's in
32 the book under the OSM conclusion on Page 732 is
33 correct rather than what's up on the screen here.

34
35 But having said that, you know, I do
36 appreciate all the public testimony we've had. And I
37 think most of the testimony did say that, you know, if
38 the moose population could sustain this, they would
39 consider other folks coming in. And, of course, under
40 C&T determinations we need to be looking at who -- you
41 know, who used the resource in that area, and from the
42 information in the analysis it does seem pretty clear
43 that we have sufficient evidence to show that those
44 four communities did use that area.

45
46 Now, if there needs to be changes in
47 the harvest seasons or harvest limits, then that needs
48 to be addressed through a separate proposal. So I
49 think we need to look at the information on the C&T
50 determination and the use in that area for moose, and I

1 think there is adequate information in the analysis to
2 support C&T determination for all four communities in
3 the Paimiut Slough area defined by the Western Interior
4 Council.

5
6 And I appreciate the modification and
7 the boundary line that came from the local users during
8 the Western Interior Council meeting in Fairbanks to
9 help us get to where it looks like that's the area that
10 was used by these communities.

11
12 Thank you, Mr. Chair.

13
14 CHAIRMAN FLEAGLE: Other discussion.
15 Charlie.

16
17 MR. BUNCH: No, I think the area in Map
18 4 is the logical division, and it looks like it would
19 be easy to follow on the ground.

20
21 CHAIRMAN FLEAGLE: Other discussion.

22
23 (No comments)

24
25 CHAIRMAN FLEAGLE: I'm going to make a
26 couple of comments.

27
28 I agree that the data gathered shows
29 some use, but I would suggest that the use that is
30 presented is very current, and two of our criteria talk
31 to long-term and consistent and pattern of recurring
32 use. And I'm not convinced that based on the testimony
33 that I've heard from the residents of 21E that have
34 came to testify here today that those criteria have
35 been met. And I think, Jack, you wrestled with this in
36 your RAC meeting as well, that there's a cultural
37 boundary there that's respected. And I know as we move
38 forward in this age, those boundaries are more and more
39 blurred. But I don't see a long-term historic use from
40 those four communities into the 21E area as others
41 might conclude.

42
43 The other issue I see is that we heard
44 some real strong statements from the residents that
45 came to testify today from the four villages that would
46 be negatively impacted by this positive C&T
47 determination that they're willing to have discussion
48 to address this with the other four communities,
49 further discussion, and work something out should there
50 be an opportunity when moose population numbers

1 increase, or just work out a limited harvest or
2 something like that.

3

4 A statement that is made in the
5 Proposal 65 analysis on 682 strikes me, that if we go
6 forward with this action, there may be great loss to
7 subsistence users by this statement here. The working
8 group concluded or recommended that, quote/unquote, if
9 the Federal customary and traditional subsistence use
10 determination for Unit 21E is revised to make a large
11 number of additional communities eligible, the Federal
12 winter season should be eliminated, end quotes.

13

14 Personally, I would hate to force that
15 issue at this time. I think that I've heard adequate
16 concern that this low population of moose cannot
17 sustain the additional impact from the four
18 communities. And I don't remember the exact number of
19 the population, but know that just Aniak alone is over
20 500. And there's a lot of people that have some
21 reasonable access into this area. And the fact that
22 the population of moose on the Middle Kuskokwim is in
23 trouble right now, they would be more inclined to
24 anticipate in this Federal hunt in the winter once it's
25 opened. And I worry that it would have a deleterious
26 affect on the current users, which appear to be using
27 that resource to its capacity, otherwise it would be
28 open to more users.

29

30 And so I find myself in a real hard
31 spot on this one. On the one hand, I like to
32 generously apply C&Ts where they're warranted, but
33 generally if you look at my record, those are expanding
34 C&Ts into areas where C&Ts doesn't exist or where there
35 -- you know, new territory basically. But to expand a
36 competing C&T on top of one that's struggling with the
37 resource right now is just a little difficult for me.

38

39 And I'm not going to vote for the
40 proposal even as amended for those reasons, but I'm not
41 saying that I don't further effort for the communities
42 to, as the GASH communities recommended here, working
43 to some conclusion that might be usable in the future.
44 So I see some room for accommodation, but even as
45 amended I don't think the proposal does it. I'm going
46 to vote against it.

47

48 Further discussion. Got people
49 thinking. Jerry.

50

1 MR. BERG: Yeah. Well, so you think
2 there would be benefit from a deferral to get people to
3 talk more about it. You think we would end up in a
4 different -- we could end up in a different place that
5 might benefit this whole process?
6

7 CHAIRMAN FLEAGLE: Well, I think -- I'm
8 not sure a deferral, but maybe just to put it back to
9 the users and say, come back with, you know, a
10 different plan, a different approach with some
11 consensus involved. But maybe that wouldn't be
12 possible without a deferral, Jerry. So I'm not
13 suggesting we defer it. It seems like we've deferred,
14 what, three proposals already, and we hate to just keep
15 putting work off. But I guess, being the lesser of two
16 evils, I would support deferral over adoption.
17

18 Okay. I've got a couple of Council
19 members. We're going to go ahead and open it back up
20 for Council discussion. Weaver and then Judy.
21

22 MR. IVANOFF: Thank you, Mr. Chair. We
23 struggle with the same issue. Not the same issue, but
24 with the same concept of C&T earlier in the Seward
25 Peninsula when we were talking about muskoxen. And the
26 driving nail into the decision to positively adopt a
27 C&T in an area was that the elders in the region came
28 forward and testified that, yes, other people from
29 different other regions or subunits traveled during the
30 winter to that certain area to hunt on the species.
31 And that pretty much made the decision a lot easier.
32 And I think that's pretty much the same case here.
33

34 I could understand the Lower Yukon
35 coming forward and saying, yes, we need to talk about
36 this more. I realize the conservation issue. But I
37 really believe there's a lot more information that
38 could be gained from deferring this proposal, going
39 back over there. Elders will be involved. There's a
40 lot of -- the main thing we heard from here is that we
41 have not heard from the grassroots level. We have not
42 heard from the people who walk on the street. And I
43 think that's a real critical thing, and it's just
44 because of that's how the system works now. We've got
45 to meet in a hub unit. And so people don't have the
46 luxury of traveling to the hubs at times to speak to
47 important issues.
48

49 Deferring this -- and I'm not from the
50 region. I'm just trying to put a helpful suggestion

1 out. Deferring this I think would give them that
2 opportunity, and that's what basically they've asked
3 for, too. And I would agree with that. Mr. Chairman.

4

5 CHAIRMAN FLEAGLE: Thank you, Weaver.

6

7 Judy.

8

9 MS. CAMINER: Thank you, Mr. Chair. In
10 looking over the analysis of the history of the people
11 from the area, it sounds like there's been a lot of
12 movement. People were migratory. People had to move
13 out of areas and settled into these communities, so
14 that may be why it seems a little bit newer, but it
15 does sound like there have been studies and recounts
16 from 50 or more years of history of use.

17

18 And I think as was talked about before,
19 the separation of C&T determination and then how to
20 deal with seasons, bag limits and allocations. The
21 Board hasn't had a chance to look at Proposal 65 where
22 I guess Western Interior did try to address those
23 aspects of it. So before you is just the C&T.

24

25 And I think we've had discussions
26 before where it's been agreed upon that there are no
27 insignificant subsistence resources. So even if it
28 appears that a level of use is low, it's probably not
29 low to that individual or to that family who had the
30 subsistence resource.

31

32 Thank you.

33

34 CHAIRMAN FLEAGLE: Thank you, Judy.

35

36 Jack.

37

38 MR. REAKOFF: Thank you, Mr. Chairman.

39

40 I do hear people in my region that
41 would like to dialogue more on this issue. The
42 testimony and expense that came to showed their high
43 interest in additional dialogue and to at least feel
44 comfortable with this proposal. And so I, as the Chair
45 of the RAC, the Western Interior, feel compassion for
46 all of our users. And so I know that -- I'm not sure
47 that we'll come to another conclusion. I mean, we are
48 -- this boundary was actually stated in the resolution.
49 So I don't know that, you know, that we'll come to a --
50 but I would like to make -- have people to feel more

1 comfortable with the decision.

2

3 CHAIRMAN FLEAGLE: All right. Thank
4 you for the comments.

5

6 Back to Board members. Wini.

7

8 DR. KESSLER: Yes, Mr. Chair. Again,
9 I'm mindful that it is a C&T determination that we have
10 here, and we do have -- we've looked at a lot of
11 information showing use. So if we're going to make a
12 decision, I need to support the proposal.

13

14 However, since the idea of a deferral
15 has come up, I feel I need to ask a question of my
16 fellow Board members. Probably BLM I think would have
17 the most important role here. So I'll ask, would you
18 support a deferral and more importantly the effort that
19 would be necessary to engage these parties, the hard
20 work that would have to take place to facilitate their
21 work so that they could be successful in such an
22 endeavor.

23

24 CHAIRMAN FLEAGLE: Julia.

25

26 MS. DOUGAN: Mr. Chair. Well, I
27 certainly think BLM would be supportive of that effort,
28 because -- and I personally would rather see us put
29 that energy into that work to collaborate beforehand
30 than resolve significant conflicts later. I think that
31 always works better. I think perhaps I need a little
32 more discussion on just what process or what options we
33 might have for making that happen.

34

35 Thank you.

36

37 CHAIRMAN FLEAGLE: Jerry Berg.

38

39 MR. BERG: Yeah. Thank you, Mr. Chair.
40 Actually we have our Refuge manager, Bo Sloan, with the
41 Innoko Refuge here in the audience. And I'd be
42 curious, maybe if we can get Bo up here, to kind of get
43 his thoughts on how he thought some of that might work
44 with getting folks together to discuss this issue
45 further, and see if he has any additional input.

46

47 I hate to put you on the hot seat, Bo,
48 but appreciate your insights as a local refuge manager.

49

50 MR. SLOAN: Asking my opinion could be

1 a dangerous thing, you know that.

2

3 (Laughter)

4

5 CHAIRMAN FLEAGLE: Welcome, Bo.

6

7 MR. SLOAN. Just let it go? Oh, I'm
8 sorry. Yeah. Thanks for the opportunity to speak. My
9 name is Bo Sloan, the Refuge manager for Innoko
10 National Wildlife Refuge.

11

12 I probably haven't been quite as
13 involved in the 69 proposal as the 65. You know, to be
14 honest, I certainly -- I don't know enough personally
15 about the customary and traditional uses that those
16 southern four villages that we've talked about have had
17 in that area. I mean, I don't have personal knowledge
18 about it.

19

20 But what I do see is there is a lot of
21 discontent, you know, in that region with this
22 proposal. And I know personally I would definitely
23 feel more comfortable if everyone was much more
24 together on whether this C&T had a positive or negative
25 finding. I mean, I hate to see that large group of
26 people in that part of the world not get along because
27 of this very divisive issue. And I guess I kind of
28 look at it that, you know, personally, I mean, they
29 haven't had it up to this point so, you know, if this
30 thing was put off just a little bit longer so that
31 folks could come together around a unified point, I
32 think that would be valuable. I'm kind of like you.
33 I'd rather spend the time to get it right the first
34 time and have everyone in consensus about the decision
35 that's made than spending a lot of time later on trying
36 to defuse problems.

37

38 CHAIRMAN FLEAGLE: Jack.

39

40 MR. REAKOFF: Yeah. Mr. Chairman.
41 Julia's question was how would we get these -- I feel
42 -- one of the commenters said there should be a
43 representative from each community, from the
44 communities that are proposed and also the GASH
45 communities, and the C&T, current C&T communities in
46 21E. It should have our OSM Staff and Refuge and BLM
47 Staff there, at least one of our RAC members there
48 also. And so that could be a way to facilitate sort of
49 a special meeting that could be in conjunction with
50 when we have a meeting in that area.

1 It could be with the RAC. As another
2 aspect that it could go through is that we bring these
3 individuals into our RAC meeting and talk this over so
4 that it's thorough in the RAC's mind what the different
5 parameters are. So that would be one avenue of
6 addressing your comment.

7

8 Thank you.

9

10 CHAIRMAN FLEAGLE: Thank you, Jack.

11

12 Back to Board members. Further
13 discussion. Jerry.

14

15 MR. BERG: Well, I guess I'll just
16 throw out another idea of maybe there could be, you
17 know, a meeting of a separate group, maybe one day
18 before the Regional Council meeting, and bring a few
19 more other folks from some of the ACs into that
20 meeting. I don't know how those folks would get funded
21 into the meeting. I was just talking to Pete, and he
22 was saying, you know, of course, we could have Council
23 members there, but as far as getting other folks there,
24 I'm not sure how we would accomplish that. But it does
25 seem like a good idea to try to get folks together and
26 maybe meet in, you know, one of the communities in that
27 area.

28

29 CHAIRMAN FLEAGLE: Pete.

30

31 MR. PROBASCO: Thank you, Mr. Chair.
32 Mr. Berg summarized it very well.

33

34 The other issue, that if this is a
35 committee, if you will, generated by this Board, then
36 we have to go through a more stringent required versus,
37 i.e., working groups that the State develops. In other
38 words, it would have to follow FACA guidelines. And
39 so, you know, I'd have to take a little time to think
40 about exactly what that would entail. So it's not as
41 simple as saying, let's do a working group and go
42 forward. There's a little more to it. Mr. Chair.

43

44 MR. REAKOFF: Mr. Chairman.

45

46 CHAIRMAN FLEAGLE: Thank you. Jack.

47

48 MR. REAKOFF: Our next slated meeting
49 for the Western Interior Council is in McGrath. And I
50 would prefer to do this at a neutral ground as a RAC

1 member, as a RAC Chair. And so McGrath would be a
2 neutral ground. I wouldn't want to have it really
3 actually in any of those villages, so that we come to a
4 consensus. And so the representatives could be voted
5 on by each community, the tribal council or village
6 councils that would be strongly supportive of their
7 positions. But I would feel more comfortable having
8 that meeting in McGrath is where I would prefer to have
9 that.

10

Thank you.

11

CHAIRMAN FLEAGLE: Thank you, Jack.

12

Further discussion. Julia

13

MS. DOUGAN: Yes, Mr. Chair. Do the

14 RACs have the authority, if you will, to create or task
15 working groups?

16

MR. GOLTZ: Yes.

17

CHAIRMAN FLEAGLE: Keith.

18

MR. GOLTZ: Yes. Generally they do,
19 and frankly that would be the cleanest way to do it is
20 to have a subcommittee from the RAC report back to the
21 RAC, and generate a proposal that way.

22

CHAIRMAN FLEAGLE: Pete.

23

MR. PROBASCO: And that would -- and we
24 have two Councils that are involved in this. We have
25 the Y-K and the Western Interior. And that would have
26 to be -- forming the committee would have to occur at a
27 meeting.

28

CHAIRMAN FLEAGLE: That's correct.

29

MS. DOUGAN: Mr. Chair.

30

CHAIRMAN FLEAGLE: Julia.

31

MS. DOUGAN: So, Jack, do you think it
32 would be a possible thing the RACs would be willing to
33 take up is charting these subgroups?

34

MR. REAKOFF: I'm sure the Western
35 Interior Council would -- looking at what the comments
36 we had here at the Federal Board meeting, would be

37

1 interesting in continuing a subgroup investigation as
2 we would with Yukon River fisheries, these conflict
3 issues. And so I would entertain that myself.

4

5 Thank you.

6

7 CHAIRMAN FLEAGLE: All right. We do
8 have a motion before us to adopt the proposal as
9 modified. If we intend to pass this on to a committee,
10 a subcommittee of any Regional Advisory Council, we
11 would need a motion to defer with instructions
12 detailing what we intend to do with it. So are we
13 ready for such a motion.

14

15 Julia.

16

17 MS. DOUGAN: I believe we do have the
18 motion to adopt on the table; is that correct?

19

20 CHAIRMAN FLEAGLE: That's correct. And
21 that's what I just said, if there's -- right now,
22 that's all we have. So if we vote now, it's either
23 pass or fail, but we're opening it up for opportunity
24 to defer to such time as we just discussed, and you can
25 fill in the details.

26

27 MS. DOUGAN: I understand. I think I
28 was just struggling a little bit with how I would do
29 that. Whether I would need -- if I wanted to defer,
30 whether I would need to withdraw my motion?

31

32 CHAIRMAN FLEAGLE: No, a motion to
33 defer would be appropriate.

34

35 MS. DOUGAN: I just saw one like this
36 and one like this. So perhaps counsel could help us
37 there.

38

39 CHAIRMAN FLEAGLE: The Board can defer
40 a proposal at any time. It's our proposal. And the
41 fact that it's moved and on the table for discussion, I
42 don't mean to use the table, because table uses a
43 different meaning in Robert's Rules, but the fact that
44 the Board has moved and had discussion and found that
45 in its discussion that it desires to take further
46 action, which is to defer, it can do that. It's within
47 the Board's rights under Robert's Rules.

48

49 MR. PROBASCO: That's correct, Mr.
50 Chair.

1 CHAIRMAN FLEAGLE: Pete.
2
3 MR. PROBASCO: And once a motion -- my
4 understanding, too, is once a motion is made to defer,
5 then we have to take immediate action on that motion.
6
7 CHAIRMAN FLEAGLE: Yes, sir.
8
9 (Laughter)
10
11 MR. PROBASCO: In other words, you
12 don't sit there and debate it for.....
13
14 CHAIRMAN FLEAGLE: Well, you can
15 debate. A tabling motion is nondebatable, but a
16 deferral motion is. But we don't intend to go --
17 people want to go. People want to have lunch, and so I
18 don't think we'll drag this out. I don't think
19 anybody's going to filibuster.
20
21 (Laughter)
22
23 CHAIRMAN FLEAGLE: Julia. A motion to
24 defer would be in order.
25
26 MS. DOUGAN: Mr. Chair. I move to
27 defer Board action on Proposal WP10-69, and ask that
28 OSM Staff be tasked with working with the applicable
29 Advisory Councils to establish sub work groups to meet
30 on this issue.
31
32 CHAIRMAN FLEAGLE: Is there a second.
33
34 MR. BUNCH: I second it.
35
36 CHAIRMAN FLEAGLE: Understanding that
37 we don't know the timeline of a working group process,
38 you intend to leave the deferral without a specific end
39 date, just to allow the time to work, which is
40 allowable as well.
41
42 MS. DOUGAN: Mr. Chair. I think I
43 would prefer to leave that open ended so the group can
44 work through whatever issues they need to work through.
45
46 CHAIRMAN FLEAGLE: Okay. Pete.
47
48 MR. PROBASCO: The only thing I wanted
49 to clarify on your motion is that in addition to OSM
50 working with the Councils, we would look also to the

1 respective agencies for their support, which would be
2 both the U.S. Fish and Wildlife Service and BLM so that
3 it's done in conjunction.

4

5 CHAIRMAN FLEAGLE: Charlie.

6

7 MR. BUNCH: Mr. Chair. The Bureau
8 would be more than happy to assist in this end because
9 there's a lot of our end users out there that will --
10 we would be glad to participate in that.

11

12 CHAIRMAN FLEAGLE: Other agencies.

13

14 MS. DOUGAN: Mr. Chair. I would like
15 my motion to defer to include not only OSM Staff, the
16 RACs, but the BLM, U.S. Fish and Wildlife Service, and
17 the Bureau of Indian Affairs.

18

19 CHAIRMAN FLEAGLE: Great. All right.
20 The intent is clear. Further discussion.

21

22 (No comments)

23

24 CHAIRMAN FLEAGLE: Ready for the
25 question on the motion to defer action on Proposal 69.

26

27 MR. BUNCH: Call for question.

28

29 CHAIRMAN FLEAGLE: The question's
30 called. Proposal 69, motion to defer.

31

32 Pete, please poll the Board.

33

34 MR. PROBASCO: Thank you, Mr. Chair.
35 You're first. Mr. Fleagle.

36

37 CHAIRMAN FLEAGLE: Yes.

38

39 CHAIRMAN FLEAGLE: Ms. Masica.

40

41 MS. MASICA: Yes.

42

43 CHAIRMAN FLEAGLE: Ms. Kessler.

44

45 DR. KESSLER: Yes.

46

47 MR. PROBASCO: Mr. Bunch.

48

49 MR. BUNCH: Yes.

50

1 MR. PROBASCO: Ms. Dougan.
2
3 MS. DOUGAN: Yes.
4
5 MR. PROBASCO: And Mr. Berg.
6
7 MR. BERG: Yes.
8
9 MR. PROBASCO: The motion to defer
10 carries, 6/0.
11
12 CHAIRMAN FLEAGLE: Thank you, Mr.
13 Chair.
14
15 (Laughter)
16
17 MR. BUNCH: Time for lunch.
18
19 CHAIRMAN FLEAGLE: Yeah. I think so.
20 I think we've overshot our usefulness here.
21
22 But I'll tell you what, Proposal 65 was
23 pretty much -- no, we'd better take it up. I was
24 thinking that we might be able to dispense with it.
25
26 But let's go ahead and break for lunch.
27 It's 20 minutes to one. Let's return at 2:00 o'clock.
28
29 (Off record)
30
31 (On record)
32
33 CHAIRMAN FLEAGLE: All right. The
34 Subsistence Board is back in session. Thanks for your
35 tolerance for remaining through the completion of
36 Proposal 69. I think that it did a lot of good work
37 there.
38
39 And now we move on to Proposal 65. And
40 at the table we have new Staff. Polly.
41
42 DR. WHEELER: Thank you, Mr. Chair. To
43 Chuck's right is Mr. Spencer Reardon who is also a
44 relatively new employee of Office of Subsistence
45 Management. And he's a wildlife biologist and you
46 might recognize his last name. He's second generation
47 Fish and Wildlife -- or actually third generation,
48 right?
49
50 MR. REARDON: No, Grandpa was State.

1 DR. WHEELER: Oh, okay. Yeah. Anyway,
2 he comes from a distinguished lineage.

3
4 (Laughter)

5
6 CHAIRMAN FLEAGLE: Great. Thank you.
7 Welcome, Spencer, and go ahead, please.

8
9 MR. REARDON: Okay. Mr. Chair.
10 Members of the Board and Council Chairs. My name is
11 Spencer Reardon for the record, and I am a wildlife
12 biologist for the Office of Subsistence Management.

13
14 The analysis for WP10-65 begins on Page
15 679 of your Board book. Proposal 65 was submitted by
16 the Western Interior Subsistence Regional Advisory
17 Council, and requests that the winter season dates for
18 moose in Unit 21E be changed from February 1 through 10
19 to February 15 through March 15.

20
21 Proposal 10-65 also requests that the
22 harvest parameter for the winter hunt be announced by
23 the Federal managers after consultation with ADF&G,
24 BLM, and the Chairs of the Grayling-Anvik-Shageluk-Holy
25 Cross Advisory Committee and the Western Interior
26 Subsistence Regional Advisory Council.

27
28 In addition, the proposal requests that
29 a Federal registration permit be required for the
30 winter season, that these permits be issued by the
31 Innoko National Wildlife Refuge, and only one permit be
32 allowed per household.

33
34 The proponent suggests that these
35 changes would allow local users to hunt moose when
36 travel conditions are more favorable, and may help to
37 spread hunting pressure across a wider area. The
38 proponent believes that requiring a Federal permit
39 would lead to more accurate and complete harvest
40 information, which would help in management.

41
42 In submitting the request, the
43 proponent states that the harvest parameters identified
44 by the Federal managers would need to align with the
45 harvest guidelines of the Yukon Innoko Moose Management
46 Plan which calls for flexibility to change the number
47 of moose harvested or the sex of the moose to be
48 harvested when needed for conservation purposes.

49
50 The provision in current regulation

1 that prohibits harvest within one-half mile of the
2 Yukon or Innoko Rivers during the winter season would
3 not change.

4
5 It appears that Unit 21E moose
6 population is stable. Composition survey data suggests
7 that there are 18 to 66 calves per 100 cows and 32 to
8 74 bulls per 100 cows between years 2007 through 2009.
9 And the twinning rates have been between 29 to 50
10 percent during that same time period.

11
12 Household surveys conducted in Unit 21E
13 communities indicate that residents of Grayling, Anvik,
14 Shageluk and Holy Cross harvested approximately 126
15 moose annually in 2002 through 2004. Harvest tickets
16 indicate a nine-year average success rate of 68
17 percent, although there is some indication of a
18 downward trend in harvest success in the past decade.

19
20 Adoption of this proposal would provide
21 the residents of 21E and Russian Mission with
22 additional opportunity and more flexibility to harvest
23 moose during the winter season, which could result in
24 an increase in harvest. However, under a registration
25 permit, which allowed discretionary authority to set a
26 harvest quota, harvest areas, and reporting
27 requirements, conservation concerns, should any arise,
28 can be addressed.

29
30 Population data from surveys indicate
31 that the affected moose population is stable and can
32 continue to support limited harvest during the winter
33 season.

34
35 The OSM conclusion is to support WP10-
36 65 with modification to, (1) change the words harvest
37 parameters to permit conditions; (2) provide emergency
38 closure authority to the Innoko National Wildlife
39 manager; and (3) have the Innoko National Wildlife
40 manager announce the permit conditions after consulting
41 with local area Federal and State agencies, and local
42 fish and game advisory councils/committees as
43 stipulated in the letter of delegation.

44
45 Thank you.

46
47 CHAIRMAN FLEAGLE: All right. Thank
48 you for that introduction of the analysis. Appreciate
49 it.

50

1 Next we have summary of public
2 comments. Ann.

3
4 MS. WILKINSON: Yes, Mr. Chairman.
5 There were no written public comments for this
6 proposal.

7
8 CHAIRMAN FLEAGLE: Thank you. Public
9 testimony, Pete.

10
11 MR. PROBASCO: Yes, Mr. Chair. I have
12 three individuals that would like to speak to this
13 proposal. And the first one is Mr. Timothy Andrew.

14
15 CHAIRMAN FLEAGLE: Welcome back, Tim.

16
17 MR. ANDREW: Thank you, Mr. Chairman.
18 Members of the Board. This testimony right after lunch
19 is kind of a tough one, kind of hard to stay awake with
20 the beautiful weather that we have up here.

21
22 (Laughter)

23
24 DR. KESSLER: Tell us about it.

25
26 MR. ANDREW: Yeah. During this past
27 winter and previous winters, we've had a winter moose
28 hunt in Unit 18 remainder and also in the lowest part
29 of the Yukon. And it's one of the most liberal hunting
30 seasons that we've ever had. At one point it went from
31 the middle part of December all the way into February.
32 And within those three -- within that three-month time
33 period, you know, people were provided the opportunity
34 to go out, but the weather conditions, snow conditions
35 out there are so unpredictable now that you can't
36 really go out when you normally would be able to go out
37 and, you know, expect ideal snow conditions.

38
39 So we would be inclined to support this
40 proposal. We only have one community within our
41 representation region -- in our region that has
42 positive C&T in 21E, which is Russian Mission. And we
43 believe that this proposal would provide them the
44 opportunity to participate in that winter hunt in a
45 manner that would be favorable for them if, you know,
46 the snow conditions were good during that one-month
47 period.

48
49 And that concludes my testimony. Thank
50 you, Mr. Chair.

1 CHAIRMAN FLEAGLE: All right.
2 Appreciate that, Tim.
3
4 Questions.
5
6 (No comments)
7
8 CHAIRMAN FLEAGLE: Thank you. Pete.
9
10 MR. PROBASCO: Thank you, Mr. Chair.
11 The next individual is Mr. Arnold Hamilton.
12
13 CHAIRMAN FLEAGLE: I saw Arnold out in
14 the lobby during the lunch break and he said he quit,
15 so maybe he was serious.
16
17 (Laughter)
18
19 CHAIRMAN FLEAGLE: Uh-oh, here he
20 comes.
21
22 (Laughter)
23
24 MR. PROBASCO: Arnold, you had two
25 cards, and so I assumed you wanted to speak to both of
26 them. So that's.....
27
28 MR. HAMILTON: I'm sorry.
29
30 MR. PROBASCO: And I made sure you went
31 in front of Ken Chase this time.
32
33 MR. HAMILTON: This is about the winter
34 hunt in 21E? Yeah. I got caught off guard there, I'm
35 sorry. I apologize.
36
37 You know, 21E, we gave up the winter
38 hunt. You know, that was our -- you know, we were able
39 to -- we thought we could -- we gave it up. You know,
40 we know that we'll probably never get it back, but we
41 gave it up to sustain -- you know, to keep our moose
42 population for our area. So that's why we gave up that
43 winter hunt. And then we -- yeah, that's -- like I
44 said, I apologize for not doing my homework, but that's
45 -- we gave up, you know, the winter hunt. You know,
46 that's our way of conserving our moose population. We
47 sacrifice, you know, and we hope the Board will, you
48 know, help us in other ways. You know, like earlier I
49 testified about the boundary changes. See, we
50 sacrifice.

1 So that's all I've got to say.

2

3 CHAIRMAN FLEAGLE: Thank you, Arnold.

4

5 MR. PROBASCO: Excuse me. The last
6 individual, Mr. Chair, is Mr. Ken Chase.

7

8 MR. CHASE: Mr. Chair. Members of the
9 Committee. Thank you. My name is Ken Chase. I chair
10 the GASH Advisory Committee.

11

12 In brief, we support 10-65 in its
13 entirety and also with any amendments.

14

15 One concern that our committee had,
16 that Arnold spoke to, is in 2003 we elected to close
17 the cow season in the winter hunt for that district.
18 And in doing so, we had hoped that the Federal
19 Subsistence Board would follow suit and stop cow
20 hunting on their season; however, that did not happen.
21 And it's something that was discussed, not really
22 pushed to try to get rid of, but that's something that
23 concerned us, so that was one of our concerns in that
24 proposal.

25

26 We did have another proposal that we
27 turned in prior to this, the GASH committee, but we
28 decided to support the 15 -- through -- March through
29 April one that the RAC turned in. We decided to
30 support that and then pull our back, and it still
31 accomplished the same thing I think with a little
32 broader opportunity for people to harvest moose during
33 that time.

34

35 Thank you.

36

37 CHAIRMAN FLEAGLE: All right. Thank
38 you.

39

40 Questions.

41

42 (No comments)

43

44 CHAIRMAN FLEAGLE: Thanks, Ken.

45

46 Okay. That's all the public testimony
47 that we had interest for.

48

49 Regional Council recommendation. And
50 I'll start with Jack for the Western Interior.

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

2

3 The Western Interior supported our
4 Proposal WP10-65 with modification as outlined by OSM.

5

6 And I wanted to clarify a couple
7 parameters that are not quite included. And so when
8 the Western Interior deliberated the C&T proposal, the
9 69, and Proposal 65, we defined a lower portion as Zone
10 1, which would be the C&T area for 19A residents, and
11 then Zone 2 is the rest of Unit 21E. And so we don't
12 know how the C&T determination in the future may go,
13 but we feel that with the low usage of Unit 19A
14 residents, that there was discussion at our Council
15 meeting of having 8 to 10 moose as an allocation for
16 that zone 1, the lower portion of the C&T area, and
17 then the rest of the 40 moose being in zone 2. The
18 hunters in that typically are taking less than 20 moose
19 in the winter hunts.

20

21 Another parameter that we talked about
22 was one moose per household, but for those households
23 that didn't take a moose within that regulatory year,
24 or that hadn't harvested a moose in the falltime. So
25 the hunters -- or the households that did not kill
26 moose in the fall would be eligible to hunt in the
27 winter hunt.

28

29 That was the two hunt parameters that
30 weren't quite described by the OSM presentation.

31

32 And as far as the cow moose component,
33 it's in the Innoko plan that there would be 40 moose
34 and cow moose would be part of that. The hunt would be
35 closed if additional hunters -- but we've tried to
36 barrier ourself with making these zones from losing the
37 winter hunt, because we feel it's very important for
38 people not only in Unit 21E, but in all game management
39 units in the Interior for winter hunt access.

40

41 And so moose are encountered -- Mr.
42 Stout, the area biologist up in Galena, the typical
43 winter hunt, the kill is on the ratio of the bulls that
44 are present. The bull component for this Unit 21E is
45 between 33 to 50 bulls per 100 cows, so basically every
46 third moose would be a bull, and every two of three
47 moose would be -- two of those would be a cow. And so
48 those would be the parameters.

49

50 And I wanted the public to be aware

1 that this is strictly a Federal hunt that's still
2 within the plan. This is not -- the game -- the State
3 hunt was precluded. This is only for the customary and
4 traditional users that are currently eligible to hunt
5 there. It would be Russian Mission and the GASH
6 villages. Thank you.

7

8 CHAIRMAN FLEAGLE: Thank you. Yukon-
9 Kuskokwim Advisory Council. Ann.

10

11 MS. WILKINSON: Mr. Chair. The Yukon-
12 Kuskokwim Subsistence Regional Advisory Council elected
13 to support this proposal with modification described in
14 the OSM conclusion.

15

16 One of their Council members attended
17 an earlier discussion relating to this issue and found
18 that the changes of the harvest season date would make
19 sense for them.

20

21 CHAIRMAN FLEAGLE: Thank you.
22 Appreciate that.

23

24 Alaska Department of Fish and Game.
25 George Pappas. Welcome.

26

27 MR. PAPPAS: Thank you, Mr. Chair.
28 George Pappas, Department of Fish and Game, subsistence
29 liaison team.

30

31 Mr. Chair, our full Department comments
32 are on Page 690. The Department supports this proposal
33 as modified with the understanding that the harvest
34 quota remains consistent and does not exceed the Yukon
35 Innoko Moose Management Plan, and that the Board's
36 delegation of authority reiterates that maximum quota
37 and consistency with the plans management objectives.

38

39 Thank you, Mr. Chair.

40

41 *****

42 STATE OFFICIAL WRITTEN COMMENTS

43 *****

44

45 Alaska Department of Fish and Game
46 Comments to the Federal Subsistence Board

47

48 Wildlife Proposal WP10-65:

49

50 This proposal would change the federal

1 subsistence winter moose hunt in Unit 21E from a
2 February 1 through 10 season with an any moose bag
3 limit to a February 15 through March 15 season by
4 federal registration permit with a quota and a bag
5 limit of one moose per household.

6

7 Introduction:

8

9 This proposal was submitted to lengthen
10 and delay the federal subsistence moose hunting winter
11 season in Unit 21. Federal subsistence delegated
12 official would establish a quota in consultation with
13 the Alaska Department of Fish and Game and require one
14 federal subsistence registration hunt permit per
15 household.

16

17 Impact on Subsistence Users:

18

19 If adopted federal subsistence moose
20 hunting opportunity will be expanded by 15 days and
21 moved later in the winter when more sunlight and
22 traveling conditions should improve opportunity for
23 success.

24

25 Opportunity Provided by State:

26

27 There is no state winter moose season
28 in Unit 21E due to conservation concerns.

29

30 Conservation Issues:

31

32 The Yukon Innoko Moose Management Plan
33 (YIMMP) was endorsed by the Federal Subsistence Board,
34 the Alaska Board of Game, and supported by the Western
35 Interior Regional Advisory Council and the Grayling-
36 Anvik-Shageluk-Holy Cross (GASH) Fish and Game Advisory
37 Committee. The YIMMP included a provision for a
38 harvest of up to 40 cow moose during a winter season,
39 and this proposal is consistent with the YIMMP. If
40 adopted, the requirement of a federal registration
41 permit could improve the quality of federal subsistence
42 harvest data by providing a mechanism for better
43 harvest reporting during the winter moose season. The
44 Alaska Board of Game closed the state winter general
45 season moose hunt in 21E because the moose population
46 could not withstand the substantial interest from Unit
47 18 hunters.

48

49 Enforcement Issues:

50

1 Adoption of this proposal results in
2 only federally qualified users hunting during the
3 winter season and only on federal public lands.
4 Adoption of this proposal could reduce harvest
5 reporting violation citations.

6
7 Recommendation:

8
9 Support with modifications to: (1)
10 assure that the harvest quota remains consistent with
11 the YIMMP, (2) due to conservation issues, require
12 reasonable permit reporting in regulation for the
13 winter hunt rather than leaving that as an optional
14 permit condition, and (3) provide emergency closure
15 authority to delegated federal official. The Federal
16 Subsistence Board needs to specifically reference the
17 harvest quota and management objectives of the YIMMP in
18 the letter of delegation to the designated official.

19
20 CHAIRMAN FLEAGLE: Thank you, George.

21
22 InterAgency Staff Committee comments.
23 Polly.

24
25 DR. WHEELER: Thank you, Mr. Chair. In
26 addition to the boiler plate statement, the InterAgency
27 Staff Committee would note that under this proposal the
28 Innoko National Wildlife Refuge manager would be
29 provided authority through a letter of delegation to
30 establish permit stipulations for managing moose
31 harvest in Unit 21E using area specific quotas and
32 reporting requirements as requested by the Western
33 Interior Regional Advisory Council. Combined with
34 improved reporting requirements and closure authority,
35 the Refuge manager would have the ability to better
36 regulate the moose harvest and also to help meet the
37 objectives of the Yukon Innoko Moose Management plan.

38
39 Thank you, Mr. Chair.

40
41 CHAIRMAN FLEAGLE: Thank you.
42 Discussion. Mr. Jerry Berg.

43
44 MR. BERG: Thank you, Mr. Chair. You
45 know, this hunt, I think there was a group of folks I
46 think that got together in Aniak during the Western
47 Interior Council meeting a little over a year ago now
48 that got together and discussed the best way to have
49 this winter hunt. Since the State winter hunt went
50 away in 2003, this hunt has been occurring under the

1 Federal program, but has been using the green harvest
2 ticket. So I think this new plan will bring it under a
3 Federal permit, which is going to really get us a lot
4 better data and just involved the people. I think
5 we'll have -- the refuge manager is prepared to
6 implement the permit system, and help go to the
7 communities to work with the folks, and I think it's
8 really going to end up in a much better place as far as
9 getting good information on this winter harvest.

10

11 And I would like to comment on the
12 State's comments regarding the moose management plan.
13 It is the intent to follow the plan. I know this Board
14 did take action to support that plan when it was passed
15 back in 2006 I believe, and that certainly would be the
16 intent with management of that -- of the winter hunt,
17 sticking to pretty much the 40 moose that's identified
18 in the plan at this point.

19

20 So, anyway, those are my comments at
21 this point. Mr. Chair.

22

23 CHAIRMAN FLEAGLE: Thank you. Other
24 discussion.

25

26 (No comments)

27

28 CHAIRMAN FLEAGLE: Are we ready to have
29 a motion. Jerry.

30

31 MR. BERG: Yeah. I'd like to make a
32 motion to adopt the recommendations of the Western
33 Interior and Y-K Delta Regional Council
34 recommendations. And if I get a second, I would also
35 like to make a brief amendment to that motion, to the
36 main motion. Mr. Chair.

37

38 MS. MASICA: Second.

39

40 CHAIRMAN FLEAGLE: There's your second.
41 Go ahead.

42

43 MR. BERG: And my amendment would be as
44 Jack alluded to, was the provision for the household
45 permit, one permit per household provision that was
46 included in the original proposal, and I believe
47 initially we were thinking that the term permit
48 conditions would include a way for the Refuge manager
49 to just issue one permit per household. But talking to
50 one of our solicitors earlier, we decided it would

1 probably be cleaner to go ahead and have that in
2 regulation. That way the public is informed that
3 that's the intent.

4

5 And so I'd like to make an amendment, a
6 motion for amendment to put in regulation that only one
7 permit would be issued per household per regul -- so
8 only one moose could be taken per regulatory year.

9

10 So if somebody took a moose in the
11 fall, they could not get one of these permits. I don't
12 know if I worded that -- but that's the intent I guess.
13 If my intent is clear, that they would only be able to
14 take -- they'd only be able to get one of these permits
15 if they had not harvested a moose during the fall time,
16 which was the original intent of the proposal.

17

18 CHAIRMAN FLEAGLE: Is there a second to
19 the amendment?

20

21 DR. KESSLER: Second.

22

23 CHAIRMAN FLEAGLE: Okay. There's a
24 second on the amendment.

25

26 I have a question about that, and I
27 thought about it when Jack brought this up in the
28 Council's discussion. Currently somebody that harvests
29 a moose under the regular fall season would be
30 harvesting under a State harvest report, right? And
31 how would that information be transferred within a
32 reasonable amount of time to where the issuers of the
33 permit here would know who harvested a moose? I know
34 it takes a long time for those harvest reports to get
35 sorted out and catalogued and entered. Would you rely
36 on the honor system or what would you do? I don't know
37 who to ask this to.

38

39 Polly.

40

41 DR. WHEELER: Mr. Chair. Well, I do
42 know that it -- typically, we, the Federal Program,
43 gets the State permit data over a year following that
44 data being finalized. So it's not even necessarily a
45 season later. It's after the data are final. So if we
46 -- I don't believe short of having there be some sort
47 of consultation with the State, and the State can
48 provide us with that information, that we would be able
49 to track that quickly from the fall season to the
50 winter season.

1 CHAIRMAN FLEAGLE: I believe you're
2 correct. I believe that we wouldn't be able to.
3 That's why I asked the question.

4
5 But obviously there's some merit there,
6 and you guys are supporting that. What was the
7 discussion, Jack, on how that would be enforced or at
8 least enumerated.

9
10 MR. REAKOFF: Well, it would be in
11 regulation, and so it would be more or less on the
12 honor system, that the applicant for the Federal permit
13 would have to state -- we knew that, you know, there's
14 -- we get Federal permits up where I live, and so you
15 can incorporate that into when you sign that you're
16 actually a rural resident or whatever, you can put that
17 into the Federal permit itself, because it is a Federal
18 permit. You can incorporate that, that I did not take
19 a -- our household did not take a moose in the fall
20 hunt. And so you sign that. You're liable for that
21 signature. That would be one way of addressing that
22 under the Federal permit.

23
24 CHAIRMAN FLEAGLE: Polly.

25
26 DR. WHEELER: Mr. Chair. I'm not
27 meaning to be difficult here, but we are under -- when
28 the Federal Program asks questions, we have to go -- we
29 actually have to go through the Office.....

30
31 MS. CHIVERS: OMB.

32
33 MR. MATUSKOWITZ: OMB.

34
35 DR. WHEELER: OMB. I know, I was
36 trying to think. Office of Management and Budget, to
37 get permission to ask questions. So for all of the
38 permits that we have in the Federal program, we have to
39 run those through D.C. to get the questions, and quite
40 literally even like the color of the type approved by
41 OMB, which seems in some ways to be government at its
42 worse, but that is what it is. And so we have to get
43 approval for every question that we ask. And we can't
44 just willy-nilly change or add a question.

45
46 Now, we could -- having said that, we
47 can do it, but we need to recognize that it would take
48 about a year, give or take, to get permission by OMB,
49 and we have to answer a bunch of questions about why
50 we're asking the question and how it's going to be used

1 and its Privacy Act considerations and all that. So we
2 could do it, but we couldn't do it quickly. Mr. Chair.

3

4 CHAIRMAN FLEAGLE: Thank you. Well,
5 with the burden that it would impose on the system and
6 on the users, I don't think that the amendment is -- I
7 wouldn't support it.

8

9 But now I'm going to open it up for
10 further discussion. Other discussion on the amendment,
11 one permit per household. Charlie.

12

13 MR. BUNCH: Well, I'm just thinking of
14 what Polly said, that if you're adhering to an
15 affidavit, if you're certifying that you didn't take a
16 moose, that wouldn't be a question.

17

18 DR. WHEELER: Under OMB.....

19

20 CHAIRMAN FLEAGLE: Don't be difficult.
21 Just be yourself.

22

23 DR. WHEELER: One in the same perhaps.

24

25 (Laughter)

26

27 DR. WHEELER: Thought I'd say it before
28 anybody else did.

29

30 Actually OMB does consider that a
31 question. And we have actually been through that. I
32 won't mention any names or units or anything -- or
33 agencies, but we have been through that and it
34 constitutes a question.

35

36 CHAIRMAN FLEAGLE: On the amendment.
37 Jerry Berg.

38

39 MR. BERG: Well, I just had a note
40 slipped to me, that, you know, one other idea would be
41 to just say that you're not eligible to get one of
42 these permits if you've harvested another moose this
43 regulatory year. And that would still probably be on
44 the honor system.

45

46 I don't know, you know, how we could
47 really track. If we can't get that information from
48 Fish and Game, because that would be the main way to
49 track whether somebody's harvested a moose in the fall
50 or not. I don't know if -- and our Refuge manager's

1 here. I don't know if he can work closely with Fish
2 and Game to get that data or not, but, you know, we
3 could use alternate language and just say, well, you're
4 not eligible to get one of these permits if you've
5 harvested a moose during the fall season.

6

7 CHAIRMAN FLEAGLE: Polly.

8

9 DR. WHEELER: I mean, we could also go
10 down the road of having a Federal permit that would
11 cover the fall and the winter seasons, and that way we
12 wouldn't be relying on another agency to provide the
13 harvest information. The harvest information could be
14 tracked internally. But my boss is saying something,
15 so you better look to him.

16

17 CHAIRMAN FLEAGLE: Additional
18 discussion.

19

20 Jack, did you want to have something to
21 add? No? Okay. Jerry.

22

23 MR. BERG: Well, you know, what Pete
24 was just mentioning is that we still have the State
25 hunt. Even if we went to a Federal permit in the fall
26 season, we'd still have the State hunt. And I think
27 the intent is if you've taken a moose under either
28 system, you know, in the falltime that you wouldn't be
29 eligible to take -- to get one of these permits. So I
30 mean we're still going to be relying on trying to get
31 information from the State. And whether we could get
32 that in time or not. It's probably going to come down
33 to being on the honor system, like Jack was saying.

34

35 CHAIRMAN FLEAGLE: To me it doesn't
36 really serve any good purpose if it doesn't have any
37 utility or any way to check it.

38

39 Just thinking about how this would
40 apply, have rational application on the ground is how
41 many -- are we worried about the number of people that
42 might go out that, let's say, their mother or brother
43 or sister or father had already gotten a moose, go out
44 and bag another moose? It seems like there's plenty of
45 willing participants to be out there in the field to
46 worry about any one household getting more than one
47 moose.

48

49 Jack.

50

1 MR. REAKOFF: Yeah. Mr. Chairman.
2 This isn't a real pressing issue or anything. It was
3 just one of the stipulations that the Council had
4 discussed and felt should be implemented. But it's not
5 -- we don't feel that there's -- you know, the 40-moose
6 quota has been nowhere even close to have been
7 harvested on an annual basis. And so I don't feel that
8 it's a real pressing issue, but the Council felt that
9 that's the way it should go, and I -- but it's your
10 discretion as to how you implement it.

11
12 CHAIRMAN FLEAGLE: Well, the way I see
13 it is we're trying to fix something that's not really
14 broken with a fix that doesn't work. I mean, how can
15 you -- it doesn't -- I don't make the connect.

16
17 I guess since we opened it up to
18 Council Chairs, Susan and then Judy.

19
20 MS. ENTSMINGER: Yeah. Mr. Chair. I
21 would just like to point out there's a joint
22 State/Federal permit for the Fortymile Caribou Herd.
23 And if the season was longer on the Federal side, they
24 just have to read the regs and all that information --
25 I mean, I think that they're doing a great job.
26 There's a lot of information that comes from that.
27 They just get one permit; it doesn't confuse the user,
28 and if you're looking for data, the State can do quite
29 a bit with how they issue those permits.

30
31 CHAIRMAN FLEAGLE: Judy.

32
33 MS. CAMINER: Thank you, Mr. Chair. It
34 just seemed to me the way the OSM recommendation is
35 written, it leaves the flexibility open to the manager
36 to do household permit or not, depending on what the
37 situation might be and the need might be should there
38 be a problem. But permit conditions are pretty open
39 here.

40
41 CHAIRMAN FLEAGLE: Board members,
42 further discussion on the amendment.

43
44 (No comments)

45
46 CHAIRMAN FLEAGLE: Ready for the
47 question.

48
49 (Board nods affirmatively)

50

1 CHAIRMAN FLEAGLE: Question's called on
2 the amendment to add the stipulation, only one permit
3 per household per regulatory year.
4
5 MR. PROBASCO: Thank you, Mr. Chair.
6 On the amendment. Ms. Masica.
7
8 MS. MASICA: No.
9
10 MR. PROBASCO: Ms. Kessler.
11
12 DR. KESSLER: No.
13
14 MR. PROBASCO: Mr. Bunch.
15
16 MR. BUNCH: Yes.
17
18 MR. PROBASCO: Ms. Dougan.
19
20 MS. DOUGAN: No.
21
22 MR. PROBASCO: Mr. Berg.
23
24 MR. BERG: Yes.
25
26 MR. PROBASCO: And Mr. Fleagle.
27
28 CHAIRMAN FLEAGLE: No.
29
30 MR. PROBASCO: Amendment fails, 4/2.
31 Or 2/4.
32
33 CHAIRMAN FLEAGLE: Okay. We're back to
34 the motion as originally stipulated. Further
35 discussion on the motion.
36
37 (No comments)
38
39 CHAIRMAN FLEAGLE: Ready for the
40 question.
41
42 (Board nods affirmatively)
43
44 CHAIRMAN FLEAGLE: I think Jerry did a
45 good job of laying out the rationale prior to making
46 the motion and those comments are reference in the
47 Board book in the analysis and discussion pursuant.
48
49 Ready for the question. Hang on.
50

1 DR. KESSLER: Just to be clear, so the
2 original motion is support with modification as stated
3 in the OSM conclusion.

4
5 CHAIRMAN FLEAGLE: Yes.

6
7 DR. KESSLER: Okay. Thank you.

8
9 CHAIRMAN FLEAGLE: Yes. Jack.

10
11 MR. REAKOFF: Mr. Chair. I want to be
12 clear the Western Interior Council wants to have this
13 hunt zone as one and two if a C&T is developed for 19A
14 residents in 21E. I want that to be on the record.

15
16 Thank you.

17
18 CHAIRMAN FLEAGLE: Thank you. Just
19 make sure that all the parties involved with the
20 working group that was mentioned earlier consider that.
21 And I'm just looking around to make sure that the
22 agencies that volunteered in that effort would make
23 sure that that's involved.

24
25 Thanks, Jack.

26
27 Are we ready for the question on
28 Proposal 65.

29
30 MR. BUNCH: Call for question.

31
32 CHAIRMAN FLEAGLE: The question's
33 called. Pete, on 65.

34
35 MR. PROBASCO: Thank you, Mr. Chair.
36 Final action on WP10-65, and the language as supported
37 by the Councils is found on Page 687 with modification.

38
39 Ms. Kessler.

40
41 DR. KESSLER: Yes.

42
43 MR. PROBASCO: Mr. Bunch.

44
45 MR. BUNCH: Yes.

46
47 MR. PROBASCO: Ms. Dougan.

48
49 MS. DOUGAN: Yes.

50

1 MR. PROBASCO: Mr. Berg.
2
3 MR. BERG: Yes.
4
5 MR. PROBASCO: Mr. Fleagle.
6
7 CHAIRMAN FLEAGLE: Yes.
8
9 MR. PROBASCO: And Ms. Masica.
10
11 MS. MASICA: Yes.
12
13 MR. PROBASCO: Motion carries, 6/0.
14
15 CHAIRMAN FLEAGLE: All right. Thank
16 you.
17
18 I want to thank all the Staff that have
19 come forward and helped us work through those
20 proposals, as well as the Council Chairs and Board
21 members' hard work for putting together a good record
22 of issues.
23
24 There was one issue that we raised the
25 first day I felt after we'd took the action that may
26 not have had as complete a record as we would have
27 liked to have, because a lot of the supporting data was
28 involved with another proposal that no action was taken
29 on. So we wanted to make sure that that was
30 considered.
31
32 Wini, are you prepared to make a
33 statement to that effect.
34
35 DR. KESSLER: Thank you, Mr. Chair.
36
37 I want to offer a clarification
38 concerning Proposal 10-18a. In moving to take no
39 action on Proposal 10-18a I did not mean to suggest
40 that the analysis for Proposal 18a was not an important
41 source of information considered. In our discussion of
42 Proposal 10-11, we made reference to data presented in
43 the 18a analysis. That information helped inform our
44 deliberations and decision on Proposal 10-11 and my
45 subsequent motion to take no action on 10-18a.
46
47 Thank you, Mr. Chair.
48
49 CHAIRMAN FLEAGLE: I just look to Board
50 members just for concurrence. I think that the intent

1 here was just to make sure that all the hard work and
2 material that was presented in 18a is part of the
3 justification for adopting Proposal 11.

4

5 (No comments)

6

7 CHAIRMAN FLEAGLE: All right. That's
8 clear. Clear for you, too? Okay. Thank you.

9

10 That concludes the regulatory -- not
11 the regulatory, the non-consensus agenda items. We now
12 move to the consensus agenda proposals. Excuse me.

13

14 If you remember back to Tuesday, the
15 first day of this meeting, we announced the consensus
16 agenda. And opportunities have been provided for
17 comment on the consensus agenda each day. And since
18 the beginning of the meeting, there have been the
19 following changes to the consensus agenda. Proposals
20 10 and 13 -- or 10-13 and 10-17 were moved to the
21 consensus agenda, and no proposals were taken off the
22 consensus agenda.

23

24 Dr. Wheeler will now read the numbers
25 of the proposals on the consensus agenda for the
26 record, and we'll look for a motion from a Board member
27 on the consensus agenda.

28

29 Polly.

30

31 DR. WHEELER: Thank you, Mr. Chair.
32 I'll just read through the proposals quickly by region
33 just for clarify of record sake.

34

35 For the Southeast Alaska Region, Region
36 1: Proposals WP10-06, WP10-08, WP10-09, WP10-10, WP10-
37 13, WP10-14, WP10-15, WP10-16, WP10-17, WP10-18b, WP10-
38 19, WP10-20. And the analysis for proposals WP10-23,
39 10-24, 10-25, 10-26 were combined into one analysis,
40 but those were all on the consensus agenda, Mr. Chair.

41

42 For Region 2, Southcentral Alaska:
43 There were three analyses covering five proposals.
44 WP10-31, WP10-40, and the analysis for Proposals 10-36,
45 10-37, and 10-41.

46

47 For the Kodiak/Aleutians Region, Region
48 3: We have Proposals 10-42 and 10-43/44, again one
49 analysis for two proposals.

50

1 For the Bristol Bay Region, Region 4:
2 We have Proposals 10-45, 10-46, 10-47, 10-48, a single
3 analysis for 10-49/50, and then Proposal 10-52.

4
5 For Region 5, the Yukon-Kuskokwim
6 Delta: Proposals on the consensus agenda include WP10-
7 55, WP10-57, one analysis for Proposals 10-58 and 10-
8 62, WP10-60 and 10-61.

9
10 For Western Interior: There are
11 Proposals WP10-63, WP10-70 and WP10-71.

12
13 For the Seward Peninsula Region, Region
14 7: WP10-73, 10-74, 10-75, 10-77, 10-79 and 10-108.

15
16 For the Northwest Arctic Region, Region
17 8: We have Proposals 10-84, 10-82, 10-83, and 10-85.
18 Again those three were in one analysis.

19
20 For Region 9, Eastern Interior Alaska:
21 Proposals 10-90, 10-94, 10-96, 10-101, 10-102, 10-103,
22 and 10-105.

23
24 For the North Slope Region: Proposals
25 10-106 and 10-107 were on the consensus agenda.

26
27 We have for Southcentral and Eastern
28 Interior Region crossover proposals: Proposals 10-29
29 and 30, 10-38, 10-39 and Proposals 10-97, 10-98, 10-99
30 and 10-100.

31
32 There was two proposals that were
33 covered by three Councils. That was Proposal 10-51 and
34 10-53.

35
36 Proposal 10-66 was for Western Interior
37 and Yukon-Kuskokwim Delta Regions.

38
39 And Proposal 10-81 was on the Seward
40 Peninsula, Yukon-Kuskokwim Delta Region.

41
42 Mr. Chair. that concludes the
43 proposals that are on the consensus agenda.

44
45 CHAIRMAN FLEAGLE: Okay. Thank you,
46 Polly, for reading those numbers into the record.

47
48 I will now entertain a motion from a
49 Board member to adopt the consensus agenda as just
50 presented.

1 DR. KESSLER: Mr. Chair. I make a
2 motion to adopt the consensus agenda as just read out
3 by Dr. Wheeler.
4
5 MR. BUNCH: Second.
6
7 CHAIRMAN FLEAGLE: Any discussion.
8
9 (No comments)
10
11 CHAIRMAN FLEAGLE: As was said earlier,
12 I just really appreciate all the hard work that went
13 into these proposals on the consensus agenda by the
14 RACs, by the State, by the OSM Staff and InterAgency
15 Staff Committee. It really reduced the number of
16 proposals that we had to address here at this open
17 forum down to a fairly manageable number. I appreciate
18 all the work. It's pretty significant.
19
20 With that, are we ready for the vote on
21 the consensus agenda.
22
23 (Board nods affirmatively)
24
25 CHAIRMAN FLEAGLE: Yeah, we can do
26 that, can't we. Is there unanimous consent to adopt
27 the consensus agenda.
28
29 (Board nods affirmatively)
30
31 CHAIRMAN FLEAGLE: No objection.
32
33 (No objections)
34
35 CHAIRMAN FLEAGLE: Hearing none, that
36 carries. Thank you.
37
38 No other business.
39
40 All right. That brings us to item 8,
41 other business. There was no other business announced
42 at the beginning of the meeting that I remember.
43
44 Pete, do you have anything that needs
45 to be brought up.
46
47 MR. PROBASCO: Not on my agenda, Mr.
48 Chair.
49
50 CHAIRMAN FLEAGLE: Oh, I have one. I

1 wrote a note to myself. When we took action on 32b and
2 also this was raised for Proposal 17, but the action
3 that we took on Unit -- I mean, on Proposal 22 that
4 took the delegations of authority out of regulation and
5 put them all into letters of authority, I wanted to
6 make sure that all the subsequent authorities that this
7 Board passed fall under that guideline, that they
8 simply need a delegation of authority. I just wanted
9 to -- pardon?

10

11 DR. WHEELER: For Southeast Region, Mr.
12 Chair.

13

14 CHAIRMAN FLEAGLE: Just southeast.
15 Okay. Just Southeast, that's right. That's what I
16 meant. But all the ones that -- that was 17, right?

17

18 DR. WHEELER: Yes, Mr. Chair.

19

20 CHAIRMAN FLEAGLE: Okay, we got it
21 then. Thanks.

22

23 Other business. Judy. Go ahead, Judy.

24

25 MS. CAMINER: Mr. Chair. I wanted to
26 thank you for running a good meeting. I wanted to tell
27 you I think Southcentral will be very pleased by the
28 results of this meeting.

29

30 And I commend the Board for upholding
31 Title VIII. That's what you're here to do, and I think
32 a lot of that was accomplished.

33

34 I just want you to know you make a
35 difference in people's everyday's lives. And so the
36 work you do here is very important, even though I'm
37 sure you kind of dread how many messages on the
38 Blackberry or how many meetings are ahead of you that
39 you've missed. What you do is really important and
40 certainly makes a difference to our rural users.

41

42 I want to thank the Staff for coming up
43 with a new system of shortening presentations, both the
44 State and Federal Staff. I thank the ISC for coming up
45 with some alternatives that were useful in this
46 discussion.

47

48 One suggestion that we brought up was
49 maybe to have a Chair or representative, if at the last
50 minute someone can't make it from a RAC, to at least be

1 teleconferenced in for those specific proposals. We
2 would have benefitted from hearing from Y-K yesterday
3 when we were doing those proposals.

4
5 Wini, I wanted to thank you for all
6 your service on the Board. You came in as a scientist
7 and you're leaving as a scientist, but you're also
8 leaving us as someone who has gained a huge
9 appreciation for what life is like in many areas of
10 Alaska, and you've served really, really well. So
11 thank you so much.

12
13 (Applause)

14
15 CHAIRMAN FLEAGLE: Charlie Bunch.

16
17 MR. BUNCH: Well, in a -- we'll do a
18 mutual admiration society here. I wanted to thank all
19 of the RAC members and Chairs for all the work that
20 you've done. It's evident that you guys do a lot of
21 work, and at least I for one appreciate it. I know
22 that you guys go through a lot of stuff and bring this
23 stuff to us in a manner that even I can understand. So
24 I appreciate that.

25
26 I appreciate all the testimony from the
27 people that took the time out from their activities
28 just to come down and talk to us. And I, too, would
29 like to give my appreciation to Wini and to Warren, but
30 he's already taken off, so.....

31
32 All right. Thank you.

33
34 CHAIRMAN FLEAGLE: I have Michael Bangs
35 next.

36
37 MR. BANGS: Thank you, Mr. Chairman. I
38 just wanted to touch on a couple of things real quick.

39
40 I just found that we were -- the
41 Southeast Council wrote a letter of concern about the
42 lack of funding or the reduction in funding, and it was
43 just accepted by ALSIMs (ph) so it's being sent on to
44 the Interior. And we're hoping that something will
45 come of that.

46
47 With that said, I talked to the
48 Coordinator a little bit about this and we talked about
49 it at the RAC meeting, is the understanding of how this
50 all works isn't apparent to a lot of the Council

1 members, and understanding that the funding isn't
2 there, but it would be helpful if we could possibly
3 incorporate some of the Council members to be able to
4 come to the meeting. You know, like maybe one or two
5 or whatever, just something if the funding was there,
6 so that they would understand a little bit more about
7 how this end of the process works. It might help to
8 make a smoother overall process. So that was one of
9 the things that we had talked about.

10

11 And another thing that I was hoping the
12 Board follows through with, and that's taking a bigger
13 role in the State Board of Fish and Board of Game, try
14 to get a bigger -- a voice at the table.

15

16 And another thing would be that it
17 would be great if we could coordinate the meeting
18 times, have the State Staff and the Federal Staff work
19 a little bit better so we don't have conflicting
20 Council meetings and Board of Fish meetings so that as
21 much as could be expected to coordinate them. It would
22 be good, because I found myself trying to figure out
23 whether I should go to the Board of Fish or, you know,
24 this meeting or that meeting, because they overlap
25 sometimes. So we're hoping to get a little bit better
26 coordination between the two.

27

28 Anyway, thank you, everyone for your
29 hard work, and it's been a good meeting. Thank you.

30

31 CHAIRMAN FLEAGLE: Thank you, Michael.

32

33

34 Molly Chythlook.

35

36 MS. CHYTHLOOK: I'd like to thank --
37 excuse my voice, I'm still struggling with my
38 allergies.

39

40 But this is my first RAC -- Federal
41 Subsistence Board meeting. It's been relaxing, because
42 the observation that I observed when I attend the State
43 Board of Game and Board of Fish, you know, that seems
44 to be really contentious, but I've really enjoyed
45 attending this one, because it's a relaxing atmosphere.
46 Since this is my first time here, I can't tell you what
47 to do and what not to do, but I really appreciate the
48 work that this Board is doing.

49

50 And it's good to put a face to all of

1 you so that I'll be able to know who the Board members,
2 you know, when I go back and work with my Board
3 members.

4

5 And then it's been good to meet the
6 rest of the RAC members, although because it's the
7 first time I'm hear, I don't know their backgrounds,
8 but it's been good to sit here and listen to their
9 concerns, their issues, because there's a relationship
10 even though we live in different regions, our issues
11 are the same, you know, in ways. And just listening to
12 the issues and resolving the issues, it gives me an
13 idea of how I could work with our issues that we have
14 with caribou and moose and whatever else.

15

16 And then one thing that I'd like to
17 request and hope to continue is the working group with
18 our moose and caribou and to get the interested
19 subsistence users involved by drainages. And I really
20 appreciate the OSM Staff that have been working with
21 this and they've really been open minded and ready to
22 help any time we ask for help. And their presence at
23 our meeting.

24

25 So I just want to thank everybody here
26 for education through you processes by attending this
27 meeting. So thanks again.

28

29 CHAIRMAN FLEAGLE: Appreciate the
30 comments, Molly.

31

32 Others. Sue and then Jack.

33

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

35

36

37 I want to say thank you, ditto, ditto,
38 ditto, and also I would like to thank the Park Service
39 for working with us on some of these hard issues that
40 are ahead of us. And thank the State, too, and help
41 for more working groups and more chances for us to work
42 together, because I think that's the benefit for us as
43 users is, you know, when we go back to our RAC and go
44 back to talk to people, we need to be able to talk to
45 them and relay it in our terms, and sometimes that's
46 really hard, but I do appreciate the fact or
47 willingness to work together. That's really important
48 to me for the future of Alaska.

49

50 Thank you.

1 CHAIRMAN FLEAGLE: Thank you, Sue.

2

3 Jack.

4

5 MR. REAKOFF: Thank you, Mr. Chair.

6

7 I really appreciate the Board's
8 deliberation of the proposals, and I really enjoy the
9 Federal presentation of the proposals, laying it out
10 really clearly what's on the table. And I really
11 appreciate the deliberation of the Federal Board itself
12 on making sure the proposals are absolutely correct,
13 taking into account the public sentiments as in the
14 Proposal 69. And the AC and RAC's concerns.

15

16 I want to really think Wini for her
17 time that she spent, many hours and days, on this
18 Board, and I really appreciate that, and her thorough
19 looking. And I'm sure you've learned quite a bit as
20 we've learned from -- we learn from this Board. It
21 takes us a while when we show up here as RAC chairs to
22 really learn how this Board works, because it is a
23 little different. It's a different system. We work
24 with the Board here whereas under the State system we
25 speak and then you've got to chase the Board members
26 into the bathroom.

27

28 (Laughter)

29

30 MR. REAKOFF: So that's a different
31 system.

32

33 I do highly appreciate our OSM Staff.
34 All of our Staff members with OSM and the agencies
35 really, really assist the Regional Councils in doing
36 their work, and without that, we really need good
37 coordinators and good information flow from OSM, and so
38 hopefully we get -- they've had staffing issues this
39 year, and it's been a real constraint for them with
40 this huge book to work with, and so I really appreciate
41 them. I called Polly on some teleconferences, within
42 days, minutes, those were accommodated. And so I
43 really appreciate our Federal Staff of all the
44 agencies. Park Service. U.S. Fish and Wildlife. BLM.
45 Forest Service.

46

47 So I think we had a great meeting.

48 Thank you.

49

50 CHAIRMAN FLEAGLE: Thank you, Jack.

1 Harry Brower.

2

3 MR. BROWER: Thank you, Mr. Chairman.

4

5 Just to echo all the comments that have
6 been provided here this afternoon in regards to the
7 Federal Subsistence Board's actions and their
8 deliberations in regards to all these proposals. And,
9 Mr. Chair, I'd like to thank you for running a very
10 good meeting for these past few days.

11

12 I have to make my comments in regard to
13 the North Slope. It's not that we don't have any
14 problems. We do have our problems, but they're on the
15 north side of the Brooks Range, and hardly anybody gets
16 to go that far, but we do have our fair share of
17 problems that we deal with on the North Slope. It's
18 Federal subsistence, but at different levels. We have
19 our marine mammals and the migratory bird issues that
20 we deal with up there. And we're not really addressing
21 them under this Federal subsistence program. They're
22 at a different level within a different arena of
23 Federal subsistence.

24

25 So I've made my comments. And like I'd
26 like to acknowledge and thank our coordinator, Barbara,
27 and having to work with her for all these years. She's
28 kind of sitting in the back and being quiet back there,
29 but she does help our communities and our Regional
30 Advisory Council members up on the North Slope in
31 getting them informed and trying to address the issues
32 that are before us in regards to the Federal
33 subsistence issues.

34

35 And thank you again, Mr. Chairman.

36

37 CHAIRMAN FLEAGLE: Thank you, Harry.

38

39 Weaver.

40

41 MR. IVANOFF: Yeah, I just almost feel
42 compelled after all of that.

43

44 (Laughter)

45

46 MR. IVANOFF: All right. I would like
47 to reiterate what everybody has said. I think you ran
48 a really fine meeting. It's well-informed, a lot of
49 participation and well run. And really appreciate
50 that, and Staff again.

1 And Barbara from what I understand will
2 be resigning here shortly and moving up like a nomadic
3 Eskimo up to Kiana, I think, shortly once she resigns.
4 So I'd like to thank her.

5
6 One of the things that was discussed
7 during our RAC meeting, just after the meeting was
8 concluded was that we would like to, and I was really
9 pleased to see that the, and I didn't realize it, that
10 the State of Alaska has already community harvest
11 process in place. And I think that's one of the areas
12 that the RAC is going to take a real strong look at now
13 as far as the communities in Seward Pen. And probably
14 you might be seeing more of that kind of system or
15 process in place, and it would I think take a lot of
16 strain and -- not strain, but a lot of time and effort
17 on going through proposals like we're doing right now
18 if indeed community harvest became a reality.

19
20 I did go on record at the end of that
21 meeting saying this is something I would like to take a
22 look at in our region, because it's really conducive
23 for that. And so that's one of the areas we'll take a
24 look at.

25
26 Thank you much.

27
28 CHAIRMAN FLEAGLE: All right. Thank
29 you. Appreciate all the comments from everybody.

30
31 And before we take a motion to adjourn,
32 I also want to just thank Ken and Keith for keeping us
33 on our toes and keeping us out of the weeds and keeping
34 us out of legal trouble as well as they can.

35
36 (Laughter)

37
38 MR. GOLTZ: So far.

39
40 CHAIRMAN FLEAGLE: So far. With that,
41 is there a motion for adjournment.

42
43 MS. MASICA: Mr. Chairman. I make a
44 motion that we adjourn.

45
46 MR. BUNCH: I second it.

47
48 CHAIRMAN FLEAGLE: It has been moved
49 and seconded for adjournment. Meeting is adjourned.
50 Thank you, everyone.

1
2
3

(Off record)

(END OF PROCEEDINGS)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the State of Alaska and Owner of Computer Matrix, do hereby certify:

THAT the foregoing pages numbered 381 through 518 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME III taken electronically under my direction on the 20th day of May 2010, beginning at the hour of 8:30 a.m. at the Coast International Inn, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction;

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

DATED at Anchorage, Alaska, this 2nd day of June 2010.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/10