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FEDERAL SUBSISTENCE BOARD
PUBLIC REGULATORY MEETING

VOLUME III

GORDON WATSON CONFERENCE ROOM
U.S. FISH AND WILDLIFE SERVICE
ANCHORAGE, ALASKA

April 17, 2014

MEMBERS PRESENT:

- Tim Towarak, Chairman
- Charles Brower
- Anthony Christianson
- Bud Cribley, Bureau of Land Management
- Geoff Haskett, U.S. Fish and Wildlife Service
- Deb Cooper, National Park Service
- Bruce Loudermilk, Bureau of Indian Affairs
- Wayne Owen, U.S. Forest Service

Ken Lord, Solicitor's Office

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P R O C E E D I N G S

(Anchorage, Alaska - 4/17/2014)

(On record)

CHAIRMAN TOWARAK: Thank you very much. Good morning. My name is Tim Towarak. I'm the Chairman of the Board. I'd like to call this meeting to order. It's a continuation of the meeting that we recessed yesterday about 6:00 o'clock in the evening.

We typically start every day with opening the floor for any public comments on non-agenda items. On today's agenda we've got -- we're going to try to complete the 2014/2016 Subpart B C and D proposals. We're going to do a special on the Kuskokwim Chinook issue. We've got issues on the Stikine River, and some discussions about the Secretarial appointments. And we're going to get an update on extraterritorial jurisdiction.

And in other business, we've got an executive session and hopefully that will bring us to 5:00 o'clock.

(Laughter)

UNIDENTIFIED VOICE: It will bring us to 5:00 o'clock.

CHAIRMAN TOWARAK: But I'll -- I'll leave the floor open for non-agenda items. I would like to start with an introduction by Mr. -- by Geoff, and.....

MR. HASKETT: Okay. What Tim's asking me to do, everybody's noticed that I've left right at 5:00 every day this week. It's because I've got my daughters visiting me this week, and actually one of them's leaving today, so I brought them in with me this morning. They're sitting in for the meeting, so I'm going to embarrass them. And so it's Nicole, Rachel, and Darcy over there. So they're figuring out what I do now, which is this is an interesting day for him to come in and figure that out.

(Laughter)

1 MR. HASKETT: So that's my
2 introduction. Thank you, Tim.
3
4 CHAIRMAN TOWARAK: Thank you.
5
6 The floor is open then for anyone that
7 would like to address the Board on non-agenda items.
8
9 (No comments)
10
11 CHAIRMAN TOWARAK: If there aren't any,
12 then we will proceed with continuation of the 2014 C
13 and D proposals. We had left off I believe with 14-53,
14 was it?
15
16 MR. CRIBLEY: What? What did you say?
17
18 CHAIRMAN TOWARAK: I'm on the wrong
19 page.
20
21 MR. OWEN: 14-54 would be the one we're
22 on.
23
24 CHAIRMAN TOWARAK: 14-54 was the last
25 one?
26
27 MR. OWEN: Yeah, we skipped 50.
28
29 MR. HASKETT: We skipped 50.
30
31 CHAIRMAN TOWARAK: Okay. We want to go
32 back to 14-50 and pick that up, and then we will
33 continue from there with the -- the Staff
34 presentations. So we will address 14-50.
35
36 Could we start with the analysis
37 by.....
38
39 MR. MCKEE: Thank you, Mr. Chair.
40 Members of the Board. Once again my name is Chris
41 McKee. I'm the biologist with the Office of
42 Subsistence Management.
43
44 And WP14-50 begins on Page 152 of your
45 meetings materials booklet. As I did yesterday, I'd
46 just like to point out at the beginning that there's a
47 typo on the Federal season in this analysis. It says
48 August 10 through June 30th. The actual dates are July
49 1st through June 30th, so I just wanted to get that out
50 in the open right from the beginning so there isn't any

1 confusion.

2

3

4 This proposal was submitted by the
5 Easter Interior Regional Advisory Council, and requests
6 that brown bears be allowed to be hunted over bait in
7 Unit 25D. The proponent states that hunters should be
8 allowed to harvest brown bears that show up at black
9 bear bait stations, and that brown bears are at high
10 densities in the unit.

11

12 Furthermore, the proponent states that
13 hunting of brown bears over bait has been done in the
14 area for generations in both the spring and fall
15 seasons.

16

17

18 And the proponent submitted a similar
19 proposal to the Alaska Board of Game for Unit 25D, and
20 in February of this year the State Board of Game
21 adopted this companion proposal that allows for brown
22 bears to be taken over black bear bait stations in Unit
23 25D by both residents and non-residents.

24

25

26 The current population estimates for
27 brown bears in Units 25A, B, and D are based on
28 extrapolations from studies done in the 1980s and 1990s
29 with an estimated 1200 brown bears. It works out to
30 about 2.4 bears per 100 square miles.

31

32

33 Brown bears in northern Alaska do not
34 successfully reproduce until they're older than four or
35 five years. Small litter sizes, long intervals between
36 successful reproduction, and low rates of successful
37 reproduction also have been known for the species. For
38 these reasons, brown bears are often managed
39 conservatively.

40

41

42 According to the Yukon Flats
43 Cooperative Moose Management Plan, there were an
44 estimated 380 grizzly bears in 25D, or about one bear
45 per 46 square miles. Based on a five percent
46 sustainable harvest rate, the estimated sustainable
47 harvest is about 19 animals, assuming some harvest of
48 female bears.

49

50

51 The State management objectives for
52 Unit 25D are to manage for a temporary reduction in
53 grizzly bear numbers in predation of moose. After this
54 reduction is achieved, bear harvest will be reduced to
55 allow the bear population to recover.

56

1 Brown bear mortality in Units 24B and D
2 has been low in most years. Between 2000 and 2012, an
3 average of four bears were reported harvested annually
4 in these units. You can see that on Table 1 on Page
5 157 of the booklet. However, under-reporting of
6 harvest is suspected due to the difficulty in getting a
7 bear sealed in this remote area, and there is a
8 discrepancy between reported harvest and the harvest
9 recorded during household surveys. For example, annual
10 harvest of brown bears between 2006 and 2010 averaged
11 23 animals according to household survey data, while
12 the annual reported harvest during the same period
13 averaged just 6 animals. The average annual harvest as
14 reported by household surveys exceeds the sustainable
15 harvest for the species in 25D.

16
17 There are currently two guides on the
18 Yukon Flats National Wildlife Refuge that harvest bears
19 in 25D. Currently guided harvest of brown bears is just
20 a few animals per year, but Refuge Staff have been told
21 that brown bear harvest would increase if baiting were
22 allowed in the Refuge.

23
24 If this proposal is adopted, brown
25 bears will be allowed to be harvested using bait on
26 Federal lands by Federally-qualified users. This would
27 be the first regulation of its kind for brown bears on
28 Federal lands in Alaska. If adopted it will provide
29 increased opportunities for Federally-qualified users
30 to harvest brown bears in the unit.

31
32 The effect of this proposal on brown
33 bear populations is difficult to predict given that the
34 latest population estimates for the species are now
35 about 20 years old and based on extrapolations done on
36 studies earlier in the 20th century.

37
38 Hunting brown bears over bait would
39 most likely lead to an increase in hunter success
40 versus the tradition spot and stalk hunt, because it is
41 a more efficient method of hunting.
42 Additionally the harvest limit for brown bears in Unit
43 24D was changed from one to two bears every regulatory
44 year in 2012, and there's potential for further
45 increase in brown bear harvest by non-local hunters if
46 both the State and Federal proposals were approved.
47 Opening up brown bears to baiting, combined with a
48 doubling of brown bear harvest limit in such a short
49 period of time could have an adverse impact on the
50 species, especially in northern portions of the State

1 where brown bears are known to have low reproductive
2 rates.

3

4 A conservative approach to an increase
5 in harvest for the species is warranted prior to the
6 initiation of more efficient methods of harvest like
7 baiting.

8

9 So for all these reasons, the OSM
10 conclusion is to oppose WP14-50.

11

12 And that's all I have for this
13 analysis.

14

15 CHAIRMAN TOWARAK: Thank you. Thank
16 you, Chris.

17

18 Are there any questions of the Staff
19 from the Board.

20

21 MS. COOPER: Yeah, Mr. Chair.

22

23 Would you speak a little bit more to
24 the -- how recent the latest data is, and whether it
25 includes -- if it -- if you think it s fairly
26 conclusive?

27

28 MR. MCKEE: You mean the recent
29 population estimates?

30

31 MS. COOPER: That's correct.

32

33 MR. MCKEE: Again, we're not talking
34 about a 25D specific survey. We're talking about
35 extrapolations from other units, basically similar
36 units. But we're also -- those extrapolation are from
37 estimates done the 1980s and 1990s.

38

39 MS. COOPER: So 30-year-old data from
40 other places?

41

42 MR. MCKEE: Yes.

43

44 MS. COOPER: Thank you.

45

46 CHAIRMAN TOWARAK: Mr. Haskett, did you
47 have a question.

48

49 MR. HASKETT: Not yet.

50

1 CHAIRMAN TOWARAK: No.

2

3 (Laughter)

4

5 MR. HASKETT: I will.

6

7 CHAIRMAN TOWARAK: All right. If there
8 are no further questions of the Staff, the next is the
9 summary of public comments from regional coordinator.

10

11 MS. PATTON: Mr. Chair and members of
12 the Board. For the record, my name is Eva Patton,
13 Council coordinator for the Eastern Interior Regional
14 Advisory Council.

15

16 There is one written public comment,
17 and we also have comments submitted from Yukon Flats
18 AC.

19

20 On Page 162 of your book, we have a
21 comment submitted by Donald Woodruff of Eagle
22 supporting Proposal WP14-50, noting that taking of
23 black and brown bears over bait has been a traditional
24 practice in the area. This area as an exceptionally
25 low moose population and the locals are trying to get
26 meat from bears that is not available for moose. And
27 he notes, as one Eastern Interior RAC member said, it
28 would legalize a practice that has been a traditional
29 practice.

30

31 We also have a comment submitted by the
32 Yukon Flats AC to the Board in support of WP14-50.
33 They note that members are in favor of any proposal
34 that could potentially increase the harvest of either
35 black or brown bears.

36

37 And that is all. Thank you.

38

39 CHAIRMAN TOWARAK: Thank you. Any
40 questions regarding the comments.

41

42 (No comments)

43

44 CHAIRMAN TOWARAK: If not, then we will
45 continue with public testimony on 14-53 -- or 14-50.
46 According to reports we do not have anyone that's ready
47 to present or propose public testimony.

48

49 We will continue then with the Regional
50 Council recommendation.

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

2

3 We met on this before the Board of Game
4 actually met in February, and that -- the joint
5 proposal passed. So the Council -- we discussed this
6 and, of course, had it in several meetings, because we
7 put it in as a proposal and then we discussed it at our
8 fall meeting.

9

10 And our Council member Andrew Firmin,
11 who works with CATG, they do their own collection of
12 data that -- and he said that there does not appear to
13 be a conservation concern with the harvest levels. And
14 the Council feels it would be helpful to align the
15 Federal seasons with the State seasons, taking in mind
16 on them, if this does not pass, that would mean that
17 nonresidents would have a better season than the
18 Federal season. They would have more opportunity to
19 hunt than the Federal season.

20

21 And actually Andrew also noted that
22 people end up taking brown bears over -- or grizzly
23 bears to us, over moose kills when they're killing --
24 or hunting moose, and it is a practice that they've
25 done for years. And also taking note that you have to
26 save the meat, and that they do use the meat. They do
27 make things out of it.

28

29 And also we talked about brown bear
30 don't necessarily come in on a black bear bait. The
31 statistics on that would be a little low.

32

33 And I believe -- the locals feel
34 strongly that there is a use of this.

35

36 So -- and also I think that people feel
37 this argument of low reproduction is not true, that
38 there are some twinning, triplets, and quadruplets of
39 grizzly bears, so they feel strongly that we would --
40 since the State passed this, it would be great for the
41 Federal Board to pass it also.

42

43 CHAIRMAN TOWARAK: Thank you.

44

45 Any questions of the regional Chair.
46 Mr. Cribley.

47

48 MR. CRIBLEY: Yeah, I was just curious.
49 I don't see it in my book, and it's probably there and
50 I just haven't read it, but who proposed this.

1 MS. ENTSMINGER: Eastern Interior.
2
3 MR. CRIBLEY: The RAC itself?
4
5 MS. ENTSMINGER: That's right.
6
7 MR. CRIBLEY: No individual or
8 anything, it just kind of bubbled up or how did this
9 come about?
10
11 MS. ENTSMINGER: Well, it come from the
12 people on the RAC from that region.
13
14 MR. CRIBLEY: Okay. Okay. That is
15 correct.
16
17 CHAIRMAN TOWARAK: Any further
18 questions. Go ahead, Glenn.
19
20 MR. CHEN: Ms. Entsminger, thanks very
21 much for that report from the Council. And just to
22 reiterate, your Council did discuss potential issues
23 about conservation concerns for brown bears, but didn't
24 feel that those were warranted?
25
26 MS. ENTSMINGER: That's correct.
27
28 MR. CHEN: Thank you very much.
29
30 CHAIRMAN TOWARAK: Any further
31 questions.
32
33 (No comments)
34
35 CHAIRMAN TOWARAK: Thank you. We will
36 continue then with the Alaska Department of Fish and
37 Game comments.
38
39 MS. YUHAS: Thank you, Mr. Chairman.
40 For the record Jennifer Yuhas with the Alaska
41 Department of Fish and Game.
42
43 The Department is officially neutral in
44 the methods and means, but supports alignment with the
45 State position. We recently passed companion proposal
46 at our Board of Game.
47
48 And one thing that we want to remind
49 the Board of in this particular discussion is we've had
50 a lot of discussions about values associated with

1 certain types of animals, whether they be wolves or
2 bears, in many different arenas as they apply to
3 different Federal land managers.

4

5 In this particular discussion, we're
6 responding to a request by the users for increased
7 harvest opportunity. We've noted that we don't have
8 conservation concerns. We've heard explanations that
9 that's extrapolated. We have extrapolated data in a
10 number of arenas for a number of species. We also have
11 local testimony of what they're seeing in the area.

12

13 Rumors will always persist of what
14 might happen if you do something. We understand that.
15 Refuge Staff may have possibly heard that many people
16 will go there. We think that's a rumor. Looking at
17 the many times that we've incentivized increased brown
18 bear harvest around the State, especially using Unit 13
19 as an example, significantly more accessible than this
20 area, and the Board of Game has continually
21 incentivized brown bear harvest in that area, and we're
22 not getting the harvest. We predict that it could be
23 one bear a year additional harvest in this area. And
24 so the Department supported this when it came through
25 the Board of Game.

26

27 And we'll be open to questions as you
28 deliberate.

29

30 CHAIRMAN TOWARAK: Thank you.

31

32 Any questions of the State. Go ahead.

33

34 MS. COOPER: Through the Chair.

35

36 Jennifer, what were the dates that the
37 Board of Game passed?

38

39 MS. YUHAS: February. Can I get away
40 with just February without looking at notes somewhere
41 on the internet.

42

43 MS. COOPER: Thank you. I just wanted
44 to see if this actually aligned or not.

45

46 MS. YUHAS: Through the Chair.

47

48 The dates will take effect for this
49 upcoming season, even though they were recently passed.

50

1 CHAIRMAN TOWARAK: If there aren't any
2 further questions, we will continue then with the
3 InterAgency Staff Committee comments.

4
5 MR. ARDIZZONE: Mr. Chair. Chuck
6 Ardizzone.

7
8 This is one of the proposals that just
9 has the standard comments. The InterAgency Staff
10 Committee found the Staff analysis to be thorough and
11 accurate evaluation of the proposal, and that it
12 provided sufficient basis for the Regional Advisory
13 Council recommendation on the Federal Subsistence Board
14 action on this proposal.

15
16 And as Mr. Sharp stated yesterday, this
17 is the standard comment for pretty much every proposal,
18 and there's a few that we have extended comments on
19 that we will present later.

20
21 CHAIRMAN TOWARAK: Thank you.

22
23 Any questions of the Staff. Go ahead,
24 Sue.

25
26 MS. ENTSMINGER: I might be asleep this
27 morning or something, but it seems like all of this
28 data that's in our books is prior to the Board of Game
29 meeting and that passing, and this was a joint
30 proposal, and it's the same exactly as the State. So
31 it would make the Federal subsistence season more lib
32 -- less liberal. So I want to keep pointing that out.

33
34 MR. C. BROWER: Mr. Chair.

35
36 CHAIRMAN TOWARAK: Mr. Brower.

37
38 MR. C. BROWER: Just a question. I'm
39 just trying to get an understanding here, that the
40 existing season is from August 10 to June 30th. It's
41 noted that the date -- not the date, you said about the
42 language. Where is that referring to? The above
43 language is the same August 10 to June 30th, and what
44 is the correct date, August 10 to June 30th?

45
46 Thank you.

47
48 MR. MCKEE: Mr. Chair. As I mentioned
49 at the beginning of the proposal that there s a typo in
50 the analysis, so the actual season dates are July 1

1 through June 30th.

2

3 MR. C. BROWER: July 1?

4

5 MR. MCKEE: July 1 through June 30th.

6

7 CHAIRMAN TOWARAK: Any further

8 questions.

9

10 (No comments)

11

12 CHAIRMAN TOWARAK: If not, then we'll

13 continue. Are there any tribal consultations.

14

15 MS. ENTSMINGER: Go ahead, Sue.

16

17 CHAIRMAN TOWARAK: Go ahead, Sue.

18

19 MS. ENTSMINGER: I apologize for

20 interrupting, but there's confusion here, and Judy

21 pointed out that I need to -- you guys to be clear that

22 it's the exact same season as the State's.

23

24 MR. C. BROWER: And that being what?

25

26 MS. CAMINER: This proposal is.

27

28 MS. ENTSMINGER: This proposal is, yes.

29

30 CHAIRMAN TOWARAK: Jack.

31

32 MR. LORRIGAN: Good morning, Mr.

33 Chairman. Board members. My name is Jack Lorrigan,

34 Native liaison for the Office of Subsistence

35 Management.

36

37 There were two comments to WP14-50. A

38 representative from the Native Village of Tanana

39 supported WP14-50 to allow harvest of brown bear over

40 bait in Unit 25D.

41

42 The Fort Yukon representative also

43 supported WP14-50, felt it would legitimize current

44 practices. But they are seeing a lot more bears in the

45 woods, and they also agreed that there should be -- the

46 data should be updated.

47

48 CHAIRMAN TOWARAK: Mr. Haskett.

49

50 MR. HASKETT: So I think we need to go

1 -- we need to get this season thing clarified, because
2 I'm looking around the room and seeing people saying
3 different things. Can we get it confirmed on the
4 seasons, whether they're the same or different or not.

5

6 MS. COOPER: Mr. Chair. Clarify the
7 same with the State or the same as what they were? I'm
8 talking about aligned between the State and the Fed.

9

10 MR. HASKETT: May I?

11

12 CHAIRMAN TOWARAK: Go ahead. Go ahead,
13 Mr. Haskett.

14

15 MR. HASKETT: Okay. So I -- and we can
16 talk about this some more, but I don't believe it's a
17 season. It's really the baiting question, whether you
18 take bears over bait. Our seasons is July 1st to June
19 30th, so it's year round. Our season's actually opened
20 longer than what the State has done.

21

22 So the question here that we're looking
23 at isn't really the question of the seasons; the
24 question is whether we're going to vote to say that
25 it's okay or allow take of brown bears over bait.

26

27 CHAIRMAN TOWARAK: Go ahead, Sue.

28

29 MS. ENTSMINGER: So in the event it
30 didn't pass, what would that do to the Federal
31 subsistence qualified user for a season? They'd have
32 to go back to the State for a more liberal season?

33

34 CHAIRMAN TOWARAK: Go ahead, Mr.
35 Haskett.

36

37 MR. HASKETT: So I think our season is
38 wide open as it could possibly get, but I'm going to go
39 ahead and defer to someone who actually can speak to
40 this better than I can.

41

42 CHAIRMAN TOWARAK: Go ahead, Mr. --
43 Chuck.

44

45 MR. ARDIZZONE: Mr. Chair. As Mr.
46 Haskett stated, our season is a year round season. And
47 the differences would be -- currently it's the State
48 allows baiting, and we do not.

49

50 If this didn't pass, Federal users

1 could still participate in baiting under State
2 regulations as it stands.

3

4 CHAIRMAN TOWARAK: Mr. Cribley, you had
5 a questions.

6

7 MR. CRIBLEY: Well, under the
8 subsistence regs, and I don't see the current reg yet,
9 I haven't dug it out, but can you bait black bears
10 right now under the subsistence regs.

11

12 MR. ARDIZZONE: Through the Chair.

13

14 Yes, we allow black bear baiting. And
15 when I stated they could bait brown bears, it wouldn't
16 be under Federal regs, it would be under State regs,
17 but they could do it on Federal lands, because Federal
18 lands are not closed.

19

20 MR. CRIBLEY: Well, but under the
21 Federal subsistence regs, can you bait black bear?

22

23 MR. ARDIZZONE: Yes.

24

25 MR. CRIBLEY: Yes. So what we're
26 basically doing is adding brown bear to that during
27 those baiting seasons.

28

29 MR. ARDIZZONE: Yes.

30

31 MR. CRIBLEY: So -- okay.

32

33 CHAIRMAN TOWARAK: Mr. Haskett.

34

35 MR. CRIBLEY: That's clear.

36

37 MR. HASKETT: So as I understand it,
38 the question we have before us is a very specific one.
39 It's whether or not we will allow the take of brown
40 bears over bait. That's it. That's the question.

41

42 MS. COOPER: Mr. Chair.

43

44 CHAIRMAN TOWARAK: Go ahead, Ms.

45 Cooper.

46

47 MS. COOPER: Or if we're -- are we
48 ready for Board discussion with the Council Chairs.

49

50 CHAIRMAN TOWARAK: That is -- there

1 weren't any tribal -- we got the tribal consultation.
2 We're on Board discussion with Council Chairs and State
3 liaison.

4

5 MS. COOPER: Thank you, Mr. Chair.

6

7 This Federal Subsistence Board did
8 raise the limit from one to two bears as of July of
9 2012, and it appears too soon to understand the effects
10 of that increased opportunity quite yet.

11 I did read in the analysis, Page 155,
12 in the biological background, it says the 25D
13 population data is based on extrapolations as Mr. McKee
14 pointed out that are 20 or 30 years old.

15

16 And that brown bear reproduction in
17 northern Alaska faces a number of constraints, again on
18 Page 155, at the bottom of the paragraph, all of these
19 which result in low successful reproduction rates in
20 the region. And again historically these factors have
21 let managers to manage brown bear harvest fairly
22 conservative.

23

24 I also noted that -- well, actually my
25 Staff reminded me that the Board of Game was told at
26 its February 2014 meeting in Fairbanks that in the
27 spring of 2013, the first year brown baiting -- the
28 first year that brown baiting was allowed, that
29 interest in baiting increased quite a lot. There is a
30 reference available, in nearby GMU 12 there was a 78
31 percent increase from an 11-year average of 50 permits
32 to a spring 2013 request of 89 permits. And then also
33 in nearby GMU 20E there was a 93 percent increase. So
34 the take home message to me there was that increased
35 interest is not speculative as is suggested in the
36 analysis. It's real, and hunters and sporthunting
37 guides have taken note of this opportunity quickly.

38

39 And I would note that just last night I
40 was looking at the same guiding website that Mr.
41 Reakoff had mentioned yesterday. And on that same
42 sport guide, there is a new open brown bear baiting
43 opportunities available, so it is an opportunity that
44 at least one guide is advertising on their website, on
45 the same website that Mr. Reakoff mentioned yesterday.

46

47 Thank you, Mr. Chair.

48

49 CHAIRMAN TOWARAK: Go ahead. Go ahead,
50 Mr. Reakoff.

1 MR. REAKOFF: Yeah, Mr. Chair. I
2 looked at the Federal regulation book, and I have to --
3 I feel compelled to clarify for the Board, under bear
4 bait, killing bears off of moose kills that you've
5 extracted all the meat from, the remnants, the skin,
6 guts, all that, is already legal. So that's -- the
7 testimony that I'm hearing is that that's traditional.
8 Well, that's already legal. But that's not bear bait.

9
10

11 I'm not sure if the Council's aware
12 that that's already a legal practice.

13

14 MS. ENTSMINGER: They're just using an
15 example.

16

17 MR. REAKOFF: But that's already --
18 everybody can do that.

19

20 Thank you, Mr. Chair.

21

22 CHAIRMAN TOWARAK: I think Sue's got
23 comment that she would like to make with regards to Mr.
24 Reakoff, and then we'll take Mr. Haskett.

25

26 MS. ENTSMINGER: The -- our Council
27 knows that, Jack. They know it well.

28

29 And they also -- like all of you are
30 stating here, the increase in black bear baiting like
31 was just noted, you need to also look at the success of
32 a grizzly bear over bait. That's pretty minuscule in
33 comparison to black bear. Very minuscule. As a matter
34 of fact, in 20E, if you're going to look at back data,
35 there was a whole bunch of -- specifically for grizzly
36 was allowed over bait, and the harvest over, I don't
37 know how many years, but it was like six years, four
38 bears. It's minuscule. So it's just another
39 opportunity.

40

41 And I maintain if I'm looking at the
42 State season right now, it's two bears every regulatory
43 year for residents, July 1 to November 30. That's in
44 the State's handout here. And it's two bears, March
45 1st through June 20th. So if -- and right now what's
46 our Federal one, two? Yeah. And all they're asking is
47 to take it over bait. They're going to allow to take
48 it over bait under these regulations, so are we going
49 to make ours more restrictive?

50

1 MR. HASKETT: Maybe.

2

3 MS. ENTSMINGER: Yeah. That doesn't
4 sound very good to the user. The user doesn't like
5 seeing things that way. They like to see it to where
6 it make sense. That doesn't make sense to the user in
7 the field.

8

9 CHAIRMAN TOWARAK: Mr. Haskett.

10

11 MR. HASKETT: Well, respectfully, I
12 think what we're doing here is sorting out what makes
13 sense and what doesn't. So we'll still attempt to do
14 that.

15

16 I do want to make sure, because I
17 didn't even know this was a question, and maybe it is,
18 maybe it's not, but I thank Jack for bringing it up,
19 that clearly what we're voting on here is not going to
20 change what's already legally allowed in the
21 subsistence regs.

22

23 So however we vote, I want to make sure
24 that we're talking about bait. It means any material,
25 excluding a scent lure that's placed to attract an
26 animal by its sense of smell or taste; however, these
27 parts of legally taken animals that are not required to
28 be salvaged and which are left at the kill site are not
29 considered bait. And it may be everybody understands
30 that, but since there's a question, I just want to make
31 sure that what we're going here doesn't affect what's
32 in what I just read. Just for clarification.

33

34 Jack, thanks for bringing that up.

35

36 CHAIRMAN TOWARAK: Go ahead.

37

38 MS. YUHAS: Thank you, Mr. Chairman. I
39 just want to clarify for the record and for the debate
40 that Ms. Cooper with the Park Service is accurate that
41 there was increased permits; however, we still maintain
42 that there is not significant increased harvest or
43 success.

44

45 CHAIRMAN TOWARAK: Mr. Smith.

46

47 MR. SMITH: I just have -- had a
48 comment. You know, I used to worry a lot about over-
49 harvesting brown bears, too, you know. And over the
50 years we've seen in rural Alaska this constant

1 liberalization of hunting regulations brought on by
2 users saying that they are competing with what they
3 think are too many brown bears. And it's really
4 interesting that the harvest hasn't really responded.
5 People say that they want to kill more brown bears, but
6 when it comes time to actually go out and do it, it
7 hasn't really happened, you know.

8
9 And the other thing that's really
10 surprised me is how resilient these populations are,
11 and how they're able to withstand a much higher harvest
12 rate than I would have expected years ago. They do
13 reproduce fairly well. And as long as you're
14 harvesting big males and barren females, it doesn't
15 seem to affect the population the way I would have
16 thought 30 years ago.

17
18 And so, you know, everybody always
19 cautions being cautious when you start liberalizing the
20 hunting seasons, but it really doesn't seem to make
21 that much difference.

22
23 MS. COOPER: Yeah. Mr. Chair.

24
25 Yeah, I appreciate that. And my
26 question is really more about the potential difference
27 with this new method or mean, and if bait, for example,
28 that's at a station -- I've been advised that the types
29 of bait used, you can put out a number of things.
30 Certain things, dog food, or certain things attract
31 black bears. Fish heads, what have you, may attract
32 more brown bears. So as this method or mean becomes
33 more fully utilized, what is the potential. And if you
34 have a different type of bait that you decide to put
35 out there, and more brown bears come in, does that
36 affect how many black bears come in. There's lots of
37 things about this, because this has never been anywhere
38 -- possibly anywhere, has there been a brown bear
39 baiting season that has been used for a number of
40 years, so we don't truly know the effects, because
41 nowhere else in the country, possibly the world, has
42 ever taken on brown bear baiting but here. So that --
43 so my question was more about the method.

44
45 MR. SMITH: My comment is that local
46 people talk a great line about going hunting and
47 killing brown bears, but when it comes time to do it,
48 they're just -- you know, it's a hard thing to do. And
49 who wants them? You know, once you've gotten one or
50 two, nobody really wants more. People aren't really

1 eating that much brown bear meat. And so it hasn't
2 really turned into a big increase in harvest like I
3 would have thought it would. It's just not easy enough
4 to do it.

5

6 CHAIRMAN TOWARAK: Go ahead, Sue.

7

8 MS. ENTSMINGER: Yeah. I'm going to
9 say that I'm one of the statistics. I'm one of those
10 that are now baiting bears. And last year I stuck
11 baits out and all we're seeing is black bears. We're
12 not seeing grizzly bears.

13

14 And I talked to a gone of guys that --
15 because I want to know about this bear baiting, what it
16 means, and they're saying that there just isn't places
17 where grizzly bears will ever show up on bear bait.
18 You're really concentrating to get a black bear, and
19 it's a different bait that you're using. You're
20 putting out a black bear bait. And so are we going to
21 make regulations like hand-wringing again that
22 something might happen? And then I have to tell you
23 that you're asking the Federal user to abide by a
24 different season, and it doesn't make sense to do that.
25 The user wants to see it the same season.

26

27 CHAIRMAN TOWARAK: Jennifer, you have a
28 comment.

29

30 MS. YUHAS: I do. And in response to
31 Ms. Cooper's concerns. The State moved forward with
32 this, knowing that the sealing requirements would be
33 showing us what the harvest was at a very short period
34 of time. And so that the managers could react if we
35 saw anything. So while there may be potential, the
36 State was confident that we had stopgates in place.

37

38 To support Ms. Entsminger's comments, I
39 prior to coming to the State for employment baited
40 bears out of Talkeetna for five years. And in that
41 entire period of time with a lot of work, working
42 throughout the season, not being someone who came out
43 there once and called it good, but being one of the two
44 people who maintained the stands, we one in a high
45 density black -- or high density brown bear area.

46

47 MR. C. BROWER: Mr. Chair.

48

49 CHAIRMAN TOWARAK: Go ahead, Mr.

50 Brower.

1 MR. C. BROWER: I think everybody knows
2 that black bears stays away from brown bears. And it's
3 quite obvious that the brown bear is a predator to
4 black bear for food. And I don't think, you know,
5 they'll join themselves for baiting at the same time.
6 So just to make that observation though.

7
8 Thank you, Mr. Chair.

9
10 CHAIRMAN TOWARAK: Mr. Haskett.

11
12 MR. HASKETT: So just an observation,
13 is part of the argument I'm hearing is that you ought
14 to allow this, because it's not going to work anyway.

15
16 MS. ENTSMINGER: That's not fair.

17
18 MR. HASKETT: Well, it's not a matter
19 of being fair. I mean, what I'm actually hearing, and
20 I'm not trying to put words in people's mouths, but
21 what I'm hearing is you ought to go ahead and allow
22 this, because there's no success anyway, because I did
23 it for five years and I never took a brown bear; it's
24 not likely to actually do it. And I will be talking
25 about other concerns I have later, but I am hearing
26 that argument as one of the reasons why we ought to
27 allow this.

28
29 CHAIRMAN TOWARAK: Sue first and then
30 Jennifer.

31
32 MS. ENTSMINGER: Did you ever hear
33 about the incidental bear that might have got shot?
34 Because there are a few that are taken. It's just not
35 that -- I don't -- I guess I don't appreciate that
36 statement where it says, let's open a season because
37 nothing's going to happen. Well, certainly there might
38 be an occasional bear that's shot. And that's what
39 they want. And to align it with the State seasons.

40
41 MR. TOWARAK: Jennifer had a comment.

42
43 MS. YUHAS: Through the Chair.

44
45 Just a matter of record, that that
46 exact justification Mr. Haskett just gave was what
47 sealed the deal for the Kenai fishwheel at the
48 headwaters a year ago.

49
50 CHAIRMAN TOWARAK: Mr. Smith.

1 MR. SMITH: Yeah, my comment is, you
2 know, that's really the opposite of what I'm saying.
3 My philosophy with subsistence hunting and fishing is,
4 unless there's a really good reason to prohibit
5 something, everything should be legal. And if there's
6 anybody that wants to hunt brown bears over bait, they
7 should not be prohibited from doing that.

8
9 My -- the reason I made my comment the
10 way I did is that I don't think there's a need to fear,
11 and I don't think we need to be cautious. You know, if
12 for some reason it results in a huge increase in
13 harvest, then I guess we could address that later, but
14 I really don't think it will. And so I would just open
15 it up just because there's at least one person that
16 wants to do it.

17
18 CHAIRMAN TOWARAK: Go ahead, Mr.
19 Cribley, and then.....

20
21 MR. CRIBLEY: Well, listening to all
22 the discussion here, and the different ideas and such,
23 it seems to me the bigger -- the biggest issue is just
24 consistency with the State regs, and eliminating that
25 confusion. And where we have those opportunities to
26 make it consistent and less confusing for the user on
27 the ground, particularly the subsistence users, we
28 should certainly take that into consideration. And it
29 sounds like that we have measures in place that if we
30 do see a significant increase in harvest, we can always
31 come back and adjust that later on both on the State
32 and the Federal side.

33
34 So I think -- and also the other thing
35 is, is this puts the subsistence user at a
36 disadvantage, and puts them in the position of, you
37 know, and I carefully say this about illegal take of a
38 brown bear, you know. And we don't want to put them in
39 that situation. They should be playing on the same
40 ground as the non-subsistence users out there, so I
41 think it's more of an issue of just consistency and
42 putting the subsistence users on the same plane as the
43 residence and nonresidents, and then we can let the
44 biology -- let the biologists judge whether this was a
45 good decision, and we make adjustments later on.

46
47 CHAIRMAN TOWARAK: Thank you.

48
49 Any further -- go ahead, Deborah.
50

1 MS. COOPER: Yeah. You know, there's
2 been so much talk about aligning seasons, and I agreed
3 with Mr. Haskett earlier, that's not the bottom line
4 here. But let me just go over the seasons here.

5
6 The transcript in the Eastern Interior
7 RAC presented originally an April 15th to June 30, and
8 an August 1st to September 25 season, approximately
9 four and a half months. And it appears that this is
10 what the RAC voted on. But then in our Board book,
11 where you're reading August 10th to June 30th, that was
12 a typo and it should be July 1st to June 30th, or 11
13 months, just about year round.

14
15 But then we -- after that -- well, any
16 of these three choices would equal or exceed the
17 longest black or brown bear baiting season in the
18 State. And this lack of clarity regarding the season
19 being proposed leaves me a little bit uncomfortable. I
20 keep hearing it's aligned, but I don't see -- I have
21 the State seasons right here. I just don't see where
22 it does align.

23
24 Thank you, Mr. Chair.

25
26 CHAIRMAN TOWARAK: I think that July
27 1st to June 30th is a year, right?

28
29 UNIDENTIFIED VOICE: Yeah.

30
31 CHAIRMAN TOWARAK: Not 11 months.

32
33 MS. COOPER: Okay. Thank you.

34
35 CHAIRMAN TOWARAK: Any further
36 discussion.

37
38 MR. CHEN: Ms. Entsminger, did your
39 discuss the use of brown bear as a food resource.

40
41 MS. ENTSMINGER: Yes. I wish that the
42 guys were here that really pushed this. I'm trying to
43 do the best I can for them, and apparently I'm not
44 doing a good job.

45
46 But, yeah, they said they do it, they
47 eat it, and they like it. It isn't any different.
48 They're black bear -- they eat black bear, so they will
49 eat grizzly. There's a little difference in the meat
50 though, it's oilier.

1 CHAIRMAN TOWARAK: Yeah, Mr. Haskett.
2
3 MR. HASKETT: So just -- I want to make
4 sure that you know that I meant no disrespect by my
5 question before. And I take it very seriously when I
6 heard your comment about how you took that. So I
7 apologize if you took it that way.
8
9 And when you say you're not doing a
10 good job, I tell you you always do a great job.
11
12 So what we're having here I think is a
13 discussion where we have to sort out some differences
14 on how we're looking at this, and I just want to make
15 sure you know I only have complete respect for you on
16 how you do this, and I mean no disrespect on my
17 questions or comments.
18
19 MS. ENTSMINGER: I appreciate that.
20
21 CHAIRMAN TOWARAK: And it's in the
22 record.
23
24 (Laughter)
25
26 MR. HASKETT: It's always in the
27 record.
28
29 CHAIRMAN TOWARAK: Any further
30 discussion. Go ahead.
31
32 MS. COOPER: Yeah. Mr. Chair. I just
33 have one last thing.
34
35 I read that the State's goal, when this
36 was passed, the State's goals were to reduce the brown
37 bear population temporarily to lessen the predation on
38 moose, and we have that on the record. And Table 2 on
39 Page 157 suggests that the harvest has been near the
40 estimated sustainable level for the past five of the
41 past six years, or something like that, and above the
42 sustainable level for three of those years. And
43 there's -- on Table 2 there's a footnote that says that
44 that data does not include non-local harvest.
45
46 So again it's just a lack of -- a lot
47 of lack of clarity with this proposal for me.
48
49 Thank you very much, Mr. Chair.
50

1 CHAIRMAN TOWARAK: Thank you. Bert.
2
3 MR. ADAMS: Thank you, Mr. Chairman.
4
5 Let me say that I feel a lot better
6 this morning than I did last night before I left here.
7
8 Anyhow, you know, baiting of hoots
9 (ph), which is brown bear, and seek (ph), which is
10 black bear, has been a tradition, you know. And I'm
11 thinking -- I'm kind of wondering here, you know, why
12 we have to legalize something that is a tradition. Are
13 we trying to make it a right thing to do now when we
14 have been doing it for, you know, since time
15 immemorial.
16
17 Just a thought, Mr. Chairman, that has
18 been popping into my mind every now and then.
19
20 CHAIRMAN TOWARAK: Thank you.
21
22 MS. COOPER: Mr. Chair.
23
24 CHAIRMAN TOWARAK: Any further
25 discussion.
26
27 MS. COOPER: Mr. Chair. I think it
28 always has been legal, the take over a legally-
29 harvested moose has been legal by the definition of
30 date -- of bait. This is something other than that.
31
32 Thank you, Mr. Chair.
33
34 CHAIRMAN TOWARAK: Mr. Reakoff.
35
36 MR. REAKOFF: I feel compelled to help
37 the Board.
38
39 (Laughter)
40
41 MR. HASKETT: Thank you, Jack.
42
43 (Laughter)
44
45 MR. REAKOFF: The current regulations
46 for restrictions for baiting black bear, which this
47 would have to include baiting brown bear also, the
48 recurrent restrictions, you may only use biodegradable
49 materials for bear bait. Only heads, bones, viscera,
50 skin, and legally harvested fish and wildlife may be

1 used for bait.

2

3 And I feel the Board should be clear on
4 what is -- is dog food legal, that should be on the
5 record, what materials, because now it alludes that you
6 can only use like refuse from harvest of fish and
7 wildlife. And so I feel the Board should clarify that
8 if you're going to entertain this proposal.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN TOWARAK: I've been waiting
13 for the right time to -- and it seemed like there's a
14 little lull here, for me to say something, too, about
15 it. And I think about the only way I could really
16 relate to what the proposal means is to share my own
17 experience in what we have.

18

19 And I think it's typical in rural
20 Alaska living with brown bears, for many years, and I
21 started proposing to the Board of Game to change
22 regulations, it used to be that you could only shoot
23 one brown bear every four years. I said, because of
24 predation and just seeing the number of bears around
25 our country, I proposed that we change the wording to
26 four bears every one year, and that would have made it
27 a lot more I think bearable.

28

29 But I also pointed out to some friends
30 of mine, or the briefing that we had yester -- a couple
31 of days ago, that we shot two brown bears. We had this
32 police department shoot two brown bears 150 feet from
33 my house, and that's where my kids play and my
34 grandkids play on the beach. And, you know, that fears
35 me. And I know that's a situation throughout rural
36 Alaska. The brown bears have, you know, been allowed
37 to increase in large numbers without any means of
38 correcting or balancing the needs.

39

40 So I could -- I don't know if it is the
41 same situation in the Eastern Interior, but I use that
42 as my measurement of what is the right thing to do.

43

44 Further questions. Go ahead, Mitch.

45

46 MR. SIMEONOFF: Thank you, Mr.
47 Chairman.

48

49 I've been listening to the discussion
50 of the bear, the brown bear especially. In Kodiak we

1 have a really high respect for that animal. In our
2 traditions, bear hunters, you know, they don't come
3 into the village and talk about the bear, where they
4 find the bear, how they hunt the bear.

5
6 It makes me remember my traditions, and
7 I feel a little bit uncomfortable, because people of
8 Kodiak Island, we consider the bear our brother. And
9 hunters are not -- they don't talk to other people,
10 they don't talk to other hunters about hunting the
11 bear, where they find the bear. And here we are, you
12 know, people from everywhere in Alaska, and we're
13 talking about the brown bear. You know, I feel a
14 little discomfort in that.

15
16 But if we're going to set a season for
17 a region to hunt brown bear, we should, you know, keep
18 in mind that we're got to respect that. And talking
19 about them, you know, I've just got to say that I feel
20 a little bit discomfort, because I grew up in a -- my
21 grandpa was a bear hunter, and when I asked him
22 questions about the bear, he said, we don't talk about
23 the bear. And there were like a secretive breed of
24 people in our culture.

25
26 That animal was so well respected. It
27 was never feared, but it was respected, you know,
28 because we -- the people walked from village to
29 village, and they'd run into a lot of bears on the
30 trail, and the whole village would just step off and
31 let the bear pass, you know, within a couple of feet,
32 inches. And they'd just stop and let the bear pass and
33 then get back on his trail and continue on.

34
35 But in discussing the brown bear, I
36 think we should, you know, keep in mind that the bear
37 is a very respected animal.

38
39 And I would appreciate just that
40 Eastern Interior get their bear hunt. When I read the
41 regs, you know, I thought it said the brown bear would
42 be an opportunistic hunt, because their black bears,
43 and when they see a brown bear, they're asking to hunt
44 that as well. But then the difference in seasons, and
45 just like the season from July 1 to June 30, that's a
46 whole year. You know, it's longer than all the other
47 seasons I see on the paper.

48
49 And, you know, just a reminder, keep
50 respects for that bear.

1 Thank you.

2

3 CHAIRMAN TOWARAK: Thank you. Go
4 ahead.

5

6 MS. MORRIS LYON: Thank you, Mr. Chair.

7

8

9 I'm not going to put the State on the
10 line here by any means, but a couple years ago, maybe
11 even three years ago, they hugely liberalized the
12 taking of bears out in the whole Bristol Bay area due
13 to major problems. And we weren't told we could take
14 them over bait. We were taking them over towns,
15 because they came into our yards and into our villages,
16 unbelievable. And even with that liberalization, very
17 few were taken, and mostly just the problem bears that
18 did not respect our areas.

19

20 So I just wanted to point out that even
21 when it's fully liberalized by any methods and means,
22 we're still not seeing a slaughter out there.

23

24 CHAIRMAN TOWARAK: You have a comment,
25 Tony.

26

27 MR. CHRISTIANSON: I guess my view is
28 the best information we have is from the people. The
29 people need an increased opportunity; we should just
30 support it.

31

32 CHAIRMAN TOWARAK: Any further
33 discussion.

34

35 (No comments)

36

37 CHAIRMAN TOWARAK: We're ready for item
38 8 then on Federal -- to have the Board action.

39

40 MS. COOPER: Mr. Chair. Can I ask one
41 last question, just with the -- there's a lot of moving
42 parts to this. I'm still not clear on within that year
43 round season, when can they actually be baited? I
44 couldn't -- from reading the proposal, it's still not
45 clear if the whole season is year round, or if the
46 whole baiting season is year round, or if the baiting
47 is some subset. Is there anyone that can answer.

48

49 Thank you.

50

1 CHAIRMAN TOWARAK: Go ahead.
2
3 MR. MCKEE: Again, unfortunately the
4 typos continue on every season mentioned. But there is
5 at the bottom of Page 153, there's an asterisk there
6 that says the intent of the proposal is to allow
7 baiting of brown bears during the existing season of
8 July 1 through June 30th. That should be the correct
9 date, so the intent is to allow baiting during that
10 entire season.
11
12 CHAIRMAN TOWARAK: The floor is open
13 for Board action. Mr. Haskett.
14
15 MR. HASKETT: So before I make my
16 motion, I want to again make it clear that, you know, I
17 think this was a good discussion. I think there are
18 still some fairly significant differences of opinion on
19 some of this.
20
21 I also want to point out that 98
22 percent of the time my votes for the last six years
23 have deferred to the RAC, so this is not something I do
24 lightly, but my plan at this time is to make a motion
25 to adopt 14-50, but will provide my justification as to
26 why I intend to vote against the motion if I get a
27 second.
28
29 MR. OWEN: Second.
30
31 MS. COOPER: Second.
32
33 CHAIRMAN TOWARAK: Motion has been made
34 and seconded.
35
36 Go ahead with your rationale.
37
38 MR. HASKETT: And so the brown bear
39 population estimates for the unit are now 20 years old,
40 which was pointed out. And based on extrapolation,
41 which we also heard that from studies done in the 80s
42 and 90s, so there's a lot of questions about just the
43 data we have on brown bears there.
44
45 It's difficult to predict what the
46 effect of allowing baiting for species on Federal lands
47 would be. Currently the harvesting of brown bear over
48 bait is not allowed under Federal subsistence regs.
49 This is a change. This is not something that we've
50 done before. And if we're going to look into doing

1 this, I think there were still lots of questions here
2 and lots of just things that we need to understand this
3 a lot better, both the data, and even what's being
4 proposed.

5
6 Population trends are being estimated
7 based upon harvest, which is problematic for us for a
8 variety of reasons. Bear baiting hunting could likely
9 lead to an increase in hunting success versus the
10 normal spot and stalk method now used. And I
11 understand there's questions about that, too, in terms
12 of what people think would happen or wouldn't happen.
13 This coupled with the recent doubling of the harvest
14 limit in Unit 25D under Federal regs, and a lot
15 reproductive rate of brown bears, are a cause of
16 concern for us, and we believe it could cause to an
17 over-harvest of brown bears.

18
19 Based on these reasons I have stated, I
20 do intend to vote against the motion as I believe it
21 violates recognized principles of fish and wildlife
22 conservation.

23
24 MR. CHRISTIANSON: Mr. Chair.

25
26 CHAIRMAN TOWARAK: Go ahead.

27
28 MR. CHRISTIANSON: Well, I'm going to
29 look to support the proposal as presented by the RAC.
30 I think the people of the land are the best indicator,
31 and we always forget that the people who walk and live
32 and hunt out there are the ones that have the clear
33 science behind why something should be done. I know
34 that sometimes we don't have all the money, the
35 resources to do the studies that it takes to set the
36 population density and the threshold. And quite
37 frankly most of my experience with thresholds are
38 they're set really low to protect the stock and the
39 species, and if we wait for the 30 years for somebody
40 to do a study on it, and we're going to continue to not
41 have the information available.

42
43 So what we need to do is listen to the
44 people. And that's where our deference comes in. Like
45 Geoff state, he's pretty much 90 percent behind the
46 Regional Advisory Council. And I guess as a rural
47 representative I've got to be 100 percent behind the
48 people on the land and what it is they need to increase
49 their opportunity to meet that subsistence need.

50

1 Two bears, how you take them, what does
2 it matter.
3
4 CHAIRMAN TOWARAK: Mr. Haskett.
5
6 MR. HASKETT: I actually said 98
7 percent.
8
9 (Laughter)
10
11 CHAIRMAN TOWARAK: Tony was speaking
12 for the other two percent.
13
14 (Laughter)
15
16 MR. OWEN: Question.
17
18 CHAIRMAN TOWARAK: The question's been
19 called for. I'm going to call for a roll call vote on
20 this. I want to make sure that we have on record how
21 the votes come out.
22
23 MR. PELTOLA: Thank you, Mr. Chair.
24 Roll call vote.
25
26 Geoff Haskett, Fish and Wildlife
27 Service.
28
29 MR. HASKETT: I vote against.
30
31 MR. PELTOLA: Deb Cooper, National Park
32 Service.
33
34 MS. COOPER: I vote against.
35
36 MR. PELTOLA: Bud Cribley, BLM.
37
38 MR. CRIBLEY: I vote for it.
39
40 MR. PELTOLA: Glenn Chen, BIA.
41
42 MR. CHEN: The BIA votes yes for this
43 proposal.
44
45 MR. PELTOLA: Anthony Christianson,
46 public member.
47
48 MR. CHRISTIANSON: I vote yes for this
49 proposal.
50

1 MR. PELTOLA: Charles Brower, public
2 member.
3
4 MR. C. BROWER: I vote yes.
5
6 MR. PELTOLA: Wayne Owen, Forest
7 Service.
8
9 MR. OWEN: Oppose.
10
11 MR. PELTOLA: Tim Towarak, Chair.
12
13 CHAIRMAN TOWARAK: I vote for it.
14
15 MR. PELTOLA: So there are five voting
16 yes, three in opposition.
17
18 CHAIRMAN TOWARAK: Motion passes.
19
20 MR. REAKOFF: Mr. Chairman.
21
22 CHAIRMAN TOWARAK: Yes.
23
24 MR. REAKOFF: I feel that the Board
25 should clarify the regulations now that this has passed
26 to include what materials for brown bear baiting, so
27 that the public knows what they're going to be doing.
28
29 Thank you, Mr. Chair.
30
31 CHAIRMAN TOWARAK: If we don't do
32 anything, the current regulation remains the same, and
33 that's the use of wild.....
34
35 MR. REAKOFF: Well, the current
36 regulation includes, as Sue pointed out, biodegradable
37 materials, but it's for black bear bait. The proposals
38 for baiting brown bears, and so.....
39
40 MS. ENTSMINGER: No, the proposals for
41 black bear.
42
43 MR. REAKOFF: No, it says bait, period.
44
45 MS. ENTSMINGER: Allows it to be taken
46 over black bear bait.
47
48 MR. REAKOFF: No, it doesn't say black
49 bears, it says in the proposal, it doesn't say black
50 bear. It says bait, so I feel the Board needs to

1 clarify the regulations for the public.

2

3 MS. ENTSMINGER: Well, then I
4 misunderstood.

5

6 MR. REAKOFF: If this methodology keeps
7 expanding, I want -- if it expands into our region, I
8 want.....

9

10 CHAIRMAN TOWARAK: Could we refer that
11 to the Staff and make corrections in the future.

12

13 MR. REAKOFF: I just want to be on the
14 record stating that.

15

16 CHAIRMAN TOWARAK: Mr. Haskett.

17

18 MR. HASKETT: No, and I agree with
19 Jack, we need to clarify what this all means, so I
20 think we do need to send it to the Staff to come back
21 with that, and with the clarification as to the public.

22

23 CHAIRMAN TOWARAK: Thank you. If
24 there's no objections, then we will refer that question
25 and review to the Staff for Board action in the future
26 if there's a need.

27

28 Shall we continue or is there a need
29 for a break. Go ahead, Bert.

30

31 MR. ADAMS: As an afterthought of, you
32 know, the passage of this proposal, I'd kind of like to
33 just make a follow-up comment on what, you know, Mitch
34 had shared with us earlier. I think it's really
35 important, you know, and I appreciate his statement
36 that, you know, they have high respect for the bears.

37

38 In my Tlingit culture we are taught,
39 you know, by our elders that we should respect
40 everything. And the reason is because we believe that
41 there is life in everything. We believe there's life
42 in this table here. That there's life in the rocks and
43 in the trees and in the water. And when we show
44 respect to those resources, then those resources are
45 going to give back to us. Okay. And when we show
46 disrespect, we can see, you know, where things are
47 going to start slowly disappearing until they are
48 completely depleted.

49

50 And so the thing that I'd really like

1 to emphasize is that if we use good judgement and, you
2 know, as the debate went back and forth here on this
3 particular issue, that we hope that we do the right
4 thing, you know, when we make new law or regulation.
5 It really should be based upon the natural laws. And
6 if it is, then we can be assured, you know, that the
7 environment, the habitat, and everything is going to
8 give back to us.

9

10 We have our own .804 in our culture.
11 You know, we don't have to be regulated in that regard,
12 because we know when there are shortages, and we know
13 when we can cut off and where we can use more and so
14 forth.

15

16 So I think Mitch for bringing that
17 forth, and I just wanted to emphasize, you know, and
18 pinpoint that a little bit more with the way that we
19 feel.

20

21 Thank you, Mr. Chairman.

22

23 CHAIRMAN TOWARAK: Thank you. And I
24 want to also confer that I think it's Native custom
25 throughout Alaska to respect animals, all animals,
26 including brown bear, and I think the evidence that it
27 works is if you take a look at who's been mauled by
28 bears, all non-Natives.

29

30 (Laughter)

31

32 CHAIRMAN TOWARAK: Briefly.

33

34 MR. ADAMS: Briefly. When I was a
35 young man, you know, in my teenage years, I used to
36 wander in the wilderness all the time. Today, you
37 know, you see young people when they go out hunting,
38 or, you know, just for a walk, they arm themselves with
39 all kinds of weapons and everything. And all it took
40 with me was, you know, a piece of pilot bread and some
41 dry fish, and my hunting knife. And I walked in the
42 wilderness, you know, for hours and hours and hours.
43 And I'd run across all kinds of animals. Moose.
44 Wolves, you know. Bear. And my dad taught me, you
45 know, that if you don't threaten any of these animals,
46 they're not going to bother you. And I found that to
47 be very true, even up until this day. And so, you
48 know, again it's going back to that respect, you know.
49 When you have respect for the things around you, we can
50 guarantee you that if you're in need, they will give

1 themselves to you, but if, you know, you have plenty,
2 just leave them alone, and they'll leave you alone.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Thank you. I'd like
7 to move on if we could. We've got a long ways to go
8 before the end of the day, and I'd like to continue
9 deliberations on the rest of the proposals.

10

11 But, Sue, since it was your area, we'll
12 give you the last shot.

13

14 MS. ENTSMINGER: I deeply appreciate
15 that.

16

17 I just wanted to say, I've lived in the
18 Mentasta area close to 40 years now, and Katie John was
19 a dear friend of mine. And she told me a story about
20 -- and her husband, they ate grizzly bear. And they
21 hunted it and ate it, and a lot of times the daughters,
22 they wouldn't eat it, because there is a tradition.
23 The traditions a little bit different around the State.
24 And Katie wouldn't eat brown -- the grizzly bear,
25 because she had an experience with her two boys when
26 they were very young where that bear charged them. And
27 the one boy's gun misfired. And she told me that all
28 she could see was this bear's mouth like this. And her
29 oldest daughter, who's a dear friend of mine, and she
30 says, don't ever feed bear meat, because we eat it
31 ourselves. And so we had to be very careful when Katie
32 came over and not serve her any of the bear meet. But
33 any of the other kids, with their dad, he always ate
34 bear meat. But there was a deep respect for the bear.

35

36 The people in the Upper Tanana region,
37 which I consider the road season of my area and that
38 Yukon River is a river system, very, very differently.
39 And the people on the Yukon, and I tried hard to
40 represent them, they all -- they respect the bear, yes,
41 but they eat the bear. That's a very important meat to
42 the people along the Yukon. Not all the way down the
43 Yukon I've learned in all of these meetings I've gone
44 to. It's a little different downriver, but in my
45 region it's highly used. So I just want you all to
46 know that I do, I personally as a Non-Native respect
47 the Native culture deeply, and I know that it's
48 different across the State.

49

50 And I also want to take the opportunity

1 to tell you, I have a doctor's appointment at noon
2 today. I'll be leaving a little early, so I just want
3 to apologize for that, but it's the only time I can meet
4 with my doctor.

5
6 Thank you.

7
8 CHAIRMAN TOWARAK: Thank you. Let's
9 take a five-minute break, and then we'll resume.

10
11 (Off record)

12
13 (On record)

14
15 CHAIRMAN TOWARAK: I'd like to call the
16 meeting back to order. We've got all the Board members
17 here.

18
19 We will proceed then with -- I think we
20 left off on 53. We did 53. We're down to 14-54, Page
21 174. And we'll start with the analysis by the Staff.

22
23 MR. EVANS: Good morning, Mr. Chairman.
24 Members of the Board. My name is Tom Evans. I'm work
25 as a wildlife biologist with the Office of Subsistence
26 Management.

27
28 I'm going to finish up the two
29 proposals for the North Slope Borough area, and then
30 we'll decide where we'll go from there. We may go back
31 to the Southcentral area.

32
33 Proposal WP14-54 was submitted by the
34 North Slope Regional Advisory Council. It requests
35 that the moose season in the Unit 26B Remainder, which
36 is basically the Canning River, and Unit 26C be
37 extended to a year-round season from July 1st to June
38 30th, and that the harvest restrictions for 26C number
39 and sex be removed, and that the harvest limit be
40 increased from three moose to five moose.

41
42 The proponent states that the current
43 moose season and harvest limit of three moose is very
44 restrictive and provides very little meat for the
45 community of Kaktovik. The extension of the season
46 will allow more flexibility to hunt when weather and
47 travel conditions are suitable and safe.

48
49 The regulatory history, biology, and
50 harvest history for this proposal and the following

1 proposal, WP14-55, are very similar, so I will go
2 through that information here and only briefly touch on
3 it when I go to WP14-55.

4
5 CHAIRMAN TOWARAK: Could I ask
6 something here?

7
8 MR. EVANS: Sure.

9
10 CHAIRMAN TOWARAK: If you don't mind, I
11 notice that there isn't any opposition to this proposal
12 by anyone. Is it possible for us to transfer this to a
13 non-consent -- or to a consensus. Go ahead.

14
15 MR. HASKETT: Well, I know we're going
16 to make a slight modification to it, so that wouldn't
17 work.

18
19 CHAIRMAN TOWARAK: Okay. We will
20 continue then.

21
22 MR. EVANS: Okay. So as I mentioned
23 before, I'm going to summarize -- I'm going to go
24 through the biology and the harvest history for this
25 proposal. It will be very similar to the next
26 proposal. So try to remember between the two, but if
27 you have questions, feel free to ask again.

28
29 The Federal and State moose seasons
30 have been closed in this area from 1996 to 2002 due to
31 the low population of moose following the early
32 declines in 1990.

33
34 Unit 26C contains at least two distinct
35 moose populations. The first occurs on the coastal
36 plain and foothills of the North Slope portion of the
37 Unit 26C. I'm going to refer to that as the North
38 Slope population. The map, if you want to look at that
39 is on Page 176. And the other area is in the Firth,
40 Mancha, Upper Kongakut river drainages, and I'll refer
41 to that as the Old Crow Flats population, which is kind
42 of in the southeast corner of Unit 26C.

43
44 The Old Crow Flats population is
45 migratory. The moose calf in summer in Old Crow Flats
46 and Yukon Territory, and then move to the Brooks Range
47 to winter. In the winter, the moose from the Old Crow
48 Flats population use the Firth, Mancha, Kongakut,
49 Coleen, and Sheenjek river drainages in Alaska. The
50 fall migration to the wintering areas occurs from early

1 August -- from August to early September, and the
2 spring migration occurs between March and April.

3
4 Moose in Unit 26B Remainder are located
5 in the upper riparian area of -- are located in the
6 riparian area in the upper section of the Canning
7 River.

8
9 Comprehensive surveys have never been
10 conducted for moose in Units 26B and 26C; however,
11 trend counts conducted in the areas account for a large
12 percentage of the moose because the habitat's pretty
13 limited in the region.

14
15 Moose population in the eastern 26B
16 declined from peak counts of 330 in 2005 to 250 in
17 2009. The moose population in Unit 26B, excluding the
18 Canning River drainage may have rebounded to again
19 approximately 500 moose, and the Alaska Board of Game
20 issues an emergency special order in March 2013 which
21 allowed for the additional take of four moose from
22 February 15th to April 13th in response to the
23 increased moose in that area.

24
25 The North Slope population has remained
26 relatively stable at low levels from 2003 to 2011 at
27 around 52. So this is a very small population. It
28 hasn't rebounded. It basically is staying level at
29 about 53.

30
31 The Old Crow Flats population, which is
32 in the Unit 26C may have increased. Recent data from
33 the Department of Fish and Game indicated that the
34 population may be now around 339, and those are higher
35 numbers than were recorded in 2000 and 2002, Table 1,
36 Page 183, which gives some of that data there.

37
38 Harvest history. Moose on the affected
39 Federal lands in Unit 26B and 26C has been limited to
40 the residents of Kaktovik since 2004 with up to three
41 permits being issued annually, and a harvest quota of
42 three moose, two bulls, in Unit 26C and one moose in
43 Unit 26B. Since 2004 nine bull moose have been
44 reported harvested with an average of one moose
45 harvested per year, and up to three permits are issued
46 annually, so basically they're not taking all the moose
47 that they get permits for. And there's very little
48 harvest in the Old Crow Flats population by Canadian
49 residence.

50

1 The moose season for the Federally-
2 qualified subsistence users would be extended from July
3 1st to -- extended to a year round harvest if the
4 proposal was voted on or adopted. The harvest quota
5 for 26B Remainder and 26C would be five moose -- on,
6 wait, I'm sorry. I'm sorry. I need to back up here.
7 No, that's okay I just need to back up. This is an
8 alternative. This is an alternative that was
9 considered in doing this proposal.

10
11 The moose season for Federally-
12 qualified would go to a year hunt. The harvest quota
13 in Unit 26B Remainder and 26C would be five moose, four
14 antlered bulls and one of either sex, provided that no
15 more than no more than two antlered bulls may be
16 harvested from the North Slope population in Unit 26C
17 or from 26B Remainder. Cows may not be harvested in
18 Unit 26C and a cow accompanied by a calf may not be
19 taken in Unit 26B. Two to four antlered bulls may be
20 taken from the Old Crow Flats population for the
21 harvest of moose in Unit 26C. The hunt will be closed
22 in Unit 26B Remainder and 26C when a total of five
23 moose have been harvested.

24
25 This alternative was not chosen,
26 because the southeast portion of Unit 26C is not the
27 primary area for hunting moose by the Kaktovik
28 residents. It's a long way away, and rarely do people
29 get over there to hunt from that population.

30
31 If Proposal WP14-54 were adopted, the
32 moose season for Federally-qualified subsistence users
33 would be extended to a year-round hunt. If the
34 alternative was adopted, or if the proposal was adopted
35 and five moose were allowed, this would represent
36 approximately 10 percent of the North Slope population,
37 which is, like I said, averaging about 50.

38
39 OSM's conclusion is to support Proposal
40 WP14-54 with modification to allow only for the
41 extension to the year-round season.

42
43 The justification is harvest of cows is
44 of concern due to the small North Slope population
45 again around 52. Due to the small number of moose that
46 inhabit the Canning River drainage in Unit 26B
47 Remainder, increasing the harvest is not recommended
48 there due to conservation concerns. And the North
49 Slope population is a relatively small population
50 recovering in the northern limits of the range. So

1 additional from the -- harvest from this population
2 could cause a conservation concern because of the
3 length of time required for recovery.

4
5 Thank you.

6
7 CHAIRMAN TOWARAK: Thank you. Are
8 there any questions of the Staff.

9
10 (No comments)

11
12 CHAIRMAN TOWARAK: I've got one that, I
13 don't know, maybe I'm not reading it right, but if
14 there s a conservation issue why is the portion that --
15 there's a portion that eliminates sex. It almost
16 sounds like you would allow cows to be shot.

17
18 MR. EVANS: OSM's conclusion was that
19 we would just allow for the year-round season, but the
20 restrictions on number and sex would still remain from
21 the -- that are currently on the books.

22
23 CHAIRMAN TOWARAK: Any further
24 questions.

25
26 (No comments)

27
28 CHAIRMAN TOWARAK: Thank you.

29
30 Then we will continue on, summary of
31 public comments through the regional coordinator.

32
33 MS. PATTON: Mr. Chair. Members of the
34 Board. For the record, Eva Patton, Council coordinator
35 for North Slope Regional Advisory Council.

36
37 There were no public written comments
38 submitted for this proposal. Thank you.

39
40 CHAIRMAN TOWARAK: Thank you.

41
42 We will then open the floor for public
43 testimony. Do we have any cards. There are no cards
44 for people present at this meeting.

45
46 I'd like to know if there's anyone on
47 the phone that would like to testify on Proposal 15- --
48 14-54.

49
50 OPERATOR: If you would like to ask a

1 question and make a comment over the phone, you may
2 press star one on your touchstone phone and record your
3 first and last name clearly when prompted. Please be
4 sure to unmute your phone before recording your name.
5 And if you need to withdraw your question or comment,
6 please press star two. Once again, if you would like
7 to make a comment or ask a question over the phone,
8 please press star one.

9

10 (No comments)

11

12 CHAIRMAN TOWARAK: I don't hear any
13 response to asking if there's anyone on the phone that
14 would like to testify. So that concludes the public
15 testimony.

16

17 If for some reason someone is still
18 trying to get on, we would refer back to this number 3
19 if we need to.

20

21 In the meantime, we will continue then
22 with Regional Council recommendations. Mr. Brower.

23

24 MR. H. BROWER: Thank you, Mr. Chair.

25

26 The North Slope Regional Advisory
27 Council supported WP14-54. The Council stressed that
28 it's very important for the community to harvest a
29 couple more moose for food when available. Kaktovik
30 Council member and others stressed that the year-round
31 hunt season allows for safer travel for extended
32 opportunity when weather and conditions are good, and
33 opportunity to hunt moose when they are in the area.
34 They noted that encountering a moose is opportunistic
35 and flexible to be taken -- to take an extra one or two
36 if the opportunity arose would be very helpful to the
37 community, especially in times when the caribou numbers
38 are low or caribou pass through too quickly to be
39 hunted.

40

41 The Council noted that the location of
42 the alternative hunt area, such as by OSM, was likely
43 mission impossible due to the distance and mountainous
44 terrain.

45

46 That's the extent of the Council's
47 comments, Mr. Chair.

48

49 CHAIRMAN TOWARAK: Thank you, Mr.
50 Brower.

1 Are there any questions of the Regional
2 Council Chair.

3
4 (No comments)

5
6 CHAIRMAN TOWARAK: Not hearing any,
7 then we will continue on with the Department of Fish
8 and Game comments.

9
10 MR. CRAWFORD: Mr. Chair. Drew
11 Crawford with the Alaska Department of Fish and Game.

12
13 I'd just like the Board to know that
14 for this proposal, Wildlife Proposal 14-54, that you
15 can find our written comments on Page 85 in our Fish
16 and Game handout.

17
18 The Department's recommendation for
19 Proposal Wildlife 14-54 is to support with modification
20 to only allow for the extension of the harvest season,
21 which is currently July 1 to March 31st, extend it from
22 July 1 to April 30th. And then we oppose increasing
23 the harvest quota for the northern central Unit 26C and
24 Unit 26B remainder.

25
26 CHAIRMAN TOWARAK: Thank you.

27
28 Are there any questions of the State.
29 Mr. Haskett.

30
31 MR. HASKETT: So the extension you want
32 to do was from when to when instead?

33
34 MR. CRAWFORD: Currently the season is
35 July 1 to March 31st, and we would support extending it
36 July 1 to April 30th.

37
38 MR. HASKETT: Mr. Chair.

39
40 CHAIRMAN TOWARAK: Go ahead.

41
42 MR. HASKETT: So can you explain why
43 April 30th since they had June 30th, what the reasons
44 are?

45
46 MR. CRAWFORD: Our biologists felt that
47 the animals needed a break from the end of the winter
48 to the beginning of the next hunting season.

49
50 CHAIRMAN TOWARAK: Further questions.

1 (No comments)

2

3 CHAIRMAN TOWARAK: Thank you for your
4 comments.

5

6 We will continue then on with
7 InterAgency Staff Committee comments.

8

9 MR. KESSLER: Thank you, Mr. Chairman.
10 I'm Steve Kessler with the InterAgency Staff Committee.

11

12 The InterAgency Staff Committee
13 comments on this one are fairly extensive, on Pages 190
14 and 191 of your book. I'll just go over a few of the
15 comments, but it's all there for you to read.

16

17 First, as is our normal statement, we
18 did find the Staff analysis to be a thorough and
19 accurate evaluation of the proposal, and that it
20 provides sufficient basis for the Regional Council
21 recommendation and Federal Subsistence Board action on
22 the proposal.

23

24 The OSM conclusion is to support only a
25 portion of the proposal, which extends the season to
26 year-round harvest, while the Council's recommendation
27 is to support the entire proposal.

28

29 In their justification, the Council
30 stressed it's very important for the community of
31 Kaktovik to harvest more moose for food, and to extend
32 the opportunity to harvest when the weather and
33 conditions are good.

34

35 In its evaluation of the effects of the
36 proposal as proposed, OSM determined that additional
37 harvest could cause a conservation concern.

38

39 There are a number of actions the Board
40 could take, including accepting the Council's
41 recommendation, or accepting the OSM recommendation,
42 including to extend the harvest season, but there are
43 also some other options that the Board could consider,
44 which would allow for the increased harvest, but likely
45 not cause a conservation concern.

46

47 And those two other options are then
48 listed starting on the bottom of Page 190. The first
49 one, increase the quota for one additional antlered
50 moose, while retaining the sex of moose harvest

1 restriction. The additional antlered moose would be
2 harvested from Unit 26B Remainder. And then the
3 regulatory language is listed that would do that.

4
5 This option would continue a small
6 harvest on the area most critical to moose conservation
7 in the western portion of Unit 26C, while allowing for
8 some additional harvest opportunity in Unit 26B.
9 Unfortunately, that additional harvest opportunity
10 would be from an area relatively far to the west from
11 Kaktovik, which is not desirable by the Community of
12 Kaktovik.

13
14 The second option would be to increase
15 the harvest quota as requested by the Council, but only
16 allow that additional harvest to come from a portion of
17 the eastern part of Unit 26C. And regulatory language
18 that would be needed for that proposal is listed.

19
20 This option again would continue a
21 small harvest limit on the area most critical to moose
22 conservation, that portion in the western portion of
23 Unit 26C, while allowing for some additional harvest
24 opportunity a portion of the eastern area of Unit 26C.
25 That's an area that may have more moose than elsewhere
26 in the unit and would be available for harvest as
27 suggested by the proposal made by the Alaska Department
28 of Fish and Game, W14-55, which you'll be discussing in
29 a little bit. Unfortunately, that additional harvest
30 opportunity would be from an area relatively far to the
31 east from Kaktovik and is not also something that
32 Kaktovik would desire.

33
34 So there's possibilities of increasing
35 harvest to the west and to the east, or even both, but
36 again that's not what Kaktovik is really seeking.

37
38 Thank you.

39
40 CHAIRMAN TOWARAK: Thank you.

41
42 Are there any questions of the ISC
43 Committee.

44
45 (No comments)

46
47 OPERATOR: Also a reminder if you would
48 like to ask a question, please press star one.

49
50 CHAIRMAN TOWARAK: Thank you for your

1 presentation.

2

3 We will continue then. Are there any
4 tribal consultations. Jack.

5

6 MR. LORRIGAN: Thank you, Mr. Chairman.
7 Jack Lorrigan, Native liaison, Office of Subsistence
8 Management.

9

10 We had a representative from Nuiqsut
11 called in to WP14-54, and they were curious about how
12 much longer the moose season would be extended. And
13 they wished to have a similar proposal for their area
14 in Unit 26B, so probably the next wildlife cycle,
15 you'll probably hear from them.

16

17 Mr. Chairman.

18

19 CHAIRMAN TOWARAK: Thank you.

20

21 Any questions of Jack.

22

23 (No comments)

24

25 CHAIRMAN TOWARAK: If not, then we'll
26 continue with Board discussions with the Council Chairs
27 and the State liaison. Any questions for either of
28 those groups.

29

30 (No comments)

31

32 CHAIRMAN TOWARAK: Not hearing any,
33 then we're ready for Board action. Mr. Haskett.

34

35 MR. HASKETT: So I'm going to make a
36 motion to adopt Proposal 14-54 with a modification
37 though to only allow for extension of the harvest
38 season from July 1st to March 31st, to July 1st through
39 June 30th. So that's the way the proposal read, but
40 not increase the harvest quota, and will provide my
41 justification if I get a second.

42

43 MR. OWEN: Second.

44

45 CHAIRMAN TOWARAK: You heard the motion
46 and the second. Please continue.

47

48

49 MR. HASKETT: So extending the moose
50 season to a year-round hunt will allow subsistence

1 users to take advantage of favorable weather and
2 provide more opportunity to harvest moose.

3

4 Moose on the North Slope are at the
5 northern limits of their range.

6

7 Retain the current quota of three
8 moose, two antlered bulls and one of either sex would
9 limit the number of moose harvested, and maintain
10 ongoing conservation efforts for the North Slope moose
11 population in Unit 26C.

12

13 I believe increasing the harvest quota
14 at this time could have negative impacts on the moose
15 population, and does violate recognized principles of
16 fish and wildlife conservation.

17

18 For these reasons, I intend to vote in
19 favor of the motion I just presented.

20

21 CHAIRMAN TOWARAK: Thank you.

22

23 Any further discussion.

24

25 MR. C. BROWER: Mr. Chair. Yes.

26

27 CHAIRMAN TOWARAK: Go ahead.

28

29 MR. C. BROWER: Just an issue on
30 conservation issue. You're trying to say for
31 conservational purposes when there's a high predation
32 that's affecting the moose population itself. And the
33 brown bear and the wolves don't have any issue on
34 conservation. And the issue is just to extend the hunt
35 to those dates, and increase it to five to three. I
36 think it has a good guideline for that. But you have
37 to notice that majority of the low population is to
38 predation, and those guys don't care what they do.
39 They take a couple bites and leave the moose, while the
40 local hunters, they take it home and eat the whole
41 thing all year round. You got to see some differences
42 here on what you consider conservation purposes.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN TOWARAK: Thank you.

47

48 Any further discussion. Mr.

49 Christianson.

50

1 MR. CHRISTIANSON: I'd just like to
2 again, Mr. Chair, get on record that I support the
3 Regional Advisory Council's proposal to increase that
4 bag limit or annual quota for themselves, to increase
5 that opportunity. Again, I think Mr. Brower's
6 presentation or explanation is pretty good
7 justification. I think one way or the other the moose
8 are going to expire. We might as well give the
9 opportunity to the user.

10

11 CHAIRMAN TOWARAK: Go ahead.

12

13 MS. K'EIT: Mr. Chair. Thank you.

14

15 Mr. Haskett, can you repeat the motion,
16 please.

17

18 CHAIRMAN TOWARAK: Go ahead.

19

20 MR. HASKETT: So my motion was to adopt
21 Proposal 14-54 with modification to allow for the
22 extension of the harvest season from July 1st/March 31
23 to July 1st/June 30th, year-round season, but no
24 increase in the harvest quota, and no in -- so no
25 increase in the harvest quota.

26

27 CHAIRMAN TOWARAK: Any further
28 discussion. Go ahead, Kristin.

29

30 MS. K'EIT: Mr. Chair. Thank you.

31

32 I'd like to say that what I've heard is
33 that the distance and the terrain for the users to
34 access this 26B Remainder and 26C is dependent, very
35 weather dependent. And because of the distance, it's
36 going to take a lot of planning, and I definitely
37 support the extended season. I also would support the
38 RAC's proposal as provided and do not support the
39 modification. So I intend to vote against the motion.

40

41 Thank you, Mr. Chair.

42

43 CHAIRMAN TOWARAK: Thank you.

44

45 Any further discussion.

46

47 (No comments)

48

49 MR. C. BROWER: Question.

50

1 CHAIRMAN TOWARAK: Prior to, I've got a
2 procedural question, and, I don't know, Maybe Ken might
3 be able to answer it, but if we voted this -- I'm not
4 predicting what the vote's going to be, but if we voted
5 this down, would that mean this proposal would not go
6 anywhere?

7
8 MR. LORD: You could open up the
9 opportunity for a different motion to be made on the
10 proposal.

11
12 CHAIRMAN TOWARAK: Okay. That answers
13 my question.

14
15 Any further discussion.

16
17 (No comments)

18
19 CHAIRMAN TOWARAK: You had, Mr. -- you
20 had called for the question earlier, Mr. Brower. Do
21 you still -- would you like to call for the question.

22
23 MR. C. BROWER: Yes.

24
25 CHAIRMAN TOWARAK: The question's been
26 called for. All those in favor of the motion say aye.

27
28 (Three ayes)

29
30 CHAIRMAN TOWARAK: Those opposed say
31 nay.

32
33 (Four nays)

34
35 CHAIRMAN TOWARAK: We have four nays
36 and four yeas.

37
38 MS. COOPER: Three.

39
40 MR. CHRISTIANSON: Roll call.

41
42 CHAIRMAN TOWARAK: Yeah. Let's have a
43 roll call, please.

44
45 MR. REAKOFF: Mr. Chair. I'd
46 appreciate roll call votes. Having sat on the phone
47 before, I've no clue what's actually going on with the
48 Board, and it's hard enough to discern what's actually
49 going on right now.

50

1 (Laughter)
2
3 MR. REAKOFF: So for those members on
4 the phone and on the internet, it's best to go roll
5 call vote.
6
7 Thank you, Mr. Chair.
8
9 CHAIRMAN TOWARAK: It's not a
10 reflection of my leadership.
11
12 (Laughter)
13
14 DR. JENKINS: Mr. Chair. So we're
15 voting on Mr. Haskett's motion to adopt a year-round
16 season with no harvest increase.
17
18 So, Ms. Cooper.
19
20 MS. COOPER: Support.
21
22 DR. JENKINS: Mr. Christianson.
23
24 MR. CHRISTIANSON: Oppose.
25
26 DR. JENKINS: Mr. Brower.
27
28 MR. C. BROWER: Oppose.
29
30 DR. JENKINS: Mr. Owen.
31
32 MR. OWEN: Support.
33
34 DR. JENKINS: Ms. K'eit.
35
36 MS. K'EIT: Oppose.
37
38 DR. JENKINS: Mr. Haskett.
39
40 MR. HASKETT: Support.
41
42 DR. JENKINS: Mr. Cribley.
43
44 MR. CRIBLEY: Support.
45
46 DR. JENKINS: Mr. Towarak.
47
48 CHAIRMAN TOWARAK: Oppose.
49
50 DR. JENKINS: Okay. So we have three

1 in support and.....

2

3 MR. CHRISTIANSON: No, four.

4

5 DR. JENKINS: Four in support and the
6 rest -- and so we've got four and four, pardon me.

7

8 We've got a tie, Mr. Chair. So it
9 doesn't pass.

10

11 CHAIRMAN TOWARAK: The motion dies
12 because of a tie, there's no clear majority.
13 Procedurally.

14

15 DR. JENKINS: I think it fails if
16 there's a tie.

17

18 MR. LORD: It fails.

19

20 CHAIRMAN TOWARAK: It fails. Okay, it
21 fails.

22

23 I wonder if this isn't a question that
24 we should bring to the Secretary about having an even
25 number of Board members. Typically, in many cases,
26 like in the city council or even a tribal council, we
27 end up with an odd number of seven or five or nine so
28 that we don't get into this situation of four and four,
29 which is I think something that administratively we
30 should take a look at.

31

32 The floor is open for any further
33 action on this proposal.

34

35 MR. CHRISTIANSON: Mr. Chair, I'd
36 entertain a motion that we support the Regional
37 Advisory Council's proposal as presented.

38

39 MS. K'EIT: Second. Or was that a
40 motion? I'm sorry.

41

42 CHAIRMAN TOWARAK: Yes, that was a
43 motion, and it's seconded. The question is on the
44 floor for discussion.

45

46 Would you like to provide the
47 rationale.

48

49 MR. CHRISTIANSON: Yes, Mr. Chairman.
50 Again my rationale is that deference on the taking of

1 fish and wildlife should be given to the Regional
2 Advisory Council. I again feel strongly that the
3 people of the land are a pretty good indicator of what
4 is needed to meet the needs of the rural subsistence
5 user, and so I would again lean on what it is the
6 Regional Advisory Council is saying to us and support
7 what it is that they're asking.

8

9 CHAIRMAN TOWARAK: Any further
10 discussion.

11

12 MS. K'EIT: Mr. Chair.

13

14 CHAIRMAN TOWARAK: Go ahead.

15

16 MS. K'EIT: In addition to what Mr.
17 Christianson pointed out, I'd like to reaffirm that we
18 know the distance for Kaktovik members, village members
19 to travel into the -- to these other places is quite a
20 ways, and so I don't see the conservation concern as
21 clearly.

22

23 And also even among our Staff
24 committee, you know, they pointed out that any other
25 options to make available to residents of Kaktovik is
26 even further away from what we would be providing if we
27 adopt this proposal -- this motion.

28

29 Thank you.

30

31 CHAIRMAN TOWARAK: Further discussion.

32

33 (No comments)

34

35 MR. OWEN: Call for the question.

36

37 CHAIRMAN TOWARAK: The question's been
38 called for. Let's have another.....

39

40 DR. JENKINS: Okay. We have a roll
41 call vote.....

42

43 CHAIRMAN TOWARAK: A roll call vote.

44

45 DR. JENKINS:Mr. Chair, on Mr.
46 Christianson's motion to support the RAC, a motion
47 which you can find on Page 176 of your proposal book.

48

49 Ms. K'ait.

50

1 MS. K'EIT: Approve.
2
3 DR. JENKINS: Mr. Haskett.
4
5 MR. HASKETT: No.
6
7 DR. JENKINS: Mr. Owen.
8
9 MR. OWEN: Abstain.
10
11 DR. JENKINS: Mr. Brower.
12
13 MR. C. BROWER: Yes.
14
15 DR. JENKINS: Mr. Christianson.
16
17 MR. CHRISTIANSON: Yes.
18
19 DR. JENKINS: Ms. Cooper.
20
21 MS. COOPER: Oppose.
22
23 DR. JENKINS: Mr. Cribley.
24
25 MR. CRIBLEY: Yes.
26
27 DR. JENKINS: And Mr. Towarak.
28
29 CHAIRMAN TOWARAK: Yes.
30
31 DR. JENKINS: We have five in support,
32 one no and one abstention.
33
34 CHAIRMAN TOWARAK: The motion.....
35
36 DR. JENKINS: Pardon me. Two no's.
37 Pardon me.
38
39 CHAIRMAN TOWARAK: Okay. The motion
40 passes then.
41
42 MR. LORD: Mr. Chair. If I could,
43 please.
44
45 CHAIRMAN TOWARAK: Yes.
46
47 MR. LORD: Mr. Chair. For future
48 reference, in the Board's meeting guidelines, the
49 possibility of a tie vote is anticipated, and it says
50 in that case the motion does fail.

1 CHAIRMAN TOWARAK: Okay. Thank you.
2 Which puts an exclamation mark on that, changing the
3 Board structure to an odd number.

4
5 We will continue then with the next
6 proposal.

7
8 MR. EVANS: Okay. The next proposal is
9 Proposal WP14-55. This was submitted by the Alaska
10 Department of Fish and Game. It requests that the
11 closure be lifted for non-Federally-qualified
12 subsistence users in the Firth, Mancha, and Upper
13 Kongakut river drainages, upstream and including Drain
14 Creek, for the harvest of moose in Unit 26C. Again Map
15 1, Page 193. And there's also a larger format in the
16 supplemental materials in your handout if you want to
17 look at a map. Hunting on Federal public lands in Unit
18 26B remainder and Unit 26C is closed to the taking of
19 moose, except by the residents of Kaktovik holding a
20 Federal registration permit and hunting under those
21 regulations.

22
23 In March 2012 the Alaska Board of Game
24 adopted Proposal 174A to open a State moose season in a
25 portion of Unit 26C; however, the affected area
26 consists of Federal public lands that are closed to the
27 harvest of moose, except by Federally-qualified
28 subsistence users. Thus the State season is contingent
29 on the Federal Subsistence Board lifting the closure to
30 Federal public lands in the portion of Unit 26C in the
31 Firth River, Mancha Creek drainage, and the Upper
32 Kongakut River drainage.

33
34 The proponent states that there's a
35 harvestable surplus of moose in the Firth, Mancha, and
36 Upper Kongakut River drainage in Unit 26C based on the
37 fall 2011 survey which indicated that the moose
38 population in this area increased from 227 in 2002 to
39 339 in 2011. The proponent states that based on a
40 three percent harvest rate and a population of 339, the
41 harvestable surplus for the Old Crow Flats population
42 is estimated to be 10 moose.

43
44 Again, the population we're referring
45 to in this proposal is really the Old Crow Flats
46 population.

47
48 Once again comprehensive surveys have
49 never been conducted, but the trend counts that have
50 been conducted, it's a fairly open habitat, basically

1 account -- probably account for a large percentage of
2 the moose inhabiting these areas.

3

4 The bull/cow ratio for the Old Crow
5 Flats population, based on the Fish and Survey in 2011
6 indicate a bull ratio of 70 to 100 cows, and a cow/calf
7 ratio of 31 to 100. So those are both good ratios for
8 the population, for that small segment of the
9 population.

10

11 Again, the harvest in this population
12 has been limited to the residents of Kaktovik, which
13 again have a harvest quota of three moose, and they
14 harvest -- but they have an annual harvest of about one
15 moose per year.

16

17 OSM's conclusion is to oppose Proposal
18 WP14-55.

19

20 The justification is the impacts to the
21 Old Crow Flats population are difficult to predict from
22 lifting the closure in Unit 26C because of the lack of
23 information on the ecology and the population of the
24 whole.

25

26 The migratory behavior of this
27 population complicates management, because the
28 population may be exposed to harvest pressure in
29 multiple areas, including portions of the Old Crow
30 Flats, Yukon Territory, Unit 26C and Unit 25A in
31 Alaska.

32

33 The closure should be maintained to get
34 biologists and managers from the Arctic National
35 Wildlife Refuge, Alaska Department of Fish and Game,
36 and Northern Yukon more time to obtain additional
37 information on the population to ensure that over-
38 harvest does not occur on this small and potentially
39 vulnerable migratory moose population.

40

41 That's it.

42

43 CHAIRMAN TOWARAK: Any questions of the
44 Staff.

45

46 (No comments)

47

48 CHAIRMAN TOWARAK: Not hearing any,
49 then will continue with public comments through the
50 regional coordinator.

1 MS. PATTON: Mr. Chair, members of the
2 Board. For the record, Eva Patton, Council coordinator
3 for North Slope Regional Advisory Council.

4
5 There is one public comment submitted,
6 you will find it on Pages 206 and 208 in you meeting
7 books, from Mr. Fran Mauer, resident of Fairbanks. And
8 I will briefly summarize the letter. He actually
9 comments on two proposals in this letter, and I'll
10 highlight the comments specific to WP14-55.

11
12 Mr. Fran Mauer opposes Proposal WP14-
13 55, because it would increase hunting pressure on the
14 population. He says, this is a critical conservation
15 concern that warrants appropriate actions by the
16 Federal Subsistence Board in order to restore a unique
17 migratory moose population that is especially
18 vulnerable to harvest pressure.

19
20 He notes that from 1981 to 2002 he
21 worked as a wildlife biologist for the Arctic National
22 Wildlife Refuge, and references his knowledge and data
23 from that time period.

24
25 From 1995 to '99 he led a study of
26 moose movements within the area of WP14-55, and results
27 of this study revealed that most moose inhabiting this
28 area migrate to Old Crow Flats in Canada where they
29 give birth, remain through the summer season and return
30 to the upper drainages of the Coleen and Sheenjek. He
31 notes that these migratory -- the migrations are the
32 longest that have been reported for moose in North
33 America.

34
35 He goes on to note in 2000, that the
36 population had remained stable prior to 2000, and then
37 overall numbers for these areas were down. Decline
38 coincided with widespread decline in moose throughout
39 northern Alaska.

40
41 He states there has been a steady
42 increase in hunting pressure in the Sheenjek and Coleen
43 River, which he feels had a negative recovery of moose
44 population. And a long-time resident to the Coleen
45 area reported increasing numbers of hunters,

46
47 He notes it's important to consider
48 that the State of Alaska is recommending opening of
49 this proposal, and that moose movement studies have
50 documented that migratory moose are destined for the

1 Sheenjek and Coleen rivers where moose numbers are very
2 low, and as they pass through the Firth and Kongakut
3 areas during the fall hunting season.

4

5 He concludes by saying WP14-55 would
6 expose these moose to additional hunting pressure at a
7 time when the Sheenjek and Coleen population is already
8 susceptible to further decline, and therefore he is
9 opposed to WP14-55.

10

11 Thank you

12

13 CHAIRMAN TOWARAK: Thank you.

14

15 Are there any questions of the
16 comments.

17

18 (No comments)

19

20 CHAIRMAN TOWARAK: If not, then we will
21 open the floor for public testimony. And I assume that
22 we don't have any cards for anyone here locally in the
23 building.

24

25 (No comments)

26

27 CHAIRMAN TOWARAK: So if there is
28 anyone on the phone that would like to testify on
29 Wildlife Proposal 14-23, hit start-one and give us your
30 comments. I'm sorry, that was 14-55.

31

32 (No comments)

33

34 CHAIRMAN TOWARAK: Not hearing any,
35 then we will continue on and hear from the Regional
36 Council recommendation. Mr. Brower.

37

38 MR. H. BROWER: Thank you, Mr. Chair.

39

40 The North Slope Regional Advisory
41 Council opposed WP14-55. The Council noted the
42 migration nature of the moose population that is
43 important to the Community of Kaktovik, and that
44 subsistence uses in the Firth, Mancha region should
45 have continued priority.

46

47 The Council discussed the concern of
48 the recovery for this migratory moose population and
49 stressed caution to allow the population to better
50 recover before opening it to harvest by non-Federally-

1 qualified users.

2

3 The Council discussed that the current
4 quota for Kaktovik is currently only three moose.

5

6 I'm not sure what the hardly -- it just
7 ends there and then that's the extent of the comments.
8 Mr. Chair.

9

10 Thank you.

11

12 CHAIRMAN TOWARAK: Thank you, Mr.
13 Brower.

14

15 Are there any questions.

16

17 MR. CHRISTIANSON: Mr. Chair. I've got
18 a question.

19

20 CHAIRMAN TOWARAK: Go ahead, Tony.

21

22 MR. CHRISTIANSON: Did I hear Mr.
23 Brower right that they support it? Because in the book
24 it says opposed. I was just making.....

25

26 CHAIRMAN TOWARAK: No, he said
27 that.....

28

29 MR. CHRISTIANSON: He said opposed? My
30 ears just weren't working.

31

32 CHAIRMAN TOWARAK: Thank you. That's
33 what I.....

34

35 MR. H. BROWER: Mr. Chair.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MR. H. BROWER: There's some language
40 left out from the packet information, but the remaining
41 language is hardly much of the subsistence priority
42 right now due to conservation concerns for this
43 population, insure the subsistence opportunity remains.
44 That's the remaining language that was missing off the
45 comments of the North Slope Regional Advisory Council.
46 Mr. Chair.

47

48 CHAIRMAN TOWARAK: Thank you. Any
49 further questions. Go ahead.

50

1 MR. CHRISTIANSON: I just wanted to
2 make sure I had clarification, because a few of us
3 heard support on the front end of his speech, but I'm
4 pretty sure the intent is that they oppose.

5
6 Thank you.

7
8 CHAIRMAN TOWARAK: Thank you.

9
10 Mr. Bud Cribley.

11
12 MR. CRIBLEY: Yeah, just clarification,
13 and I'm not sure who can answer this question, but is
14 this the same moose population that we just -- was on
15 the previous proposal that we just voted on?

16
17 CHAIRMAN TOWARAK: I think it's a
18 different area. Go ahead.

19
20 MR. CRIBLEY: Is this a different area?

21
22 MR. EVANS: There's two moose
23 populations in Unit 26C, there's kind of the North
24 Slope population, which is along the drainages that
25 drain into the Beaufort Sea, it goes all the way over.
26 And then there's a population in the southeast corner
27 of 26C that's kind of shared with Canada and Unit 25A.
28 So that's the one we're talking about.

29
30 MR. CRIBLEY: So this is a different
31 population. Okay. Thank you.

32
33 CHAIRMAN TOWARAK: Go ahead, Kristin.

34
35 MS. K'EIT: Mr. Chair. There's another
36 distinction on this proposal I think that this is --
37 this proposal is to open -- or lift the restriction on
38 non-Federally-qualified users. So that's another point
39 to be considering.

40
41 CHAIRMAN TOWARAK: Further questions or
42 comments.

43
44 (No comments)

45
46 CHAIRMAN TOWARAK: Thank you. We will
47 then move on to the Department of Fish and Game
48 comments.

49
50 MR. CRAWFORD: Yes, Mr. Chair. Drew

1 Crawford with the Alaska Department of Fish and Game.

2

3 Regarding Wildlife Proposal 14-55, the
4 State's recommendation is to support.

5

6 The Alaska Board of Game adopted this
7 opportunity at their March 2012 meeting with the
8 passage of amended 174.

9

10 The State fully recognizes the
11 importance of continuing conservation within its desire
12 to restore this opportunity and has outlined an
13 extremely conservative plan for issuance of drawing
14 permits. While the regulation stipulates up to 30
15 permits may be issued, the Department's intent is to
16 take an extremely conservative approach when
17 determining how many permits may be issued for a given
18 season.

19

20 Passage of the proposal reinstates the
21 lost opportunity. It was not contested or opposed by
22 representatives of the Federal program at the March
23 2012 Board of Game meeting.

24

25 The moose population appears to be
26 remaining stable in central Unit 26C east of the
27 Canning River and the Lower Kongakut River below Drain
28 Creek.

29

30 Closure under the Federal programs are
31 intended for the purposes of conservation measures
32 under ANILCA .815 and not as a measure to unduly impact
33 other users through the restriction of access to
34 resources in perpetuity. The original closure has met
35 its intended effect and warrants rescinding to
36 recognize its success.

37

38 CHAIRMAN TOWARAK: Thank you.

39

40 Are there any questions of the State.

41

42 (No comments)

43

44 CHAIRMAN TOWARAK: Thank you. We will
45 continue then with the InterAgency Staff Committee
46 comments.

47

48 MR. ARDIZZONE: Mr. Chair, I think Ms.
49 Yuhas had a comment.

50

1 CHAIRMAN TOWARAK: I'm sorry, I didn't
2 see you back there. Go ahead.

3

4 MS. YUHAS: Thank you, Mr. Chair.

5

6 Mr. Brower just said I should just
7 press the button, and I said, no, you need to be
8 recognized by the Chair.

9

10 (Laughter)

11

12 MS. YUHAS: I just wanted to note for
13 the record that while the proposal was adopted to allow
14 30 permits, that is taking conservation into
15 consideration, they could issue as many as zero,
16 depending on what's happening with the dynamic. It's
17 just for the opportunity to issue if so warranted.

18

19 CHAIRMAN TOWARAK: Thank you. Any
20 further comments.

21

22 (No comments)

23

24 CHAIRMAN TOWARAK: If not, then we'll
25 ask the ISC Chair to provide comments.

26

27 MR. ARDIZZONE: Mr. Chair. ISC
28 comments are found on Page 205, and they're just the
29 standard comments that we found this a thorough
30 analysis and would allow the RAC and the Board to make
31 recommendations and decision,

32

33 CHAIRMAN TOWARAK: Thank you.

34

35 No tribal consultations on this
36 proposal, so we'll provide for Board discussion with
37 Council Chairs or the State liaison. Any discussions.

38

39 (No comments)

40

41 CHAIRMAN TOWARAK: I'm not seeing any,
42 then we'll.....

43

44 MS. K'EIT: Mr. Chair.

45

46 CHAIRMAN TOWARAK: I'm sorry, go ahead.

47

48 MS. K'EIT: I have a question for the
49 State. What is their procedure for determining how
50 many issues -- or permits you would issue, if any?

1 MS. YUHAS: I apologize through the
2 Chair to our BIA representative, that we don't have our
3 area manager here who spoke to this much more
4 eloquently on record at the RAC meeting.

5
6 So what I -- I can speak to the
7 generalities that our area biologist would be taking
8 into account the current population dynamics and the
9 available surplus, and base that on what was available
10 after the subsistence hunt had already been accounted
11 for. And so they had been predicting maybe three, but
12 we recognize it could be as few as zero in this
13 opportunity.

14
15 CHAIRMAN TOWARAK: Further discussion.

16
17 (No comments)

18
19 CHAIRMAN TOWARAK: Not seeing any,
20 then we will continue on with Board action. Yeah, go
21 ahead.

22
23 MR. HASKETT: So I'm going to make a
24 motion to adopt 14-55, and I will provide my
25 justification as to why I intend to vote against the
26 motion if I get a second.

27
28 MS. COOPER: Second.

29
30 CHAIRMAN TOWARAK: You heard the motion
31 and the second. The floor is open for discussion or --
32 continue.

33
34 MR. HASKETT: So survey results in the
35 Firth River, Mancha Creek, and Upper Kongakut River
36 drainages indicate the Old Crow Flats population may be
37 growing. However, interpreting the status of the Old
38 Crow Flats population developing sustainable harvest
39 limits with essentially a single recent data point is
40 questionable.

41
42 I understand the overall population
43 dynamics, migratory patterns, climate, predation, and
44 harvest, it's important to maintain a healthy
45 population. The closure should be maintained to allow
46 biologists and managers more time to obtain additional
47 information on the population.

48
49 Allowing additional harvest on this
50 population at this time could be detrimental to the

1 satisfaction of subsistence needs for residents of
2 Kaktovik. Therefore, I intend to vote against the
3 motion, and in support of the RAC I would like to add
4 as well.

5
6 CHAIRMAN TOWARAK: Thank you.

7
8 Any further discussion.

9
10 (No comments)

11
12 MR. CHRISTIANSON: Question.

13
14 CHAIRMAN TOWARAK: Question's been
15 called for. All those in favor of the motion say aye.

16
17 IN UNISON: Aye.

18
19 MR. HASKETT: No, don't do that.

20
21 CHAIRMAN TOWARAK: I'm sorry.

22
23 MR. CHRISTIANSON: I thought now it's
24 supposed to be the negative.

25
26 MR. HASKETT: I think you need to go
27 around the room.

28
29 MR. CHRISTIANSON: Yeah, I think we
30 need to take Mr. Reakoff's advice.

31
32 CHAIRMAN TOWARAK: Okay. Let's do a
33 voice -- a roll call vote.

34
35 DR. JENKINS: Mr. Chair. The motion is
36 to adopt Wildlife Proposal 14-55.

37
38 Mr. Haskett.

39
40 MR. HASKETT: I'm voting against my
41 motion.

42
43 CHAIRMAN TOWARAK: And I'd like to
44 point out that the Regional Advisory Council says, vote
45 no.

46
47 MR. HASKETT: Yes.

48
49 (Laughter)

50

1 MR. OWEN: A reminder.
2
3 MR. CHRISTIANSON: I stuck my foot in
4 my mouth.
5
6 DR. JENKINS: Okay. Mr. Chair. Mr.
7 Haskett voted no.
8
9 Ms. Cooper.
10
11 MS. COOPER: Oppose.
12
13 DR. JENKINS: Mr. Owen.
14
15 MR. OWEN: No.
16
17 DR. JENKINS: Mr. Towarak.
18
19 CHAIRMAN TOWARAK: No.
20
21 DR. JENKINS: Mr. Brower.
22
23 MR. C. BROWER: No.
24
25 DR. JENKINS: Mr. Christianson.
26
27 MR. CHRISTIANSON: No.
28
29 DR. JENKINS: Mr. Cribley.
30
31 MR. CRIBLEY: No.
32
33 DR. JENKINS: Ms. K'eit.
34
35 MS. K'EIT: No.
36
37 DR. JENKINS: The motion fails.
38
39 CHAIRMAN TOWARAK: The motion passes.
40
41 DR. JENKINS: Fails.
42
43 CHAIRMAN TOWARAK: Fails unanimously,
44 I'm sorry.
45
46 DR. JENKINS: The motion is not passed.
47
48 CHAIRMAN TOWARAK: Right. We will
49 continue with -- well, this is the last of the North
50 Slope proposals. Our directions are to revert back to

1 the Southcentral proposals, starting WP14-06.

2

3 For your information, we're going to be
4 taking the Southcentral. We've already done the Seward
5 Peninsula and the North Slope. We have none from the
6 Northwest. And we've done Eastern Interior. We will
7 after -- after the Southcentral ones, we will switch to
8 the Yukon Delta, Western Interior, Seward Peninsula,
9 then the Bristol Bay, Bristol Bay/Yukon, and then YK
10 Delta, and then Eastern Interior at the end.

11

12 We'll hear from the Staff analysis,
13 please. Thank you.

14

15 MR. BURCHAM: Hello. My name's Milo
16 Burcham. I'm a wildlife biologist and the subsistence
17 lead for the Chugach National Forest. I actually am
18 the one who turned in this proposal.

19

20 WP14-06, submitted by the U.S. Forest
21 Service requests the Federal subsistence quota of two
22 mountain goats in Unit 6D, Subarea 244, which is the
23 unit closest to the Village of Tatitlek be eliminated,
24 and a quota of two mountain goats in Unit 6D, Subarea
25 245 be established.

26

27 The proponent states that there's
28 little Federal public land in Unit 244, limiting
29 opportunity for Federally-qualified subsistence users,
30 particularly the residents of Tatitlek. Additionally,
31 little alpine mountain goat habitat is encompassed on
32 the Federal public lands that do exist in Subarea 244.

33

34

35 Population estimates have fluctuated
36 between 145 and 251 mountain goats in Subarea 244, and
37 between 117 and 134 goats in Subarea 245 between 2000
38 and 2010. Harvest of mountain goats in 244 have ranged
39 from one to nine under State regulations, and from zero
40 to one under Federal regulations between 2000 and 2010.
41 Mountain goat harvest in Area 245 has ranged from zero
42 to nine goats under State regulations in that same time
43 period, and has been closed under Federal regulations
44 since 1993.

45

46 If this proposal was adopted, it would
47 close Subarea 244 to goat harvest and open Subarea 245
48 to the harvest of two goats. That's the existing quota
49 in 244 right now.

50

1 Although the preference for the
2 residents of Tatitlek would be to hunt mountain goats
3 closer to their village in Subarea 244, little Federal
4 public land exists in that unit, particularly near the
5 mountain goat habitat preferred for hunting. Since the
6 quota of two goats is small and harvest history has
7 shown low harvest rates by Federally-qualified
8 subsistence users, the effects on mountain goat
9 population in Subarea 245 would be small.

10

11 The proposal would have little or no
12 effect on Federally-qualified users. The State harvest
13 quota in 245 should not have to be reduced by more than
14 one goat to account for the possible small increase in
15 Federal subsistence harvest.

16

17 The OSM preliminary conclusion was to
18 support Proposal 14-06 with modification. And that
19 modification was to leave the quota of two goats split
20 -- to leave Unit 244 open and keep the quota the same
21 of two goats, and split that between the two units, 244
22 where it already exists and 245 which would be opened
23 up.

24

25 Adopting the proposal as modified would
26 provide more opportunity for Federally-qualified
27 subsistence users to harvest mountain goats by leaving
28 Federal public lands of Subarea 244 opened up to goat
29 hunting, Some goat habitat on Federal lands nearest
30 the Village of Tatitlek would still be opened to goat
31 harvest if the opportunity presented itself, in
32 addition to the greater opportunities provided by
33 opening Subarea 245 -- or in addition to the greater
34 opportunity provided by opening up Subarea 245.

35

36 And detailed maps illustrating the
37 limited public lands within 244 could help provide --
38 could be provided to steer Federally-qualified
39 subsistence users to the areas that are opened to
40 hunting,

41

42 CHAIRMAN TOWARAK: Thank you.

43

44 Are there any questions of the Staff.

45

46 (No comments)

47

48 CHAIRMAN TOWARAK: Not hearing any,
49 then we will get a summary of the public comments
50 through the regional coordinator.

1 MR. MIKE: Thank you, Mr. Chair.
2 Donald Mike, Regional Council coordinator.

3
4 On Proposal 14-06, there were no
5 written public comments received.

6
7 Thank you, Mr. Chair.

8
9 CHAIRMAN TOWARAK: Thank you. We will
10 open the floor for public comment. And I note that
11 there are no cards for people in the building.

12
13 Is there anyone on the phone that would
14 like to testify on 14-06.

15
16 OPERATOR: And if anyone over the phone
17 would like to make a comment, you can press star one on
18 your touchtone phone and record your first and last
19 name clearly when prompted. Please be sure your phone
20 is unmuted when recording your name. And you need to
21 withdraw your comment, please press star two. One
22 moment to see if we have any comments.

23
24 (No comments)

25
26 CHAIRMAN TOWARAK: Not hearing any, I
27 assume that there isn't anyone available by phone.

28
29 We will move on to number 4, Regional
30 Council recommendations. I noticed Mr. Lohse isn't
31 here today, and I hope he's feeling better.

32
33 MS. CAMINER: Thank you, Mr. Chair.
34 This is Judy Caminer, Southcentral Regional Advisory
35 Council.

36
37 Yes, Mr. Lohse evidently got the flu
38 from his wife and is feeling the after effects, so
39 hopefully he's improving as we go today.

40
41 But I'll be glad to read our
42 conclusions, and our recommendation's on Page 35. And
43 that is that the Southcentral Subsistence Regional
44 Advisory Council did support Proposal 14-06 with the
45 modification as just mentioned to us by Milo, described
46 on Page 33 in the Office of Subsistence Management
47 conclusion. This proposed regulation will provide an
48 opportunity for subsistence users to have goat, and we
49 saw no conservation concerns on the goat population in
50 this subarea.

1 CHAIRMAN TOWARAK: Thank you. Are
2 there any questions of the Regional Chair.

3
4 (No comments)

5
6 CHAIRMAN TOWARAK: Not hearing any,
7 thank you, and we will move on to the Department of
8 Fish and Game comments.

9
10 MR. CRAWFORD: Mr. Chair. Drew
11 Crawford, Alaska Department of Fish and Game.

12
13 Regarding Wildlife Proposal 14-06, the
14 State's recommendation is to oppose. There is little
15 Federal public in Unit 6D, Subarea 244, and most goats
16 in this subarea are on Native land. Since local
17 residents from Tatitlek traditionally hunt mountain
18 goats close to their village in Subarea 244, the
19 Department sees no justification for opening a new
20 subarea for Federal subsistence goat hunting that has
21 not been requested by local users.

22
23 An unlimited number of State permits
24 can be issued for goats closest to Tatitlek in Unit
25 244. The harvest quota for this hunt depends on the
26 population data. The current 244 quota is 11 mountain
27 goats split nine go to the State and two to the
28 Federal. This quota is rarely taken, and the hunt
29 usually goes the whole season, from September 15th to
30 June -- January 31st.

31
32 So again the State's recommendation on
33 Wildlife Proposal 14-06 is to oppose. The Federal goat
34 permits are minimally used right now, and the
35 Department does not support forgoing other
36 opportunities when there's simply no demand for more
37 Federal permits.

38
39 CHAIRMAN TOWARAK: Thank you. Are
40 there any questions of the State.

41
42 (No comments)

43
44 CHAIRMAN TOWARAK: Not hearing any,
45 thank you.

46
47 We will continue then on with the
48 InterAgency Staff Committee comments.

49
50 MR. KESSLER: Thank you, Mr. Chairman.

1 Steve Kessler with the U.S. Forest Service and
2 InterAgency Staff Committee.

3
4 The standard comment applies here. The
5 Staff Committee found the Staff analysis to be a
6 thorough and accurate evaluation of the proposal, and
7 that it provides sufficient basis for the Regional
8 Council recommendation and Federal Subsistence Board
9 action on the proposal.

10
11 And I think that most of these for the
12 Southcentral region will have that standard comment.
13 And a I'll just let you know if there are other -- if
14 there's some that we have other comments on, if that's
15 okay.

16
17 CHAIRMAN TOWARAK: Thank you for your
18 brevity.

19
20 Were there any tribal consultation.

21
22 MR. LORRIGAN: (Shakes his head
23 negative)

24
25 CHAIRMAN TOWARAK: None. So we will go
26 to Board discussion with Council Chairs and the State.
27 Any additional comments.

28
29 (No comments)

30
31 CHAIRMAN TOWARAK: Not hearing any,
32 then the floor is opened for Board action.

33
34 MR. OWEN: Motion? Mr. Chair. I move
35 to support the proposal as modified by the Southcentral
36 RAC. And following a second, I will provide my
37 rationale.

38
39 MS. COOPER: Second.

40
41 MR. OWEN: Thank you, Mr. Chairman.

42
43 The modified proposal would allow for
44 the most flexibility for Federally-qualified
45 subsistence users. The modified proposal would ensure
46 that subarea quotas would not be filled by State
47 hunters prior to the time that Federally-qualified
48 subsistence users prefer to hunt late in the season.
49 And there's no conservation concern resulting from the
50 adoption of the proposal as modified.

1 CHAIRMAN TOWARAK: Thank you.
2
3 Further discussion.
4
5 (No comments)
6
7 CHAIRMAN TOWARAK:
8
9 MR. CHRISTIANSON: Question.
10
11 CHAIRMAN TOWARAK: The question's been
12 called for. All those in favor of the motion say aye.
13
14 IN UNISON: Aye.
15
16 CHAIRMAN TOWARAK: Those opposed say
17 nay,
18
19 (No opposing votes)
20
21 CHAIRMAN TOWARAK: Motion passes
22 unanimously.
23
24 Next proposal, 14-08 is considered a
25 consensus, so I guess it would be 14-09.
26
27 MR. EVANS: Okay. Again for the
28 record, my name is Tom Evans. I work for the -- as a
29 wildlife biologist for the Office of Subsistence
30 Management here for Fish and Wildlife Service.
31
32 Proposal WP14-09 was submitted by Any
33 McLaughlin of Chenega Bay, Alaska, and requests that
34 the baiting season for the hunting of black bear on
35 Federal public lands in Unit 6 be extended two weeks
36 from June 15 to June 30th.
37
38 The proponent requests that the bear
39 baiting season be extended two weeks to increase the
40 opportunity for rural residents in Unit 6 to harvest a
41 black bear. And this is particularly important during
42 years of heavy snowfall and late spring melt when the
43 black bears often do not emerge from their dens before
44 the baiting season closes on June 15th.
45
46 Black bear densities and harvest are
47 highest in Unit 6D, the western portion Prince William
48 Sound. There's no accurate population data for black
49 bears in Unit 6. Harvest monitoring and assessment has
50 been the primary method used to assess the status of

1 black bear population in Unit 6.

2

3 The State management goal was to
4 maintain a black bear population that will sustain a
5 three-year annual harvest of 200 bears composed of at
6 least 75 percent males. The percentage of females
7 taken in the harvest exceeded the recommended
8 guidelines of 25 percent on five out of the seven
9 regulatory years since 2005.

10

11 The decline in skull size along with
12 high annual harvest around 680 bears a year during
13 these years suggests that the harvest may be impacting
14 the age structure of the black bear population. You
15 can look at Table 1, Page 53 for that information.

16

17 Between 2005 and 2012 the average
18 annual harvest has been 646 black bears, and it's again
19 Table 1. During the same time period, local residents
20 harvested approximately 11 percent of the bears in Unit
21 6. Residents living outside of Unit 6, 58 percent, and
22 non-residents 31 percent.

23

24 The average annual harvest between 2005
25 and 2009 by local residents was approximately 44 bears
26 per years, which is approximately 7.4 percent of the
27 total harvest.

28

29 From 2005 to 2011 the average -- the
30 harvest of black bears over bait averaged 70 bears with
31 a high of 97 during 2009 and a low of 40 during 2011.
32 And the low during that year was probably due to the
33 heavy things which the bears weren't even out when the
34 season closed.

35

36 Another alternative was considered. It
37 was to extend the black bear season in Unit 6D, only
38 Unit 6D, for only two weeks until June 30th, the date
39 requested by the proponent, with a quota of no more
40 than 10 black bears during the extended period. This
41 action was not chosen because of a conservation concern
42 for black bears in Unit D. However, the option to
43 lengthen the season could be done by special action
44 during those years of heavy snowfall or late spring
45 melt.

46

47 OSM's conclusion was to opposed
48 Proposal WP14-09. And the justification is given the
49 lack of accurate population relatively high levels of
50 black bear harvest and past efforts by the State to

1 reduce the take of black bears in Unit 6D, extending
2 the season by two weeks was not recommended due to
3 conservation concerns.

4

5 Thank you.

6

7 CHAIRMAN TOWARAK: Thank you.

8

9 Are there any questions of the Staff.

10

11 (No comments)

12

13 CHAIRMAN TOWARAK: Not hearing any, we
14 will continue on then with summary of the public
15 comments from the regional coordinator.

16

17 MR. MIKE: Thank you, Mr. Chair.
18 Donald Mike, Regional Council coordinator.

19

20 WP14-09, we did not receive any written
21 public comments.

22

23 Thank you, Mr. Chair.

24

25 CHAIRMAN TOWARAK: Thank you.

26

27 We will then open the floor for public
28 testimony. And again I don't see any requests from
29 people within the building. So I will open the phone
30 very briefly for any public comments through the phone.

31

32 OPERATOR: Once again please press star
33 one to make a comment. Press star two to withdraw you
34 comment. And please unmute your phone when recording
35 your name. One moment to see if we have any comments.

36

37 (No comments)

38

39 CHAIRMAN TOWARAK: Not hearing any, we
40 will continue then to the Regional Council
41 recommendations. Judy.

42

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

44

45 I guess I will mention that at our
46 meeting we did have a public comment from a resident of
47 Chenega Bay who supported the proposal, saying that
48 bear baiting should be allowed. Recent history,
49 there's been limitations under hunting by both State
50 and sport -- both State's sporthunting and Federal

1 subsistence hunter primarily due to the influx of non-
2 local bear hunters coming through the tunnel.

3
4 People harvest black bears annually in
5 numbers that are small compared to sport hunters who do
6 not live in proximity to the bears. The amount of
7 bears they take is small.

8
9 And I think this is important, because
10 it says something about climate change. Recent heavy,
11 heavy winters and late spring have caused the bears to
12 stay in dens longer.

13
14 And allowing baiting of bears on
15 Federal land would match the Federal subsistence bear
16 baiting season if allowed up to the end of June.

17
18 And to some extent, that was consistent
19 with what our local resident on our RAC was saying
20 about why he was interested in the extra two weeks over
21 this.

22
23 Having said that, our Regional Council
24 recommendation on Page 57 was to support with
25 modification to extend the season to June 30th, have a
26 quota of 20 bears, establish a Federal registration
27 permit if needed, or establish a Federal bear bait
28 registration permit, if needed.

29
30 The Council understands there is a
31 conservation concern for bears in Prince William Sound
32 area, thus the quota and Federal registration permit
33 requirements. Additionally the permit requirements
34 would help determine subsistence uses of bears in the
35 area. Modification could provide additional
36 subsistence opportunity.

37
38 The bear season closes early, some
39 rural residents are not able to harvest bears for
40 subsistence, and some bears are still in their dens in
41 early June.

42
43 Thank you, Mr. Chair.

44
45 CHAIRMAN TOWARAK: Thank you.

46
47 Are there any questions of -- go ahead,
48 Deborah.

49
50 MS. COOPER: Yes, just a question for

1 the RAC Chair, Ms. Caminer. Just a question. Did the
2 RAC consider just simply shifting the season by two
3 weeks rather than adding two weeks on.

4

5 Thank you, Mr. Chair.

6

7 MS. CAMINER: Thank you very much. And
8 through the Chair, Ms. Cooper. I don't think we
9 discussed that part.

10

11 CHAIRMAN TOWARAK: Further discussion.
12 Any questions.

13

14 (No comments)

15

16 CHAIRMAN TOWARAK: Thank you. We will
17 move on then to the Department of Fish and Game.

18

19 Oh, I'm sorry. Go ahead.

20

21 MR. EVANS: I just wanted to add a
22 little clarification, that if we extended the season
23 two weeks, the State and the Federal regulations would
24 be out of alignment for the baiting season.

25

26 CHAIRMAN TOWARAK: Okay. You just
27 turned you mic on.

28

29 We will then move on to the Department
30 of Fish and Game comments.

31

32 MS. YUHAS: Thank you, Mr. Chairman.
33 Jennifer Yuhas with the Alaska Department of Fish and
34 Game.

35

36 The Department also opposes this
37 proposal. I'd like to note that there's a lot of
38 publicity every time we expand a bear harvest
39 opportunity. But the Department doesn't want to do
40 this in this area. We actually have a conservation
41 concern for this particular black bear population. I'd
42 note that it's already exceeding the recommended level
43 of harvest.

44

45 We're currently considering our options
46 in this area to further limit them. We haven't
47 submitted anything officially yet. We have until May
48 1st to make that determination, but we may actually be
49 shortening this before the Alaska Board of Game. So we
50 really don't want to see it expanded.

1 I will make a note that in our
2 supplement we indicated that it might be needed to have
3 a Federal permit to do this. In speaking with the
4 Forest Service Staff and looking at the dates, our bear
5 baiting permit with the State doesn't list the dates,
6 and so when you get one, it's valid for the area that
7 you're baiting in, and you have to check the regs. So
8 you would be able to use the State permit. You
9 wouldn't have to create a new permit. I just want to
10 clarify that.

11
12 But we are opposed to expanding bear
13 baiting for this particular population right now.

14
15 CHAIRMAN TOWARAK: Thank you.

16
17 Any further questions.

18
19 (No comments)

20
21 CHAIRMAN TOWARAK: We will then go to
22 the -- I'm sorry, Deborah, did you have a question.

23
24 MS. COOPER: Yeah, I have just one
25 question for State Department of Fish and Game. And
26 that's just clarification of the current State season
27 for black bears, to ensure that there's alignment.

28
29 Thank you, Mr. Chair.

30
31 MR. CRAWFORD: The current season is
32 September 10th through June 10th.

33
34 CHAIRMAN TOWARAK: Go ahead.

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

37
38 The RAC did have a discussion with the
39 Department about the concern about the numbers of bears
40 taken in the area. And we would look to the Board of
41 Game to make some restrictions on bear users to help
42 remedy that situation.

43
44 Thank you.

45
46 CHAIRMAN TOWARAK: Go ahead, Ms. Yuhas.

47
48 MS. YUHAS: With regards to what we're
49 considering in that area as well, we noted at the
50 previous meetings that the harvest history has changed

1 over the years. In the 90s most of those bears were
2 being taken near the Whittier and Valdez areas. And
3 the harvest locations for successful harvest has
4 expanded to the far reaches of Prince William Sound
5 where it didn't use to occur as often. And so those
6 are some of the considerations, besides simply the
7 numbers and the numbers of the population, it's also
8 where that's occurring.

9

10 MR. CHRISTIANSON: Mr. Chair.

11

12 CHAIRMAN TOWARAK: Go ahead.

13

14 MR. CHRISTIANSON: To the RAC Chair.
15 Was there any talk at the Regional Council level that
16 there was users, subsistence users not meeting their
17 need for subsistence bear?

18

19 MS. CAMINER: Thank you.

20

21 CHAIRMAN TOWARAK: Go ahead.

22

23 MS. CAMINER: And through the Chair.

24

25 Exactly, Mr. Christianson. This is
26 exactly what brought this about. And it was really
27 mostly the timing aspect of it, that with the change in
28 -- either climate change or some particularly bad
29 winters, the proponent, the resident from Chenega was
30 unable to take a bear.

31

32 MR. CHRISTIANSON: I'm sorry, I wasn't
33 finished. Okay. That kind of helps me, because as I
34 hear the numbers here, we get almost 700 bears
35 annually, and the subsistence take of them is 44 bear.
36 It seems like it's a pretty big margin there between
37 the qualified users and non-qualified users of that
38 resource. And coming from a pretty big bear hunting
39 area myself, I can see that there's probably some
40 pretty strict competition for those resources, having
41 seen black bear hunting quite extensively in our area.
42 So I would be concerned that we try to provide an
43 additional opportunity for subsistence users to go
44 ahead and meet their need under the current regs.

45

46 And then my understanding, you know, if
47 you set a cap at 200, I mean, if I go out and catch 20
48 sockeye, and I get 21 sockeye, I'm in trouble, so how
49 do we regulate this estimated harvest of 200 bear when
50 it's almost 500 over the take that they're

1 establishing.

2

3 CHAIRMAN TOWARAK: Go ahead, Mr.

4 Crawford.

5

6 MR. CRAWFORD: Yes. I'd like to
7 clarify my previous response, that the dates I provided
8 were for Unit 6D only, which is Prince William Sound
9 area, and those dates were September 10th through June
10 10th. There are other sections of -- 6A and B are
11 August 20th to June 30th, and 6C is September 1st to
12 June 30th. So the 6D area is the Prince William Sound
13 area.

14

15 MS. COOPER: Okay. Mr. Chairman.

16

17 I think you've answered my question.
18 What I'm trying to clarify is the existing State season
19 on black bear goes to June 30th, but the -- in 6A, B,
20 and C. But the baiting itself only goes to June 15.
21 And what I'm trying to find out is if this extension of
22 baiting to June 30th would then be the first time ever
23 that OSM would be -- would need to create a bear
24 baiting permit, because the State baiting season would
25 be closed and the Federal would be open. So that's
26 what I'm trying to understand.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN TOWARAK: Go ahead, Ms. Yuhas.

31

32 MS. YUHAS: Through the Chair for Ms.
33 Cooper. The permit would be valid for the regulatory
34 year, depending on what those regs specify. So as long
35 as it didn't go past June 30th, a new permit wouldn't
36 be required.

37

38 All around the State they close at
39 different intervals, so the same permit is issued and
40 you write in the location so that if something changes
41 in the regulations, your permit applies to where the
42 regulations apply, and you have to check the
43 regulations. So on the Kenai we close earlier, the
44 15th of June. Talkeetna area, 25th, further north on
45 the 30th. And so that same piece of paper, just like
46 you're use to having to go through the Federal process,
47 we kept it that way so it could be utilized for
48 different purposes.

49

50 MS. ENTSMINGER: Through the Chair.

1 Thank you, Ms. Yuhas.
2
3 CHAIRMAN TOWARAK: Further questions of
4 the State.
5
6 (No comments)
7
8 CHAIRMAN TOWARAK: If not then, we will
9 continue with the ISC Chair.
10
11 (No comments)
12
13 CHAIRMAN TOWARAK: No comments?
14 Standard response. Then we will continue.
15
16 I assume no tribal consultation
17 comments.
18
19 (No comments)
20
21 CHAIRMAN TOWARAK: Board discussion
22 with Council Chairs, State liaison. Anything further
23 to discuss.
24
25 (No comments)
26
27 CHAIRMAN TOWARAK: Not seeing any, we
28 will continue -- or go to Board action.
29
30 MR. OWEN: motion?
31
32 CHAIRMAN TOWARAK: You have the floor.
33
34 MR. OWEN: Thank you, Mr. Chairman.
35
36 And I apologize to my colleagues, this
37 is going to be long and tedious.
38
39 I move to support WP14-09 as modified
40 by the Southcentral RAC, and would like you to know
41 after a second, I will move to amend my motion to
42 reduce some of the conservation concerns by limiting
43 the scope of the proposal, which should also more
44 closely match the original intent of the proponent.
45
46 MR. C. BROWER: Second.
47
48 CHAIRMAN TOWARAK: You heard the motion
49 and the second. And continue with the rationale.
50

1 MR. OWEN: Thank you, Mr. Chair.

2

3 My rationale for the upcoming
4 amendment. First I would like to provide some
5 rationale for my amendment.

6

7 While this proposal was submitted for
8 all of Unit 6, the proponent is primarily interested in
9 the ability to extend the baiting season in 6D, Prince
10 William Sound as our colleagues at the State pointed
11 out earlier. Discussion of this proposal at the
12 Southcentral RAC revolved around just Unit 6D.

13

14 One way to limit conservation concern
15 is to limit the scope of this Proposal to Unit 6D.
16 Although this is also where some of the greatest
17 conservation concerns exist, it is the only area
18 readily accessible by the Village of Chenega Bay were
19 the proposal originates.

20

21 There has not been any discussion of or
22 an interest in extending the baiting season to other
23 portions of Unit 6.

24

25 The quota of 20 bears during the
26 extended baiting season would help address the
27 conservation concern, and likely fewer bears -- and
28 likely far fewer bears than this would be taken
29 annually.

30

31 A Federal registration permit was
32 identified by the Southcentral RAC during deliberations
33 as being an important manner to be -- an important way
34 to begin to document Federal subsistence interest in
35 black bears since bears taken during the regular season
36 are documented using both State harvest tickets and
37 sealing, it is not necessary to require a Federal
38 permit during the entire season, but only during the
39 extended baiting season.

40

41 And with that explanation, I move to
42 amend the RAC's, the Southcentral RAC's proposed
43 modifications to limit the proposal to Unit 6D, and
44 require a Federal registration permit only during the
45 extended baiting season. The amended proposal would
46 read as -- can we through this up, and I'll try to walk
47 through this briefly.

48

49 In Unit 6, one bear. In Unit 6D a
50 Federal registration permit is required to harvest

1 black bear between June 11th and June 30th. You can
2 see there the unit-specific regulations are you may use
3 bait on black bear between April 15th and June 15th.
4 In addition, you may use bait in Unit 6D between June
5 16th and June 30th. The harvest quota in 6D is 20
6 bears taken with bait between June 16th and 20th -- and
7 30th rather.

8
9 Special provisions include before
10 establishing a black bear baiting station, you must
11 register the site with Alaska Department of Fish and
12 Game. And when using bait, you must clearly mark the
13 site with signs reading black bear bait station that
14 also displays your hunting license number and ADF&G-
15 assigned number.

16
17 After a second to this amendment, I
18 will provide yet more rationale.

19
20 MR. CHRISTIANSON: I'll second that.

21
22 MR. OWEN: Thank you, Mr. Christianson.

23
24
25 While here are population concerns for
26 black bears in Unit 6D, the additional harvest that may
27 occur as a result of this proposal will be
28 insignificant compared to the non-subsistence harvest
29 allowed by the State of Alaska. A quota of 20 bears
30 would prevent a significant number of additional bears
31 from being taken, although unlikely, the quota in my
32 amendment could allow for a greater amount of harvest
33 opportunities, because it would apply only to Unit 6D
34 during the extended baiting season rather than all of
35 Unit 6. Limiting the scope of the proposal to Unit 6D
36 would reduce concerns for additional bear harvest in
37 the rest of Unit 6, especially along the road
38 accessible area of Cordova. The regulation would
39 provide a subsistence use priority for Federally-
40 qualified subsistence users. Establishing a Federal
41 registration permit would document the harvest numbers
42 of black bears among Federally-qualified subsistence
43 users during the extended season. And although we
44 normally defer entirely to the Regional Advisory
45 Council, in this case, for conservation concerns, my
46 amendment would limit the scope of this proposal to
47 Unit 6D, the area the proponent intended his proposal
48 to apply to, and the area that the Regional Advisory
49 Council primarily addressed during its deliberations.
50

1 Thank you.
2
3 CHAIRMAN TOWARAK: Thank you.
4
5 The floor is open to discuss the
6 amendment.
7
8 MR. CHRISTIANSON: Mr. Chair.
9
10 CHAIRMAN TOWARAK: Go ahead.
11
12 MR. CHRISTIANSON: So I guess I would
13 ask the -- Judy if that would kind of meet the intent
14 of what the Regional Advisory Council was trying to get
15 at in the area described by Mr. Owen.
16
17 CHAIRMAN TOWARAK: Go ahead, Judy.
18
19 MS. CAMINER: Thank you. Yes. I
20 believe that would be perfectly acceptable. The
21 proponent is from that area, and that was exactly was
22 the intent was, was to help his local area. So I don't
23 believe there would be any objections.
24
25 Thank you.
26
27 CHAIRMAN TOWARAK: Any further
28 discussion on the amendment. Deborah.
29
30 MS. COOPER: Yeah, Mr. Chair.
31
32 I'd like to seek clarification on the
33 harvest, but this would limit total harvest to 20 in 6D
34 and the numbers that we have on Table 1 go anywhere
35 from a high of 700 in the winter of 2008/2009 dropping
36 to 575 in 2011/2012 with a reduced skull size and a
37 proportion of females taken exceeded the recommended
38 management objectives.
39
40 With that, I'm just curious if that is
41 the total black bear harvest of all seasons, and if
42 that -- it's fair to compare this small, relative -- in
43 my mind, it's a relatively small number of 20 to the
44 totals ranging anywhere from 750 to 568.
45
46 MR. OWEN: So I'd like to call upon our
47 Staff to respond to that directly. Milo.
48
49 MR. BURCHAM: Okay. I think probably
50 the best way to start is to walk through each part of

1 the amended proposal in front of you right here. And
2 Steve Kessler and I have spent a lot of time getting
3 this wording just right and trying to have -- get right
4 of unintended consequences. And I also want to say
5 that I spoke on the phone with the proponent Andy
6 McLaughlin. I talked to Tom Carpenter, one of our RAC
7 members, and also Ralph Lohse, the RAC Chair. And they
8 all support limiting the scope of this Unit 6D.

9
10 That said, it's recognizing that this
11 is where the greatest conservation concern is. You
12 know, it doesn't seem like the logical place to put it,
13 but it's the only place to put -- to have this
14 proposal, because it's the only place that meets the
15 needs of the proponent. It's near the village of
16 Tatitlek.

17
18 So anywhere there were several things
19 that -- several cans of worms that got opened with this
20 proposal and what the RAC wanted. First of all, they
21 wanted a registration permit. There wasn't very much
22 data on subsistence use of black bears in Prince
23 William Sound, and so they asked for a registration
24 permit.

25
26 And there already is a State harvest
27 ticket required during the State season. A lot of the
28 needs for black bears are met already in the State
29 season. And anyway the harvest ticket exists through
30 the normal State season, which ends on June 10th, and
31 after that, there isn't a requirement. So establishing
32 this registration permit starting of June 11th is when
33 the State season closes, and runs through when the
34 Federal subsistence season ends on June 30th. So
35 that's the first part that you see in front of you
36 right there.

37
38 Already in all of Unit 6, you can bait
39 black bears between April 15th and June 15 in Federal
40 regulation. But the proponent was asking for an
41 extended baiting season, and in the next part, under
42 Unit-specific regulations, you see the extension of the
43 baiting season just in Unit 6D. That's limiting the
44 scope to Unit 6D, not the rest of Unit 6.

45
46 But they recognized the harvest concern
47 -- or the population concerns in that and to address
48 your immediate question, yes, there's a lot of bears
49 taken there, but they're taken by State users, non-
50 Federally-qualified subsistence users. And the burden

1 should be placed on them before it's placed on the
2 Federal subsistence users who are asking for just a few
3 more bears. So although it seems illogical, the burden
4 is not being placed in the correct place if this was
5 denied.

6
7 So anyway, the RAC recognized that
8 concern as well, and talked about a quota, and applying
9 a quota just to the additional opportunity that's being
10 presented by this proposal. So I think this is
11 carefully worded, saying that there's a harvest quota
12 in Unit 6D of 20 bears taken with bait. You know,
13 that's just the additional opportunity that's being
14 allowed by this proposal between June 16th and June
15 10th, that's the extended baiting season.

16
17 There has been no cap on Federal
18 subsistence harvest of black bears in this area, and
19 our intention wasn't to restrict the overall
20 subsistence season, but only cap the additional
21 opportunity that's being provided by this proposal.

22
23 And then also the RAC had asked for a
24 Federal subsistence baiting permit if needed, but
25 that's taken care of by the State and so there was no
26 need to change the language for the bear bait stations.

27
28 So I hope that answers your questions,
29 and it's -- it took a long time to get there, but I
30 think we have it right.

31
32 CHAIRMAN TOWARAK: Thank you. Any
33 further discussion.

34
35 MR. BURCHAM: And one more comment that
36 Steve just reminded me of. And the State is engaging
37 -- we're all being engaged in this process to look at
38 this greater conservation concern. The State has taken
39 measures already to whittle down its season, and has
40 done that, but so far it hasn't resulted in a
41 significant reduction in the harvest. And, anyway, I
42 think we're all on board in that process in the future,
43 and we're headed in that direction.

44
45 CHAIRMAN TOWARAK: Thank you.

46
47 Any -- go ahead, Jennifer.

48
49 MS. YUHAS: Thank you, Mr. Chairman.

50

1 I see where the debate is going. We
2 just want to note for the record that it's already been
3 noted that many of the subsistence needs even in this
4 arena are met by the State permit, and sometimes that's
5 lost in the discussion. It might not affect the way
6 people vote, but I just want that reflected in the
7 record that there are State-issued permits. Many of
8 the people who hunt with a State-issued permit also
9 tend to be Federally-qualified in several areas, and so
10 we just want to remind folks of that, that the State
11 does meet subsistence uses even with its State permit
12 that is recognized as Federally-qualified.

13
14 CHAIRMAN TOWARAK: Thank you. Any
15 further discussion.

16
17 (No comments)

18
19 CHAIRMAN TOWARAK: Not hearing any,
20 then this vote will be only on the amendment.

21
22 Is there a call for the question.

23
24 MR. CHRISTIANSON: I call for a
25 question on the amendment to the original.

26
27 CHAIRMAN TOWARAK: Question's been
28 called for. All those in favor of the motion say aye.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN TOWARAK: Any opposed say nay.

33
34 (No opposing votes)

35
36 CHAIRMAN TOWARAK: The ayes have it.
37 We're back to the main motion which I think reflects
38 mostly in the amendment, is basically the amendment.
39 We need to vote on -- we voted on the amendment, but we
40 need to vote on the main motion.

41
42 MR. CHRISTIANSON: I call for question
43 on main motion,

44
45 CHAIRMAN TOWARAK: The question's been
46 called for. All those in favor of the motion say aye.

47
48 IN UNISON: Aye.

49
50 CHAIRMAN TOWARAK: Any opposed say nay.

1 (No opposing votes)

2

3 CHAIRMAN TOWARAK: Motion passes.

4

5 Next proposal.

6

7 MR. EVANS: I believe Proposal 14-11 is
8 the next proposal we have on queue here. Okay.

9

10 Proposal 14-11 was submitted by Andy
11 McLaughlin of Chenega Bay. It requests that Unit 7,
12 that portion that drains into Kings Bay be open to a
13 limited moose hunt of one bull per community. They
14 have four community that have C&T for this area, that's
15 Chenega Bay, Cooper Landing, Hope, and Tatitlek. Every
16 four years. So one moose per community every four
17 years.

18

19 There's been no open moose season on
20 Federal lands in the Kings Bay area since 2006.

21

22 At the November Council meeting, the
23 Council recommended a harvest quota of one bull every
24 four years, which is different than what the proponent
25 requested, and requested an .804 analysis. The .804
26 analysis was requested because a small harvestable
27 surplus is likely to exist compared to the relatively
28 large number of subsistence hunters with C&T for this
29 area.

30

31 As a result of the .804 analysis and
32 updated survey information, OSM's preliminary
33 conclusion was changed from opposed to support with
34 modification.

35

36 The amount of moose habitat in the
37 King's Bay area consists of marginal habitat located in
38 very limited, narrow riparian areas along Kings Bay,
39 Kings River, and Nelly Juan River. The viability of
40 this moose population is low due to the small
41 population, low productivity, limited safe calving
42 habitat, the presence of brown and black bears, steep
43 terrain, which limits easy movements in and out of the
44 area.

45

46 The average count on the Nelly Juan and
47 Kings Bay area combined since 1996 is 11. In 2014 no
48 moose were counted in the Kings Bay drainage, and the
49 survey conditions were excellent during the survey.

50

1 The harvest data indicate that no moose
2 were harvested from this area from 1997 to 2000. The
3 general hunt under the State regulations was closed on
4 the Federal -- on Federal public lands in the Kings Bay
5 drainage in 1997 by the establishment of an exclusive
6 Federal subsistence management regulations for the
7 area. The State's general hunt regulations apply to
8 non-Federal lands in the vicinity of Nellie Juan Lake
9 with a harvest limit of one bull with spiked fork or
10 50-inch antlers or -- with 50-inch antlers, or antlers
11 with four or more brow tines on at least one side.

12
13 The take of four moose from this low
14 density moose population that use the Kings Bay
15 drainage, which is estimated between 5 and 20 is not
16 sustainable. The small population, very limited
17 habitat, the presence of brown and black bears suggest
18 that even a limited hunt in this area could have a
19 negative impact on this local moose population.

20
21 At this point I will turn the mic over
22 to Pippa Kenner who will give you a summary of the .804
23 analysis.

24
25 MS. KENNER: Yes. This is Pippa
26 Kenner. I'm an anthropologist for the Office of
27 Subsistence Management.

28
29 The conclusion of the .804 analysis was
30 that residents of only Chenega Bay and Tatitlek should
31 be eligible to harvest moose from the hunt area.

32
33 It should be noted that during the
34 winter 2014 moose survey, no moose were observed in the
35 Kings Bay drainage. So the Council supported
36 maintaining the closed hunting season.

37
38 You can see this on Page 71 where we
39 wrote an analysis addendum to reflect a different OSM
40 conclusion than when the Council first saw it.

41
42 So we support WP14-11 with modification
43 to support the Section .804 analysis conclusion that
44 residents of only Chenega Bay and Tatitlek should be
45 eligible to harvest moose from the hunt area; however,
46 the Council supported continuing the closed hunting
47 season. You can see how that regulation would change
48 reflected right there on Page 71.

49
50 Thank you.

1 MR. EVANS: So what Pippa just said is
2 basically OSM's conclusion to support Proposal 14-11
3 with modification, to support the Section .804 analysis
4 with the conclusion with the -- that residents only of
5 Chenega Bay and Tatitlek should be able to -- eligible
6 to harvest moose in the area, and also the Council
7 supported continuing closing the hunt to hunting season
8 because of the lack of moose in the area.

9

10 CHAIRMAN TOWARAK: Thank you. Are
11 there any questions of the Staff.

12

13 (No comments)

14

15 CHAIRMAN TOWARAK: Not hearing any,
16 then we will continue with a summary of public comments
17 by the regional coordinator.

18

19 MR. MIKE: Thank you, Mr. Chair. Donald
20 Mike, Regional Council coordinator.

21

22 WP14-11, we did not receive any written
23 public comments.

24

25 Thank you, Mr. Chair.

26

27 CHAIRMAN TOWARAK: Thank you. We will
28 open the floor for public testimony. Do we have
29 anyone.

30

31 (No comments)

32

33 CHAIRMAN TOWARAK: We don't have anyone
34 with a request from within the building. So I will
35 extend it out to the phone, if there's anyone on line
36 that would like to testify, please do so by hitting
37 star one.

38

39 (No comments)

40

41 CHAIRMAN TOWARAK: Not hearing any, we
42 will move on then to the Regional Council
43 recommendations. Judy.

44

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

46

47 We certainly appreciated the
48 responsiveness of OSM in producing the .804 analysis
49 for us, as well as Forest Service and Fish and Game for
50 doing the survey which had stunning results to us in

1 that no moose were spotted in the area. So that helped
2 us certainly with our direction.

3

4 We support the modification that would
5 allow residents of only Chenega Bay and Tatitlek to
6 harvest moose from that portion of Unit 7 draining into
7 Kings Bay while maintaining the closed the season. And
8 we certainly adopt the Section .804 determination that
9 was presented to us.

10

11 So the justification would be that
12 currently a conservation concern exists for moose.
13 Very little biological information is available on the
14 current moose population. The Council supported the
15 C&T determination. And the hunt will be shared by the
16 communities of Chenega Bay and Tatitlek when it's open.
17 When the moose population can support additional
18 harvest opportunities, one bull moose every four
19 regulatory years by Federal registration permit only,
20 and it would probably be issued by the Chugach National
21 Forest supervisor for residents of Chenega Bay and
22 Tatitlek. We do have evidence that supports the use of
23 moose for subsistence by those communities.

24

25 CHAIRMAN TOWARAK: Thank you.

26

27 Are there any questions of the Chair.

28

29 (No comments)

30

31 CHAIRMAN TOWARAK: Thank you.

32

33 We will then continue with the
34 Department of Fish and Game comments.

35

36 MR. CRAWFORD: Mr. Chair. Drew
37 Crawford, Alaska Department of Fish and Game.

38

39 Regarding Wildlife Proposal 14-11, the
40 Alaska Department of Fish and Game is opposed to the
41 creation of a hunt for a population of moose that
42 doesn't exist.

43

44 CHAIRMAN TOWARAK: Thank you.

45

46 Are there any questions of the State.

47

48 (No comments)

49

50 CHAIRMAN TOWARAK: Not seeing any,

1 thank you.
2
3 We will move on then to the InterAgency
4 Staff Committee comments.
5
6 MR. KESSLER: The standard comments.
7
8 CHAIRMAN TOWARAK: Standard comments.
9 Thank you.
10
11 Tribal consultation comments.
12
13 MR. LORRIGAN: Thank you, Mr. Chair.
14
15 We had one comment on 14-11 from the
16 Tatitlek Corporation. They called in to support the
17 proposal, and stated that there had been historic uses
18 of moose in the Kings Bay area.
19
20 CHAIRMAN TOWARAK: Thank you. Any
21 questions.
22
23 (No comments)
24
25 CHAIRMAN TOWARAK: If not, then we will
26 move on to Board discussions with the Chair and the
27 State liaison. Any further questions.
28
29 (No comments)
30
31 CHAIRMAN TOWARAK: Not hearing any or
32 seeing any, we will move on to Board action.
33
34 MR. OWEN: Motion.
35
36 CHAIRMAN TOWARAK: The floor is yours.
37
38 MR. OWEN: Mr. Chair. I move to adopt
39 Proposal 14-11 as modified and recommended by the
40 Southcentral RAC. After a second, I will provide a
41 short rationale of my motion.
42
43 MR. C. BROWER: Second.
44
45 MR. HASKETT: Second.
46
47 CHAIRMAN TOWARAK: The motion's
48 seconded by Mr. Haskett. Continue.
49
50 MR. OWEN: Thank you. I will repeat

1 the rationale essentially of the Southcentral RAC for
2 the modified proposal. The .804 analysis supports a
3 priority for Chenega Bay and Tatitlek. And all though
4 the moose population at this time is too low to
5 authorize a season, data for standard will apply at so
6 such time that there is a sufficient population.

7

8 CHAIRMAN TOWARAK: Thank you.

9

10 Any further discussion on the motion.

11

12 (No comments)

13

14 MR. OWEN: Question.

15

16 CHAIRMAN TOWARAK: The question's been
17 called for. All those in favor of the motion say aye.

18

19 IN UNISON: Aye.

20

21 CHAIRMAN TOWARAK: Any opposed say nay.

22

23 (No opposing votes)

24

25 CHAIRMAN TOWARAK: Motion passes

26 unanimously.

27

28 Next proposal.

29

30 MR. EVANS: I believe the next proposal
31 is WP14-13. You can find that on Page 80 of your
32 books.

33

34 Proposal 14-13 was submitted by Dan
35 Presley of Anchor Point, requests that antlers from
36 moose harvested by Federally-qualified subsistence
37 users in Units 15B and 15C be cut in half through the
38 palm, and the cut piece turned into the Fish and
39 Wildlife Service.

40

41 Overall assessment for the moose
42 population in Unit 15B is declining. The State's
43 assessment for the moose population in Unit 15C is
44 stable. An average of 280 moose are taken annually --
45 were taken annually from 2001 to 2012 in Unit 15C and
46 15 -- and 52 moose from Unit 15B during the same
47 timeframe. Five moose a year are taken under the
48 Federal subsistence hunts in Unit 15B and 15C.

49

50 In Unit 15, breeding age bulls are

1 protected from over-harvest by antler restrictions.
2 And also under Federal regulations, when antler
3 restrictions are in place, antlers must be removed from
4 the field intact.j

5
6 From 2001 to -- 2001/2002 to 2010/2011,
7 the percentage of spike fork moose taken by residents
8 with C&T in Unit 15C ranged from 49 percent to 73
9 percent. So that's an important consideration, that
10 most of the moose taken by local residents for
11 subsistence uses, a high proportion of them are spike
12 fork.

13
14 Current Federal regulations require
15 antlers be removed from the field intact. A Federal
16 regulation also allow for the sale of moose antlers
17 once they're detached from the skull of a legally-
18 harvested bull as long as they're not made to represent
19 a trophy. Most subsistence hunters take moose that are
20 readily available, and do not actively go after large
21 trophy-size bull moose.

22
23 OSM's conclusion is to oppose Proposal
24 WP14-13.

25
26 Justification being that breeding age
27 bulls are protected from over-harvest by antler
28 restrictions. The proposal requests that moose antlers
29 be destroyed and turned into the Fish and Wildlife
30 Service, thus it would diminish and eliminate any value
31 for the creation of handicrafts. There are no
32 documented impacts for subsistence take of very large
33 bulls during the subsistence hunt on Federal lands.
34 And it's also not consistent with the current
35 historical subsistence practices and would be
36 unnecessarily burdensome for the subsistence hunters to
37 cut and turn in the antlers.

38
39 That's it.

40
41 CHAIRMAN TOWARAK: Thank you.

42
43 Are there any questions of the Staff.

44
45 (No comments)

46
47 CHAIRMAN TOWARAK: Not hearing any,
48 then we will continue with public comments through the
49 regional coordinator.

50

1 MR. MIKE: Thank you, Mr. Chair.
2 Donald Mike.
3
4 No written public comments were
5 received on Proposal 14-13.
6
7 Thank you.
8
9 CHAIRMAN TOWARAK: Thank you. We will
10 then open the floor for public testimony.
11
12 (No comments)
13
14 CHAIRMAN TOWARAK: We don't have anyone
15 requested in the building, so is there anyone on the
16 phone that would like to testify. And you can do so by
17 hitting star one.
18
19 (No comments)
20
21 CHAIRMAN TOWARAK: Not hearing any,
22 then we will move on to the Alaska Department of Fish
23 and Game comments.
24
25 MR. CRAWFORD: Mr. Chair. Drew
26 Crawford, Department of Fish and Game.
27
28 Regarding Wildlife Proposal 14-13, the
29 State's recommendation is we support with modification,
30 to split the skull plate down the middle.
31
32 CHAIRMAN TOWARAK: Thank you.
33
34 Are there any questions of the State.
35
36 (No comments)
37
38 CHAIRMAN TOWARAK: Thank you.
39
40 We will continue then on with
41 InterAgency Staff Committee.
42
43 MR. ARDIZZONE: Mr. Chairman. Standard
44 comments.
45
46 CHAIRMAN TOWARAK: Standard response.
47 Thank you.
48
49 Tribal -- I assume that there are no
50 tribal consultations. I don't see Jack here.

1 MR. LORRIGAN: Mr. Chairman. We had
2 one caller that stated that they would like to see
3 antler destruction across the State. They didn't say
4 why, but that's what they said.

5
6 Mr. Chairman.

7
8 CHAIRMAN TOWARAK: Thank you.

9
10 Are there any questions of that.

11
12 (No comments)

13
14 CHAIRMAN TOWARAK: We will move on then
15 to Board discussions with the Council Chair and the
16 State liaison.

17
18 Go ahead, Judy.

19
20 MS. CAMINER: Mr. Chair. If I may
21 present our recommendation.

22
23 That was that we unanimously opposed
24 this proposal. There is no conservation concern, and
25 the proposed regulation would clearly be a burden on
26 subsistence users. It would destroy the opportunity
27 for using these antlers in handicraft and artwork. And
28 several of our members spoke quite strongly in their
29 use of antlers for artwork and handicrafts.

30
31 Thank you.

32
33 CHAIRMAN TOWARAK: I apologize. Did I
34 skip your portion of the process.

35
36 MS. CAMINER: Not really.

37
38 CHAIRMAN TOWARAK: I don't have a magic
39 finger over here. Thank you for your comments.

40
41 Anything further.

42
43 (No comments)

44
45 CHAIRMAN TOWARAK: The floor is open
46 then for Board action. Geoff.

47
48 MR. HASKETT: I make a motion to adopt
49 Proposal 14-13, and will provide my justification as to
50 why I intend to vote against the motion if I get a

1 second.

2

3 MS. K'EIT: Second.

4

5 CHAIRMAN TOWARAK: Seconded by Kristin.

6 Proceed.

7

8 MR. HASKETT: I support the
9 Southcentral Council's recommendations. There's been
10 no documented impacts to the moose population in Unit
11 15 from subsistence harvest.

12

13 In addition, requiring Federally-
14 qualified subsistence hunters to cut the antlers in
15 half on one side is burdensome, and is not consistent
16 with consistent practices. As just been stated, it
17 also destroys the subsistence users ability to use it
18 in handicraft works.

19

20 Not allowing Federally-qualified
21 subsistence users to make full use of the antlers from
22 the few animals they harvest is not necessary to
23 protect the moose population.

24

25 CHAIRMAN TOWARAK: Thank you.

26

27 Any further discussion.

28

29 (No comments)

30

31 MR. C. BROWER: Question.

32

33 CHAIRMAN TOWARAK: The question's been
34 called for. All those in favor of the motion say aye.

35

36 SEVERAL: Aye.

37

38 MR. HASKETT: Wait, wait, wait, wait.

39

40 MS. K'EIT: No, not in favor.

41

42 MR. CHRISTIANSON: We did it again.

43

44 (Laughter)

45

46 CHAIRMAN TOWARAK: Okay.

47

48 MR. HASKETT: Let's go around for this.

49

50 CHAIRMAN TOWARAK: Okay. Let's do a

1 roll call.
2
3 DR. JENKINS: Mr. Chair. This is the
4 motion to support WP14-13.
5
6 Mr. Haskett.
7
8 MR. HASKETT: I vote against my motion.
9
10 DR. JENKINS: Mr. Cribley.
11
12 MR. CRIBLEY: I'm opposed.
13
14 DR. JENKINS: Mr. Owen.
15
16 MR. OWEN: Opposed.
17
18 DR. JENKINS: Ms. K'eit.
19
20 MS. K'EIT: No.
21
22 DR. JENKINS: Mr. Brower.
23
24 MR. C. BROWER: Opposed.
25
26 DR. JENKINS: Ms. Cooper.
27
28 MS. COOPER: No.
29
30 DR. JENKINS: Mr. Towarak.
31
32 CHAIRMAN TOWARAK: Oppose.
33
34 DR. JENKINS: And Mr. Christianson.
35
36 MR. CHRISTIANSON: I oppose.
37
38 DR. JENKINS: The motion fails. I mean
39 -- yes, it fails unanimously in this instance.
40
41 (Laughter)
42
43 MR. HASKETT: It's a unanimous failure.
44
45 DR. JENKINS: Yes. Good job.
46
47 CHAIRMAN TOWARAK: Okay. We will then
48 move on.
49
50 If it's possible, we have three more

1 proposals, and I'd like to finish these before noon so
2 that in the afternoon we'll -- after lunch, we'll
3 proceed with the rest of the agenda.

4

5 Next proposal.

6

7 MR. EVANS: Thank you, Mr. Chairman.

8

9 The next proposal is WP14-16. You can
10 find it on Page 93 of your books.

11

12 I also handed out some maps this
13 morning that show -- the maps in your books are black
14 and white, because everything is black and white in the
15 books. And I handed out a colored map that better
16 shows the proposed hunting areas a little bit clearer
17 once -- when you have the colors in it.

18

19 Proposal WP14-16 was submitted by the
20 Wrangell-St. Elias National Park Subsistence Resource
21 Commission. It requests a new winter hunt for moose in
22 the southern portion of Unit 11 from November 20th to
23 December 20th.

24

25 This would provide opportunity for
26 Federally-qualified subsistence users to hunt moose
27 during the winter season when moose are more accessible
28 by snow machine. It would also make it easier for
29 those that live off the electrical grid and don't have
30 freezers to keep the meat from spoiling.

31

32 No moose survey has been conducted in
33 the proposed winter hunt area; however, a survey is
34 scheduled for 2014.

35

36 Table 3, Page 103, contains the most
37 comprehensive and reliable population data, mostly done
38 with geospatial surveys that have been conducted in
39 Unit 11 from 2007 to 2010.

40

41 The overall population estimates are
42 similar throughout these years. Moose densities were
43 two to three times higher in the Upper Copper River
44 area than in the Mount Drum and Crystalline Hills area.
45 And the Upper Copper River area showed an increase from
46 2007 to 2010 where in the Mount Drum area, the area
47 that's monitored by the State, declined, and the
48 Crystalline Hills area remained just about the same.

49

50 Bull/cow ratios have remained above the

1 State management goals in all areas. Predation by
2 calves -- predation on calves by bears and wolves has
3 been shown to be an important limiting factor on some
4 of the moose populations in this area.

5
6 From 1963 to 1974, an average of 164
7 moose were harvested annually. During that was both a
8 fall and winter season, and cows made up up to 50
9 percent of the harvest.

10
11 In response to declining numbers, the
12 seasons were shortened, the winter season was
13 eliminated, and a restriction was put into place to
14 limit to just do bull only harvest.

15
16 From 1975 to 1989, an average of 45
17 bulls per year were harvest. During the 1990s the
18 annual harvest was 34 a year, so it's continued to
19 drop. Since 2000, the average harvest, including an
20 estimate of 10 unreported moose each year, in Unit 11
21 was 58. So it's actually come up a little bit in the
22 2000s from the 1990s. Since 2000, an average of 10
23 moose have been taken each year in the proposed winter
24 hunt area.

25
26 OSM supports WP14-16 with a
27 modification to delete the regulatory language in the
28 proposed Unit 11 moose regulation, and delegate the
29 authority to the Wrangell-St. Elias National Park and
30 Preserve superintendent to open and close any portion
31 of the season, establish a quota for the winter moose
32 season from December -- from November 20th to December
33 20th via delegation of authority letter.

34
35 The justification is a winter hunt in
36 this area will allow subsistence users to take
37 advantage of favorable weather, and provide more
38 opportunity to harvest a moose. Since the hunt will
39 occur during the winter, it will make it easier for
40 those who don't have refrigeration to keep the meat
41 from spoiling.

42
43 The moose populations in other areas
44 where its been censused in Unit 11 have remain
45 relatively stable to slightly increasing, so if that's
46 any indication of what's happening in the proposed hunt
47 area, the population should be able to withstand it.

48
49 The winter harvest is expected to be
50 low, and will be controlled by the use of registration

1 permits and quotas set by Wrangell-St. Elias National
2 Park and Preserve superintendent.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Thank you.

7

8 Are there any questions of the Staff.

9

10 (No comments)

11

12 CHAIRMAN TOWARAK: Not hearing any,
13 then we will get a summary of public comments through
14 the regional coordinator.

15

16 MR. MIKE: Thank you, Mr. Chair.

17 Donald Mike, Council coordinator.

18

19 In your meeting materials you will find
20 written public comments starting on Page 113. There's
21 four written public comments received. Three in
22 support of the proposals and one in opposition.

23

24 The AHTNA Customary and Traditional Use
25 Committee supports Proposal 14-16, stating, adding a
26 winter moose hunt in the southern portion of Unit 11
27 will provide for subsistence needs. Moose are in the
28 high country during the fall months and are difficult
29 to harvest. Harvesting a bull moose during the winter
30 months will help local Federally-qualified subsistence
31 users harvest a bull moose when it is easier to
32 harvest and is more accessible. The quota will be
33 determined by National Park Service headquarters.

34

35 Donald Woodruff of Eagle supports WP14-
36 16. Access to remote areas can be -- very often mean
37 getting your one bull moose for the year. Winter
38 access for subsistence hunters that are not connected
39 to the grid with freezers is a very important aspect of
40 subsistence life and the success of people living on
41 the land in remote areas.

42

43 And Mr. Jim Hannah, retired Park
44 Service district ranger was in opposition of Proposal
45 14-16, and you can find those -- his comments starting
46 on the bottom of Page 113 to 116 -- 115.

47

48 He opposes the Proposal 14-16, stating
49 that management should be based on law and policy with
50 reference to the desired future conditions. The Park

1 Service should be the sole judge of what these
2 conditions are. And he outlines in bullet items based
3 on biological concerns, public safety conservation
4 concerns and other concerns.

5
6 Thank you, Mr. Chair.

7
8 And we have Wrangell-St. Elias in
9 support of the proposal, Subsistence Resource
10 Commission, and Ms. Barbara Cellarius will summarize
11 those comments.

12
13 Thank you.

14
15 MS. CELLARIUS: Thank you, Mr. Chair.
16 Board members. Council Chairs. For the record, my
17 name is Barbara Cellarius, and I'm the subsistence
18 coordinator for Wrangell-St. Elias National Park and
19 Preserve.

20
21 One of the things that I do as part of
22 my job is provide staff support to the Wrangell St.
23 Elias National Park Subsistence Resource Commission,
24 which was established under Section .808 of ANILCA to
25 provide advice from local community members about the
26 management of subsistence in Wrangell-St. Elias
27 National Park.

28
29 So this is comment from the SRC,
30 Subsistence Resource Commission, excuse me, on WP14-16.

31
32 The Wrangell-St. Elias SRC supports the
33 proposal with modification to add to the delegation of
34 authority the ability to limit the number of permits
35 and to announce the reporting period. This season
36 would provide additional subsistence opportunity on a
37 moose population that is difficult to access during the
38 existing fall season and consequently lightly
39 harvested.

40
41 The delegation of authority to the park
42 superintendent to open the season; announce the harvest
43 quota, number of permits to be issued, and reporting
44 period; and to close the season would provide the tools
45 necessary to limit the harvest to a sustainable level,
46 and thereby address any conservation concern.

47
48 Educational materials could be provided
49 to the permittees about how to distinguish antlerless
50 bulls from cows, and such a handout also remind hunters

1 not to harass the animals with their snow machines.
2
3 And that concludes the SRC comment.
4
5 CHAIRMAN TOWARAK: Thank you.
6
7 Are there any questions of the Staff.
8
9 (No comments)
10
11 CHAIRMAN TOWARAK: Thank you.
12
13 We'll then open the floor for public
14 comment. We have one request. Gloria Stickwan.
15 Welcome back, Gloria.
16
17 MS. STICKWAN: Thank you. My name is
18 Gloria Stickwan.
19
20 I just want to say we support the
21 proposal as Donald Mike said. I wanted to hear that
22 they're doing -- going to be doing a survey this
23 summer.
24
25 I would like to stress to this Board
26 that we need to have studies done in Unit 11 for moose
27 and caribou and other wildlife. We're lacking data in
28 the area. So that needs to be -- we need to do more
29 studies if possible.
30
31 We support the proposal.
32
33 CHAIRMAN TOWARAK: Thank you.
34
35 Are there any questions of Ms.
36 Stickwan.
37
38 MS. STICKWAN: I just have another
39 question.
40
41 CHAIRMAN TOWARAK: Go ahead.
42
43 MS. STICKWAN: I may not be here. I
44 heard yesterday that we're going to be going to into
45 tomorrow maybe for this meeting, so.....
46
47 CHAIRMAN TOWARAK: Our goal was to try
48 to complete everything today. We're making a good stab
49 at it so far, but.....
50

1 MS. STICKWAN: I just don't know if
2 I'll be here tomorrow. I won't be. I know I won't be.
3 So I wanted to know if I could give my public testimony
4 on Proposal 14-49.

5
6 CHAIRMAN TOWARAK: Why don't you take
7 this time to go ahead and do that.

8
9 MS. STICKWAN: Okay. Thank you.

10
11 CHAIRMAN TOWARAK: And we'll make note
12 of it.

13
14 MS. STICKWAN: We support Proposal 49
15 to modify the season dates for Unit 11 caribou that
16 takes place in Nabesna Road and Glacier and south of
17 the Winter Trail with a fall season from August 10th to
18 September 20th, and adding a winter season from
19 February 1 to March 31st. Changing the Unit 12 caribou
20 season in this area will provide subsistence needs.
21 Federally-qualified subsistence users will be able to
22 access hunting areas to harvest a moose during the
23 winter months. Snow machines could be used to harvest
24 -- to hunt with during the winter months to harvest a
25 moose -- a caribou from Unit 12 in this remote and
26 inaccessible area.

27
28 Thank you.

29
30 CHAIRMAN TOWARAK: Thank you. We will
31 consider your position when we do 14-49.

32
33 We don't have any further requests for
34 public comments from the people within the building, so
35 I'm going to ask if there's anyone on the phone that
36 would like to testify over the phone on 14-16.

37
38 (No comments)

39
40 CHAIRMAN TOWARAK: Not hearing any,
41 then we will continue on with the Regional Council's
42 recommendation.

43
44 MS. CAMINER: Thank you, Mr. Chair.

45
46 Our Chair summed up this proposal as
47 small hunt, small take, difficult to get to.

48
49 So our Council did support WP14-16 with
50 modification as recommended by OSM. The proposal would

1 provide additional subsistence opportunities. We do
2 not see a conservation concern. The harvest quota
3 would be established through the Wrangell-St. Elias
4 Park superintendent, and through your delegation of
5 authority from the Board.

6

7 Thank you.

8

9 CHAIRMAN TOWARAK: Thank you. Any
10 questions of the Chair.

11

12 (No comments)

13

14 CHAIRMAN TOWARAK: Not hearing any,
15 then we will move to the Department of Fish and Game
16 comments.

17

18 MR. CRAWFORD: Department of Fish and
19 Game, Drew Crawford here.

20

21 Regarding Wildlife Proposal 14-16, the
22 Department's recommendation is adopt and amend. We
23 recommend amending the proposal by changing the bag
24 limit to one antlered bull to protect the bull segment
25 of the population from over-harvest, and reduce the
26 potential for cow harvest during the period when bulls
27 are losing their antlers.

28

29 Imposing an antlered bull requirement
30 will protect some bulls from harvest and help alleviate
31 our concerns about the potential for over-harvest,
32 given the lack of information needed to set a
33 sustainable quota.

34

35 CHAIRMAN TOWARAK: Thank you. Are
36 there any questions of the State.

37

38 (No comments)

39

40 CHAIRMAN TOWARAK: Thank you.

41

42 We will move on then to the InterAgency
43 Staff Committee comments.

44

45 MR. ARDIZZONE: Mr. Chair, it's the
46 standard comments.

47

48 CHAIRMAN TOWARAK: Standard comments.
49 Thank you.

50

1 Tribal consultation.
2
3 MR. LORRIGAN: (Shakes head negatively)
4
5 CHAIRMAN TOWARAK: No comments.
6
7 Board discussion with Counsel Chairs
8 and the State liaison. Any further questions of
9 either.
10
11 (No comments)
12
13 CHAIRMAN TOWARAK: Not hearing any, we
14 will open the floor for Board action.
15
16 MS. COOPER: Mr. Chair. I move that we
17 adopt WP14-16 with amendment. After a second, I'll
18 speak to my motion.
19
20 MR. C. BROWER: Second.
21
22 MR. OWEN: Second.
23
24 MS. COOPER: I intend to amend the
25 motion and then vote in favor of the motion as amended.
26 I move that we amend the proposal in two ways. First,
27 the proposal would be amended consistent with OSM
28 modification as recommended by the Southcentral RAC.
29 The OSM modification, which is found on Page 106 would
30 delegate the regulatory language in the proposed Unit
31 11 moose regulation, and delegate authority to the
32 Wrangell-St.Elias National Park and Preserve
33 Superintendent to open and close any portion of the
34 season, and establish a quota for the winter moose
35 season from November 20th to December 20th via a
36 delegation of authority letter only.
37
38 My amendment would additionally amend
39 the delegation of authority to add setting the
40 reporting period to the scope of the delegation as
41 recommended by the Wrangell-St. Elias Subsistence
42 Resource Commission.
43
44 The scope of delegation and the draft
45 delegation letter can be found at the top of Page 110.
46
47 As far as the second part of that
48 amendment, at least until a population survey is
49 conducted, we anticipate setting a small harvest quota
50 in order to conservatively manage the hunt. The

1 ability to set the reporting period to something
2 shorter than a standard five days will assist with
3 conservatively managing a hunt with a small quota.

4
5 Thank you, Mr. Chair.

6
7 CHAIRMAN TOWARAK: Thank you. Are
8 there any other comments.

9
10 (No comments)

11
12 MR. CRIBLEY: Call for question.

13
14 CHAIRMAN TOWARAK: The question's been
15 called for. All those in favor of the motion say aye.

16
17 IN UNISON: Aye.

18
19 MR. CHRISTIANSON: We don't have a
20 second.

21
22 CHAIRMAN TOWARAK: I'm sorry. Wasn't
23 it part of the main motion though?

24
25 MR. CHRISTIANSON: We have to vote on
26 the amendment first.

27
28 CHAIRMAN TOWARAK: Okay. I'm
29 instructed that we need to vote on the amendment. Is
30 there.....

31
32 MR. CHRISTIANSON: Well, I guess she
33 needs a second to amendment, so I'll second her
34 amendment and call for the question.

35
36 CHAIRMAN TOWARAK: The question's been
37 called for. All those in favor of the amendment say
38 aye.

39
40 IN UNISON: Aye.

41
42 CHAIRMAN TOWARAK: Any opposed say nay.

43
44 (No opposing votes)

45
46 CHAIRMAN TOWARAK: Motion passes. We
47 are then back to the full -- or the main motion.

48
49 MR. C. BROWER: Question.

50

1 CHAIRMAN TOWARAK: The question's been
2 called for on that. All those in favor of the motion
3 say aye.

4
5 IN UNISON: Aye.

6
7 CHAIRMAN TOWARAK: Any opposed say nay.

8
9 (No opposing votes)

10
11 CHAIRMAN TOWARAK: Motion passes
12 unanimously.

13
14 The next to the last proposal.

15
16 MR. EVANS: Okay. So we have two more
17 proposals for Southcentral region.

18
19 This proposal, WP14-17, starts on Page
20 118 of your book.

21
22 Proposal WP14-17 was submitted by Jim
23 Skogstad, President of the Point [sic] Hope Village
24 Council, requested that the Resurrection Creek closed
25 area, which consists of Resurrection Creek downstream
26 from Rimrock and Highland creeks, including Palmer
27 Creek in Unit 7, be opened to the taking of moose by
28 Federally-qualified subsistence users.

29
30 In 2011 Proposal 179 was adopted by the
31 Alaska Board of Game which eliminated the Resurrection
32 Creek closed area, because there were no biological
33 concerns to warrant the closure. In 2012, the Federal
34 Subsistence Board adopted Emergency Special Action WSA
35 12-03 to open up the Resurrection Creek closed area to
36 moose hunting by Federally-qualified subsistence users
37 from August 10th to September 20th, 2012. In July 2013
38 the Board also approved Emergency Special Action
39 approving a fall moose season in that area from August
40 10th to September 20th, 2013.

41
42 A comprehensive moose survey has never
43 been done in Unit 7, and thus there are no population
44 estimates, but based on limited composition surveys,
45 the last one being done in 2005/2006, and harvest
46 reports, the moose population is thought to be stable,
47 but at low densities when compared to other units in
48 the Kenai Peninsula.

49
50 OSM's conclusion is to support Proposal

1 WP14-17.

2

3 It is not expected that there will be a
4 significant increase in the harvest based on past
5 harvest rates. It would increase the subsistence
6 opportunity for hunting moose in this area by opening
7 the area to subsistence hunters 10 days earlier than
8 the State season, and thus increasing the potential
9 harvest opportunities due to fewer -- and also increase
10 the potential harvest opportunities due to fewer antler
11 restrictions.

12

13 It would also align State and Federal
14 regulations.

15

16 Thank you.

17

18 CHAIRMAN TOWARAK: Any questions of the
19 Staff.

20

21 (No comments)

22

23 CHAIRMAN TOWARAK: Not seeing any, then
24 we will move to the public comments through the
25 regional coordinator.

26

27 MR. MIKE: Thank you, Mr. Chair.
28 Donald Mike, Council coordinator.

29

30 We did not receive any written public
31 comments on Proposal 14-17.

32

33 Thank you.

34

35 CHAIRMAN TOWARAK: Thank you. We'll
36 open the floor to public testimony or the phone.

37

38 (No comments)

39

40 CHAIRMAN TOWARAK: We don't have anyone
41 with a request from within the building, and I'm
42 assuming that there isn't anyone of the phone that
43 wants to testify, so we will move on to the Regional
44 Council recommendations.

45

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

47 Page 127.

48

49 We support the Proposal 14-17. The
50 area is currently open under State regulations.

1 Federal regulations would currently be more
2 restrictive, so providing for this regulation would
3 open the area and provide additional subsistence
4 opportunities.

5
6 Thank you.

7
8 CHAIRMAN TOWARAK: Any questions of the
9 Chair.

10
11 (No comments)

12
13 CHAIRMAN TOWARAK: Thank you.

14
15 We will then move on to the Department
16 of Fish and Game comments.

17
18 MR. CRAWFORD: Fish and Game, Drew
19 Crawford.

20
21 Regarding Wildlife Proposal 14-17, the
22 State supports this proposal with a to align the season
23 dates and the antler restrictions. The current season
24 dates for the State are August 20th to September 20th,
25 and the antler restrictions are a bull with a spike on
26 at least one side, or 50-inch antlers with four or more
27 brow tines on at least one side.

28
29 CHAIRMAN TOWARAK: Any questions of the
30 State.

31
32 (No comments)

33
34 CHAIRMAN TOWARAK: I'd like to ask the
35 Staff, are those -- the State's recommendations
36 inserted in the proposal as proposed?

37
38 MR. EVANS: I'm a little confused. Are
39 the State regulations.....

40
41 CHAIRMAN TOWARAK: The State's request
42 to align season dates and antler restrictions.

43
44 MR. EVANS: I think the State -- I
45 think basically the proposal as we -- as done, would
46 align the State and Federal regulations. No, it would
47 not?

48
49 MR. BURCHAM: Would not.

50

1 MR. EVANS: So maybe -- hang on a
2 minute.

3
4 CHAIRMAN TOWARAK: Yeah, the Federal --
5 as the proposal is written, I'm told that the Federal
6 season is 10 days longer than what the State is
7 requesting.

8
9 MR. EVANS: That's correct. And then
10 the.....

11
12 MR. BURCHAM: Yeah. Milo Burcham,
13 Chugach National
14 Forest.

15
16 This proposal only aligns State and
17 Federal regulations in respect to opening up the
18 Resurrection Creek Closed Area. The two State
19 recommendations I think are outside the scope of the
20 proposal. There's differences in the State season and
21 the State's -- State and Federal season and the State
22 and Federal antler requirements.

23
24 CHAIRMAN TOWARAK: So if we wanted to
25 change it, we have a notice problem?

26
27 MR. BURCHAM: Yeah, I think so. The
28 RAC hasn't had a chance to act on these
29 recommendations.

30
31 CHAIRMAN TOWARAK: Go ahead, Ms. Yuhas.

32
33 MS. YUHAS: Just procedurally, thank
34 you, Mr. Chair. Do you need to ask the Solicitor about
35 that? I respect my friend from the Forest Service but
36 usually on legal matters we get the Solicitor's opinion
37 on whether or not that's required.

38
39 We don't believe it's outside the
40 scope. You're opening an area and you may place that
41 on there as well in the State's opinion.

42
43 CHAIRMAN TOWARAK: Mr. Lord.

44
45 MR. LORD: I apologize, Mr. Chair. I
46 was multi-tasking. Can you rephrase the -- or restate
47 the question.

48
49 CHAIRMAN TOWARAK: The question is
50 whether or not the proposal as presented -- there's a

1 recommendation by the State that we align this proposal
2 with what the State is proposing. Some Staff believe
3 that if we were to do that, we would need to give more
4 notice, and for the Regional Advisory Councils to
5 review that.

6

7 MR. REAKOFF: Mr. Chair.

8

9 CHAIRMAN TOWARAK: Yes.

10

11 MR. REAKOFF: My question would be to
12 the Regional Council. Did they deliberate the
13 difference between the three brow tine and four brow
14 tine, and were they in favor of three brow tine?

15

16 MS. CAMINER: Mr. Chair. I need to
17 review our transcripts, but I believe we certainly
18 talked about the difference in the dates and felt it
19 completely appropriate that subsistence users have an
20 earlier season. And I'll read through the transcripts
21 on the brow tine discussion, but I'll read through
22 before I say.

23

24 MR. LORD: Mr. Chair. As I read this
25 proposal, it does require the setting of some dates,
26 and I think there's enough notice out there that the
27 Board can decide one way or the other how those dates
28 are going to align or not.

29

30 CHAIRMAN TOWARAK: So it is possible
31 for us to accept the State's recommendation.

32

33 MR. HASKETT: No, I think we do if
34 we.....

35

36 CHAIRMAN TOWARAK: Any further
37 discussion. Go ahead.

38

39 MR. HASKETT: So I think we clearly can
40 go ahead and consider the State's recommendation. It's
41 certainly within the parameters of what we've done
42 before in previous meetings, so I don't think it
43 requires additional notice. And the Solicitor said it
44 doesn't, so I think we just move forward with the
45 process.

46

47 CHAIRMAN TOWARAK: And here again this
48 would be a clear case of keeping as much alignment
49 between the two to make it easier for people to
50 understand.

1 UNIDENTIFIED VOICE: If we do.
2
3 CHAIRMAN TOWARAK: If we do.
4
5 Any further discussion.
6
7 (No comments)
8
9 CHAIRMAN TOWARAK: Is there -- there is
10 a motion on the floor, right, to.....
11
12 MR. CHRISTIANSON: No.
13
14 CHAIRMAN TOWARAK: Okay. The floor is
15 open then for Board action.
16
17 MR. CHRISTIANSON: I'll entertain a
18 motion that we accept Proposal WP14-17 as presented.
19 Move to support.
20
21 MR. CRIBLEY: Second.
22
23 CHAIRMAN TOWARAK: You heard the
24 second. And would anyone like to provide a rationale.
25
26 MR. CHRISTIANSON: Go ahead, Wayne. I
27 was just.....
28
29 MR. OWEN: Okay. Thank you. Although
30 I'm a little lost with this last little bit, I'll
31 provide the rationale I provided.
32
33 The Regional Advisory Council and the
34 State agree that the Resurrection Creek Closed Area
35 should be opened under Federal regulations. The State
36 of Alaska would like additional changes to modify and
37 align the seasons, which I think we just talked about.
38
39 And, finally, I believe that we should
40 open the Resurrection Creek Closed Area. Other changes
41 will need to wait for another regulatory cycle. In the
42 meantime, if those changes are needed for conservation
43 reasons, they could be considered by managers and the
44 Board through an emergency special action request.
45
46 MR. HASKETT: So a question.
47
48 CHAIRMAN TOWARAK: Question. Go ahead.
49
50 MR. HASKETT: Just a clarification

1 question. So the motion to support the proposal,
2 accepting the modification from the State.

3

4 SEVERAL: No.

5

6 MR. CHRISTIANSON: No, my motion was to
7 accept the conclusion presented by the OSM Staff and
8 the Southcentral.

9

10 MR. HASKETT: Okay. I just want to be
11 clear.

12

13 MR. CHRISTIANSON: Or -- yeah.
14 Southcentral.

15

16 CHAIRMAN TOWARAK: Any further
17 discussion. Go ahead.

18

19 MS. CAMINER: Mr. Chair. Just
20 reviewing our transcript real quickly, I don't think we
21 talked about the brow tine restrictions. I think we
22 were looking at the proposed regulation, the proposed
23 Federal regulation, and found it very acceptable and
24 not detrimental to subsistence users.

25

26 Thank you.

27

28 CHAIRMAN TOWARAK: Okay. Further
29 discussion.

30

31 (No comments)

32

33 CHAIRMAN TOWARAK: Is there a call for
34 the question.

35

36 MR. CRIBLEY: Call for question.

37

38 CHAIRMAN TOWARAK: The question's been
39 called for. All those in favor of the motion say aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN TOWARAK: Any opposed same
44 sign -- say nay.

45

46 (No opposing votes)

47

48 CHAIRMAN TOWARAK: Motion passes.

49

50 MR. HASKETT: The last one.

1 CHAIRMAN TOWARAK: The last project --
2 proposal before lunch. Before lunch.

3
4 MR. BURCHAM: Okay. I'll try to be
5 brief. My name's Milo Burcham, a wildlife biologist
6 and subsistence lead for the Chugach National Forest.

7
8 Proposal WP14-18, submitted by Tom
9 Carpenter of Cordova, requests a late season for
10 antlerless moose that were not harvested during the
11 early season in Unit 6C, and closing Federal public
12 lands November 1st through December 1st to the harvest
13 of moose, except by Federally-qualified subsistence
14 users holding a Federal subsistence permit for moose in
15 Unit 6C.

16
17 The proposal is a response to new State
18 regulation passed by the Alaska Board of Game. That
19 was Proposal 129, which opens moose harvest in Unit 6C,
20 including antlerless moose which are intended to be
21 harvested under Federal regulation, to all State
22 residents through a State registration hunt. Some of
23 the harvest would likely go to non-Federally-qualified
24 subsistence users, reducing opportunity to Cordova
25 residents.

26
27 Currently, demand for moose in Unit 6C
28 exceeds the number of moose that can be harvested.
29 From 600 to 900 Cordova residents have annually applied
30 for between 5 and 104 Federal Subsistence draw permits
31 for Unit 6C.

32
33 The current Federal regulations for
34 moose in Unit 6C generated with great community support
35 have worked well since adopted in its current form by
36 the Federal Subsistence Board in 2002. The intentions
37 of the current Federal regulations are clear, that all
38 allowable antlerless moose harvest and 75 percent of
39 the allowable bull moose harvest in Unit 6C will take
40 place by Federally-qualified subsistence users. That's
41 residents of Units 6A, B and C, specifically residents
42 of Cordova.

43
44 At its Southcentral regional meeting in
45 Kenai, March 15th through 19th, 2013, the Alaska Board
46 of Game passed amended Proposal 129 to authorize a
47 State registration hunt for moose in Unit 6C with a bag
48 limit of one moose, November 1st through December 31st
49 at the request of the Alaska Department of Fish and
50 Game. This amendment to Proposal 129 was unanimously

1 rejected by the Copper River/Prince William Sound State
2 Advisory Committee on its February 1st, 2013 meeting.
3 The State's proposal was intended to harvest moose
4 allocated to the Federal quota that might not have been
5 taken during the regular Federal subsistence hunt.

6

7 Proposal W14-18 would allow a fixed
8 number of Federally-qualified subsistence users an
9 opportunity to harvest antlerless moose that were not
10 harvested during the early season if it was deemed
11 necessary for controlling the moose population.

12

13 Closing Federal public lands between
14 November 1st and December 31st to those holding a State
15 permit for Unit 6C would serve to limit the effect of
16 the State's late moose hunt on Cordova residents by
17 restricting those users to State and private lands
18 within Unit 6C, while the majority of productive moose
19 habitat in the unit -- in Unit 6C does occur on Federal
20 public lands.

21

22 So the OSM preliminary conclusion was
23 to support proposal W14-18.

24

25 And the justification, I think in the
26 interest of brevity, I won't repeat what I've just
27 said, but the OSM preliminary conclusion was to
28 support.

29

30 CHAIRMAN TOWARAK: Thank you. Any
31 questions of the Staff. Did you have a question.

32

33 MR. SIMEONOFF: Yeah. I'm sorry, but I
34 do have one question. What is the fixed number of
35 Federally-qualified users.

36

37 MR. BURCHAM: Well, there's 2,000 year-
38 round residents in Cordova. That's the absolute
39 number. Those that can apply to this drawing have to
40 be at least 10. I get from 600 to 900 applications
41 every year for moose in Unit 6C. And, for example,
42 this year I gave out 71 -- I think it was 71 or 72
43 permits. So the demand is much greater than the
44 availability of moose or moose permits that we can give
45 out.

46

47 Does that answer your question.

48

49 MR. SIMEONOFF: Yes, it does. But this
50 fixed number does not mean that you would deny future

1 Federally-qualified hunters if they should apply.

2

3 MR. BURCHAM: No. No, not at all.

4

5 CHAIRMAN TOWARAK: Mr. Wilde.

6

7 MR. WILDE: Thank you, Mr. Chairman.

8

9 I have one question. It states in the
10 general description that request for a late season for
11 antlerless moose that were not harvested during the
12 early season in Unit 6C. What exactly do they mean by
13 moose, antlerless moose that were not harvested.

14

15 MR. BURCHAM: Yeah. That's a good
16 question. The previous State biologist sometimes saw
17 that there were sometimes part of the Federal quota
18 that was not taken. Typically success for this hunt is
19 very high, nearing 100 percent, or over 90 percent in
20 most years. In the late 2000s, 2008, 2009
21 approximately, the moose population basically was over-
22 hunted for a period of time, and it did become harder
23 to fill tags. It became especially hard to fill some
24 bull moose tags in that period, and so hunter success
25 dropped for a little bit.

26

27 But anyway the moose population is
28 healthy again and growing. In fact, it's at all-time
29 record high I believe. And hunter success this past
30 season was very high. And there's very few unharvested
31 moose at this point in time.

32

33 So the previous State biologist who
34 submitted this, the State's proposal saw that there was
35 some Federal moose not harvested and thought that at
36 times that there was almost an emergency and a need to
37 take those animals if the population was growing too
38 quickly and thought that it was necessary to take those
39 animals if they weren't taken by Federal users.

40

41 CHAIRMAN TOWARAK: Further discussion
42 or questions of the Staff. If not -- go ahead,
43 Jennifer.

44

45 MS. YUHAS: Thank you, Mr. Chairman.
46 Through the Chair.

47

48 Mr. Wilde, I can simplify that to we
49 meant the leftovers.

50

1 (Laughter)

2

3 MR. CRIBLEY: I had a question on how
4 you distribute the permits; how do you reduce the
5 number?

6

7 MR. BURCHAM: It's actually unique in
8 the Federal system, and it's a random drawing. It's a
9 lottery. People turn in applications and we randomize
10 the drawing, basically names out of a hat, and give out
11 the available permits that way.

12

13 I also want to say, what this proposal
14 does is it guarantees that the untaken moose, or
15 unharvested, the leftovers, are guaranteed to go to
16 Cordova residents, which is what the Federal regulation
17 in the books already intends. And although State might
18 mostly go to Cordova residents, it doesn't guarantee
19 that it will happen, you know, by Cordova residents.

20

21 CHAIRMAN TOWARAK: Any further
22 discussion.

23

24 (No comments)

25

26 CHAIRMAN TOWARAK: Not seeing any, we
27 will then move on to the summary of comments from the
28 regional coordinator.

29

30 MR. MIKE: Thank you, Mr. Chair.
31 Donald Mike.

32

33 There were no written public comments
34 received on 14-18.

35

36 Thank you.

37

38 CHAIRMAN TOWARAK: Thank you. Is there
39 anyone that -- do we have anyone in the house that
40 wants to testify, or anyone on the phone.

41

42 (No comments)

43

44 CHAIRMAN TOWARAK: Not hearing any,
45 then we will move to the Regional Council
46 recommendations. Judy.

47

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

49

50 The Council supports Proposal WP14-18.

1 These animals are already part of the quota and part of
2 the permit hunt.

3

4 We had not conservation concerns, and
5 clearly the proposal will provide additional
6 subsistence opportunities for the local rural
7 residents. Federal registration permit allows control
8 and monitoring of the harvest.

9

10 Thank you.

11

12 CHAIRMAN TOWARAK: Thank you.

13

14 Any questions.

15

16 (No comments)

17

18 CHAIRMAN TOWARAK: Not hearing any,
19 then we will move on to the Alaska Department of Fish
20 and Game comments.

21

22 MS. YUHAS: Thank you, Mr. Chairman.
23 Jennifer Yuhas for the Alaska Department of Fish and
24 Game.

25

26 For brevity's sake, the Department
27 opposes the proposal for the reasons already stated by
28 the Federal Staff, and our Advisory Committee was
29 opposed to it.

30

31 CHAIRMAN TOWARAK: Thank you. Any
32 questions of the State.

33

34 (No comments)

35

36 CHAIRMAN TOWARAK: Not hearing any,
37 then we will move on to the InterAgency Staff Committee
38 comments.

39

40 MR. KESSLER: Just the standard
41 comments.

42

43 CHAIRMAN TOWARAK: Standard comments.

44 Thank you.

45

46 Any tribal consultation.

47

48 MR. LORRIGAN: (Shakes head negatively)

49

50 CHAIRMAN TOWARAK: No tribal

1 consultation comments.
2
3 Board discussion with the Council
4 Chairs, State liaison.
5
6 (No comments)
7
8 CHAIRMAN TOWARAK: Not seeing any, we
9 will -- the floor is open for Board action. Wayne, go
10 ahead.
11
12 MR. OWEN: Thank you, Mr. Chairman.
13
14 I move to adopt Wildlife Proposal 14-18
15 as recommended by the Southcentral RAC.
16
17 MR. C. BROWER: Second.
18
19 CHAIRMAN TOWARAK: You heard the motion
20 and the second.
21
22 Please continue.
23
24 MR. OWEN: My rationales are those
25 stated already by the Staff and the RAC.
26
27 CHAIRMAN TOWARAK: Thank you. Any
28 further discussion on the motion.
29
30 (No comments)
31
32 MR. CRIBLEY: Call for question.
33
34 CHAIRMAN TOWARAK: The question's been
35 called for. All those in favor of the motion say aye.
36
37 IN UNISON: Aye.
38
39 CHAIRMAN TOWARAK: Any opposed say nay.
40
41 (No opposing votes)
42
43 CHAIRMAN TOWARAK: Motion passes
44 unanimously.
45
46 I'd like to get a feel from the Staff
47 on what the prospects of finishing the agenda by the
48 end of today.
49
50 MR. HASKETT: Define the end of the

1 day.

2

3 (Laughter)

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN TOWARAK: We're going to do a
10 little switching around for this afternoon's agenda.
11 We have some people that are going to probably be
12 leaving this evening so we're going to try to take care
13 of those people this afternoon.

14

15 But in the mean time we're going to
16 first do Proposal 14-23, which is a Yukon Delta,
17 Western Interior, Seward Peninsula combination
18 crossover. And then after that we will do Special
19 Action FSA 14-03, which is on the Kuskokwim chinook, to
20 take care of people from the Kuskokwim. We're also
21 going to take care of ETG [sic] on Angoon this
22 afternoon right after the Kuskokwim special action.
23 And then we will get back to the regular schedule,
24 finishing out the multi-region crossover proposals at
25 the end of the proposals. And then do the Stikine
26 River section -- the Secretarial appointments, take
27 care of other business, which we have a couple of small
28 items and then adjourn, I hope.

29

30 So if we are ready to, we'd like to
31 address Proposal 14-23.

32

33 We'll start with the Staff analysis.

34

35 MR. MCKEE: Thank you, Mr. Chair.
36 Again, Chris McKee with OSM. WP14-23 begins on Page
37 209 of your meeting material's booklet, that's the
38 executive summary.

39

40 Proposal WP14-23 was submitted by the
41 Yukon Kuskokwim Delta Regional Advisory Council and
42 requests an extension of the moose season in Unit 18,
43 that portion north and west of the Kashunuk River,
44 including the north bank from the mouth of the river up
45 stream to the Old Village of Chakektolik to Mountain
46 Village and excluding all Yukon River drainages up
47 river from Mountain Village from August 1st to the last
48 day of February to August 1 to March 31st, and also
49 requested removal of the bull only restriction from
50 August 1 to September 30th.

1 The area of this proposal has
2 experienced rapid growth of the moose population since
3 the end of the moratorium in 1994 with an average
4 growth rate of 27 percent between '94 and 2008. In
5 2011 composition data showed 30 bulls per 100 cows, 69
6 calves per 100 cows with 55 percent of cows having
7 calves. This data reflects a growing moose population
8 since the last 2008 population survey along the Lower
9 Yukon survey area.

10
11 Management have expressed concern about
12 the moose population exceeding the carrying capacity of
13 the area and the Refuge has preferred a more proactive
14 approach to management, more liberal seasons and
15 harvest limits reflect this approach.

16
17 Hunter success has increased in the
18 lower Yukon area of Unit 18 in both the fall and winter
19 seasons since 2005. It's reflected on Table 1 of Page
20 217 of the booklet. Between 2005 and 2010 the average
21 annual reported fall and winter moose harvest was 152
22 and 34 moose respectively, however, the total reported
23 harvest remains lower than anticipated despite the any
24 moose harvest limit provided beginning during the 2009
25 season.

26
27 If adopted, this proposal would provide
28 additional harvest opportunities for Federally-
29 qualified subsistence users by linking the season and
30 eliminating the bull only restriction. Given the
31 rapidly increasing moose population in the lower Yukon
32 River portion of Unit 18 this proposal would help limit
33 the growth of the population by reducing recruitment
34 rates via to target harvest rate, harvest of cows.
35 Such a reduction may also help prevent habitat
36 degradation along the Yukon that could lead to a
37 population crash if left unchecked.

38
39 So for these reasons the OSM conclusion
40 is to support Proposal WP14-23.

41
42 Now, the biology on this is pretty
43 straightforward. There's lots of moose out there but
44 there was some amendments made, some modifications made
45 by the YKRAC, I'll let the YK Chairman speak more
46 specifically to that, but the general gist of that is
47 that it would combine the lower Yukon portion of Unit
48 18 with the 18 remainder and basically make that whole
49 area, 18 remainder with the remaining portion of Unit
50 18 be the Kuskokwim River portion. The Alaska Board of

1 Game passed a very similar proposal at their meeting
2 recently, and so we're basically trying to simplify
3 some of the regulatory complexity in this unit and have
4 some more liberal seasons, longer seasons.

5
6 So if we take action on this proposal,
7 I should note that we have another proposal that's
8 WP14-28 dealing with the Unit 18 remainder section. If
9 you did end up going with the modifications made by the
10 RAC then you would pretty much be able to just take no
11 action on 28, based on the action that you took on 23.

12
13 This also affects -- I hate to go on,
14 but I just want to try to take this grand sweep of
15 things and you can address it one by one if you want
16 to.

17
18 WP 24/25 is also a boundary change for
19 this area and if we adopt 23 then that kind of negates
20 that proposal as well. So other Staff will be speaking
21 more in detail about this, but I just wanted to put
22 that out to you now. Basically the gist of all this is
23 it would simplify some of these complex regulations for
24 moose in Unit 18 so we're trying to streamline things
25 and make things a little bit easier for everybody.

26
27 So that's all I have for this analysis.

28
29 MR. CHRISTIANSON: Mr. Chair. Is it
30 time for a question.

31
32 CHAIRMAN TOWARAK: Go ahead.

33
34 MR. CHRISTIANSON: So just for
35 clarification that if we do pass 14-23 as proposed by
36 the Yukon Kuskokwim Regional Advisory Council that it
37 would take care of the three proceeding proposals.

38
39 MR. MCKEE: Yes, it would.

40
41 MR. CHRISTIANSON: Okay, thank you.

42
43 MR. MCKEE: That was my long roundabout
44 way of saying that.

45
46 MR. CHRISTIANSON: Okay, thanks.

47
48 MR. MCKEE: Thanks.

49
50 CHAIRMAN TOWARAK: Are there further

1 questions for the Staff.

2

3

4 (No comments)

5

6 CHAIRMAN TOWARAK: Thank you. Then if
7 not we will move to the summary of public comments by
8 the Regional Council Coordinator.

9

10 MR. NICK: Thank you, Mr. Chair.
11 Members of the Board. RAC Chairs. We received one
12 public comment, it's on Page 222 of your book in
13 support of the proposal.

14

15 Mr. Chair.

16

17 CHAIRMAN TOWARAK: Thank you. Any
18 questions.

19

20

21 (No comments)

22

23 CHAIRMAN TOWARAK: We will move on then
24 to the floor for public testimony.

25

26 We'll start with -- we have one
27 request, Greg Roczicka, from Bethel.

28

29 MR. ROCZICKA: Yeah, Quyana, Mr.
30 Chairman. Board members.

31

32 I just wanted to speak a little bit to
33 this one. The proposal that's in the book has some
34 missing components that are in there from the Board
35 action that occurred, and also the RAC, specifically,
36 that -- in the reference -- and I don't have a copy of
37 it in front of me, I'm sorry. But the only restriction
38 that is in there from August 1 through March 31 would
39 be to prohibit the taking of antlerless -- I mean of
40 antlered moose between October 1 through November 30.
41 This is a subsistence hunt and people don't generally
42 hunt moose in the rut. There's no infrastructure down
43 there for any kind of a commercial activity throughout
44 this whole area. And, if anything, it would be
45 conducive to a large trophy -- guides and trophy
46 hunters moving in. I mean granted we have a large
47 population there that needs some harvest, again, like I
48 said there's no infrastructure there, whatsoever, it's
49 mainly all Refuge and private lands and under the
50 Refuge's policy, any guides, transporters whatsoever

1 are very limited. I think they allow like four. I
2 think they are also limited where they can go so to not
3 conflict with boat hunting. They're not allowed to land
4 anywhere where they might encounter people in boats.
5 So it kind of puts an unrealistic expectation for
6 folks.

7

8 So it would be -- that would need to be
9 made clear in here, this August 1 through September 30
10 and then December 1 through the remainder of March 31
11 would be the only time we'd be allowed to take a bull.

12

13 And also the ending date that is in
14 here is not consistent with the Board's action either.
15 They chose March 15th. There was myself and the Refuge
16 biologist that were at the meeting in Kotzebue when
17 this occurred and there were five proposals as you see
18 dealing with change in this moose season and the Board
19 charged the Staff to sit down over lunch and come up
20 with alternative language that incorporated all of them
21 together and so we invited to ourselves to be a part of
22 that and the area management biologist was very
23 reluctant, the Department, to extend the season at all.
24 He wanted to provide additional opportunity but he was
25 just -- said it was too much, too fast, and reluctantly
26 agreed to the March 15th to add the additional two
27 weeks, and even that is when I told him you've got a
28 harvestable surplus of 1,500, you've got a harvest of
29 300 to 500 animals, you got 1,000 moose cushion, what
30 more do you want and he was good enough to blush when I
31 told him that, so.....

32

33 (Laughter)

34

35 MR. ROCZICKA:and then listening
36 to the Board's deliberation following that I wish we
37 would have gone with the March 31 date and pushed it
38 much harder at the Board of Game meeting. So leaving
39 the March 31 in there on the Federal side will give us
40 just one less special action request that we'll have to
41 do or emergency order -- a petition for an emergency to
42 extend the season and most especially if the weather
43 patterns continue as they did this last year, where
44 even though we had this extended season out there to
45 the end of February, from -- we had a good dump of snow
46 towards the end of November but it was gone by the
47 second week of December and it actually did not go
48 below freezing except maybe into the 20s a couple times
49 until late February, two month streak that people could
50 not travel over there without destroying their

1 machines, you know, pulling a heavy low and you burn up
2 your tracks and, you know, blow your engine, it just
3 wasn't feasible. There are a few people that did it
4 and did it very slowly and those that could afford, oh,
5 gosh, what do you call it, liquid cool machines, which
6 are much more expensive and not generally used. So,
7 anyway, there was essentially no harvest, very little
8 harvest that occurred. We did get the special action
9 from both the Federal and then the emergency order
10 extension to the end of March, you know, through both
11 the State and Federal managers this year.

12

13 But the year before was exactly the
14 opposite, we had six weeks straight of never getting
15 above 20 below so who knows what's going to happen from
16 one year to the next but, again, there's just no
17 biological justification here to not go to the end of
18 March.

19

20 Me and the Federal biologist were both
21 just kicking ourselves, by God, we should have just
22 gone for it all the way.

23

24 But, anyhow, I wanted to let you know
25 some of the background there.

26

27 CHAIRMAN TOWARAK: Thank you, Greg.
28 Are there any questions of Greg.

29

30 MR. CHRISTIANSON: Mr. Chair.

31

32 CHAIRMAN TOWARAK: Go ahead.

33

34 MR. CHRISTIANSON: So I guess just for
35 clarification that the Regional Advisory Council, who
36 helped craft this, you're saying that the date would be
37 March 15th, not March 31st?

38

39 MR. ROCZICKA: No, sir, I am saying
40 that it is March 31st and we did specifically did not
41 change it at our RAC meeting to make it match the Board
42 action because there was no reason not to.

43

44 MR. CHRISTIANSON: Okay.

45

46 MR. ROCZICKA: And we had the YK Delta
47 Refuge biologist was in agreement with that as well.

48

49 MR. CHRISTIANSON: So the proposal
50 before us here is what you guys supported and the

1 language here is what you're speaking to.

2

3 MR. ROCZICKA: Yeah. With the
4 modification that we put into place to get rid of the
5 boundary that was there between the lower Yukon.

6

7 MR. CHRISTIANSON: Okay.

8

9 MR. ROCZICKA: The lowest Yukon we used
10 to want to focus effort on that because it had a much
11 higher density and to get people to go down there and
12 harvest out of that one, well when the upper section
13 from Mountain Village on up to Russian Mission, well
14 that one grew but as of the last census survey they
15 did, it's actually no -- above on the upper portion of
16 the Yukon drainage in Unit 18, it's equal to or greater
17 as far as the population density, so there's no reason
18 to maintain that boundary anymore.

19

20 CHAIRMAN TOWARAK: Go ahead.

21

22 MR. HASKETT: So I just want to confirm
23 one more time for everybody at the table and
24 essentially this one doesn't happen very often. We got
25 a proposal here that's going to end up being modified
26 and the RAC agrees to it, the Board of Game agrees to,
27 the Refuge biologist agrees to, so we have agreement
28 across the board, right.

29

30 MR. ROCZICKA: With the exception that
31 I believe the State had their -- when I read through
32 their thing, the standard recommendation that any
33 action taken should match the Board of Game but, again,
34 there is no biological concern to do that and we wish
35 we would have got it and we probably would have got it
36 if we would have went for it.

37

38 CHAIRMAN TOWARAK: Go ahead.

39

40 MR. HASKETT: So just to rephrase my
41 question a little bit, just to confirm that we're
42 almost completely there.....

43

44 (Laughter)

45

46 MR. HASKETT:which I think that's
47 worth us all knowing.

48

49 Thanks.

50

1 CHAIRMAN TOWARAK: Go ahead.
2
3 MR. MCKEE: I would just like to add in
4 case Greg hasn't made it already perfectly clear that
5 the actual modification that would just make this whole
6 thing Unit 18 remainder.
7
8 CHAIRMAN TOWARAK: Thank you. Any
9 further questions.
10
11
12 (No comments)
13
14 CHAIRMAN TOWARAK: Thank you, Greg.
15
16 We will -- that's the only request that
17 we've had in the building so we're open to the public
18 on the phone. Is there anyone that would like to
19 address Proposal 14-23.
20
21
22 (No comments)
23
24 CHAIRMAN TOWARAK: Not hearing anything
25 then we will continue on with the Regional Council
26 recommendation.
27
28 Mr. Wilde.
29
30 MR. L. WILDE: The Yukon Kuskokwim
31 Delta Regional Advisory Council recommended to support
32 this. And since I was not at that meeting when this
33 proposal was taken care of and Mr. Roczicka was
34 Chairing the Council at the time, if there are any
35 questions concerning this proposal I would like to have
36 Mr. Roczicka come up and answer any questions you might
37 have.
38
39 CHAIRMAN TOWARAK: Yes. Greg, why
40 don't you maintain your chair until we're done with
41 this project and can answer questions as we go along.
42
43 Do you have anything else to add to Mr.
44 Wilde's comments.
45
46 MR. ROCZICKA: No, the modification
47 that's in your book should serve with what I put on the
48 record earlier.
49
50 CHAIRMAN TOWARAK: Next on the agenda

1 then is Alaska Department of Fish and Game comments.

2

3 MR. REAKOFF: Mr. Chair.

4

5 CHAIRMAN TOWARAK: Yes.

6

7 MR. REAKOFF: Western Interior is a
8 crossover proposal. We support -- we deferred the
9 proposal due to time limitations, scheduling with the
10 shutdown. We had quorum problems and so forth so we
11 deferred to the YK Delta RAC and so our default would
12 be in support of the proposal with modification. And I
13 would also add from my perspective that at 30 bulls per
14 100 cows, I'm very happy with the YK Delta RAC as only
15 bull harvest from August 1 to September 30th to
16 eliminate bull harvest during the extended season. So
17 I appreciate the good work you've done there, Greg.

18

19 Thank you.

20

21 MR. ROCZICKA: Maybe I should clarify.
22 It would -- closure for bulls would be October 1
23 through November 30, because there would still be some
24 bulls retaining their antlers possibly, even though
25 people are probably going to want to target the cows
26 anyway but after December 1 through maybe mid-January
27 you could still encounter animals with horns.

28

29 MR. REAKOFF: Mr. Chair.

30

31 CHAIRMAN TOWARAK: Go ahead.

32

33 MR. REAKOFF: The proposal, as I'm
34 looking at it here, it says antlered bulls may only be
35 harvested from August 1 through September 30.

36

37 MR. ROCZICKA: And then I did make that
38 point on the record that that's something that should
39 be changed, that it would be allowed again.

40

41 MR. REAKOFF: Oh, I see.

42

43 MR. ROCZICKA: It's any moose from
44 August 1, two moose, any moose from August 1 through
45 March 31, with the restriction of antlered bulls may
46 not be taken between October 1 through November 30.

47

48 MR. REAKOFF: Okay. The proposal
49 should reflect that.

50

1 MR. ROCZICKA: And that was missed in
2 the proposal.
3
4 CHAIRMAN TOWARAK: Mr. Haskett.
5
6 MR. HASKETT: So maybe I spoke too
7 soon, because I don't see that either.
8
9 (Laughter)
10
11 MR. HASKETT: I'm prepared to do a
12 motion here in a while, that's news to me so.
13
14 MR. ROCZICKA: I had thought you were
15 delivered that information from the Staff earlier.
16
17 MR. REAKOFF: So basically you're
18 saying you could kill antlered bulls after November --
19 from December 1 and on again.
20
21 MR. ROCZICKA: Correct. And, again, by
22 the middle of January they're all going to have dropped
23 their horns anyway.....
24
25 MR. REAKOFF: Right.
26
27 MR. ROCZICKA:and most people
28 don't go until later in the season, but in the even
29 that someone was out and that was all they bumped into.
30
31 MR. REAKOFF: The proposal has --
32 before the Board has to be clarified so that they can
33 take action on it that reflects the Regional Council's
34 recommendation. But, anyways, we deferred to the YK
35 Delta. I agree with them, protection during rut is a
36 healthy thing to do for moose.
37
38 CHAIRMAN TOWARAK: Mr. Haskett.
39
40 MR. HASKETT: We need a couple of
41 minutes to go ahead and actually make sure we got the
42 wording that came from the RAC so if you could just
43 give us a couple of minutes to do that I think we can
44 figure this out.
45
46 (Pause)
47
48 CHAIRMAN TOWARAK: Go ahead.
49
50 MR. HASKETT: So we're still waiting on

1 the clarification language but we think we figured out
2 where the problem was, it's just -- when we get the
3 wording I think it's going to go ahead and reflect what
4 the RAC actually proposed and then we need to make sure
5 that's still consistent with what the other RAC thought
6 as well and then we can probably still make a motion if
7 it is.

8

9 CHAIRMAN TOWARAK: We're going to go at
10 ease then until your Staff gets that.

11

12 (Off record)

13

14 (On record)

15

16 CHAIRMAN TOWARAK: So we're ready to
17 reconvene.

18

19 (Pause)

20

21 CHAIRMAN TOWARAK: We'll call the
22 meeting back to order and -- are you ready.

23

24 MR. HASKETT: (Nods affirmatively)

25

26 CHAIRMAN TOWARAK: Go ahead, the floor
27 is yours.

28

29 MR. HASKETT: So my suggestion is,
30 because it's not time for me to do a motion yet, but my
31 motion now reflects, I believe, what I will give,
32 reflects what I believe the RAC suggestion was and
33 agreed to by their partner RAC in this. So I think we
34 can go forward with discussion unless you want to
35 clarify it more.

36

37 CHAIRMAN TOWARAK: We'll just continue
38 on and there will be, I think, opportunities for others
39 to chime in as needed.

40

41 My understanding is we were on the
42 Regional Council recommendation.

43

44 MR. PELTOLA: The State.

45

46 CHAIRMAN TOWARAK: So we will move to
47 the State Department of Fish and Game comments then
48 next.

49

50 MR. SMITH: Mr. Chairman.

1 CHAIRMAN TOWARAK: Yes, go ahead.

2

3 MR. SMITH: Just as a note, I did a
4 habitat study on the lower Yukon for Calista
5 Corporation in 1974 and at that time there were
6 virtually no moose that survived a whole year below
7 Mountain Village. They'd occasionally migrate down
8 there. The habitat was great but they just couldn't
9 survive. They were hunted to extinction. I
10 recommended doing a moose transplant, trying to bypass
11 some of that hunting pressure from the villages along
12 the banks of the Yukon and it didn't happen, but 20
13 years later they made it anyway, you know, there was a
14 reduction in the illegal harvest and they made it down
15 there and they found this untouched habitat, really
16 great habitat and the population just boomed, and it's
17 continuing to boom. We learned from the Seward
18 Peninsula -- the same thing happened on the Seward
19 Peninsula in the '70s. The moose pioneered a habitat
20 where you had some Arctic willows that had never been
21 browsed and they took off and then in the '80s we had
22 the same situation you're seeing here on the lower
23 Yukon. People were really cautious. The public was
24 really opposed to cow hunting and I think -- and today
25 our moose population has crashed. It was a boom and
26 bust, partly because of probably over exploitation of
27 habitat.

28

29 Last year, hunters took more bears,
30 more grizzly bears than they took moose. And so I
31 guess the cautionary tail there, is that, it's a lot
32 safer to approach carrying capacity slowly and
33 cautiously and I don't think that -- I think we would
34 have been much better off to hunt the -- to harvest
35 moose much more heavily in the '80s on the Seward
36 Peninsula than what we did. The public was opposed to
37 cow hunting, and I'm glad to see that that doesn't seem
38 to be the situation in Unit 18. So I would really
39 support this.

40

41 You know our RAC talked about this and
42 we really support what they're trying to do, to try to
43 slow down the growth of the population and watch for
44 problems. The habitat is probably quite a bit better
45 on the lower Yukon than it was on the Seward Peninsula
46 but it's not limitless either.

47

48 So we support this proposal.

49

50 CHAIRMAN TOWARAK: Thank you. Does the

1 Western Interior Council have any comments.

2

3 MR. REAKOFF: We did. We supported --
4 we deferred the proposal to the YK Delta and so
5 whatever their modification is we support.

6

7 Mr. Chair.

8

9 CHAIRMAN TOWARAK: Thank you. Any
10 questions.

11

12

13 (No comments)

14

15 CHAIRMAN TOWARAK: If not then we will
16 go to the State Department of Fish and Game.

17

18 MS. YUHAS: Thank you, Mr. Chairman.
19 Jennifer Yuhas. First time that's done that at this
20 meeting.

21

22 (Feedback)

23

24 MS. YUHAS: For brevity sake the
25 Department supports the proposal. The only reason our
26 modification is different is because that's how it
27 passed the Board of Game. And Mr. Roczicka was right,
28 we don't have a conservation concern and in talking to
29 our biologist likely wouldn't have argued against the
30 change but procedurally this is how it passed the Board
31 of Game so that's why our modification is slightly
32 different.

33

34 CHAIRMAN TOWARAK: Thank you. Any
35 questions.

36

37

38 (No comments)

39

40 CHAIRMAN TOWARAK: We will then move to
41 the InterAgency -- I'm sorry, go ahead.

42

43 MS. CAMINER: For clarification then,
44 may I ask exactly which dates did the Board of Game
45 pass please.

46

47 MR. ROCZICKA: Mr. Chairman. The only
48 difference between the Board of Game and the
49 modification we put in place is the end date of the
50 season and that's -- the Board of Game did March 15th

1 and the Federal is March 31st.

2

3 MS. CAMINER: Thank you.

4

5 CHAIRMAN TOWARAK: Go ahead.

6

7 MR. CRAWFORD: Yeah, I'd just like to
8 say that if you'd like to take a look at it, the latest
9 version of what the Board of Game passed is on Page 49
10 in your Fish and Game handout. The opportunity -- it's
11 under opportunities provided by the State, those are
12 all the new regs.

13

14 CHAIRMAN TOWARAK: Thank you. Can we
15 now go to the ISC Chair.

16

17 MR. LORRIGAN: Thank you, Mr. Chairman.
18 Jack Lorrigan, Native Liaison, Office of Subsistence
19 Management.

20

21 InterAgency has the standard comment
22 with addition of:

23

24 If the Board chooses to accept the
25 modification as proposed by the Yukon Kuskokwim Delta
26 and Western Interior Regional Advisory Council the
27 result would be the creation of a much larger hunt area
28 and the extension of the hunting season by one month in
29 the lower Yukon area and by up to four months in the
30 Unit 18 remainder area. This would allow additional
31 harvest opportunity in a larger area for a longer
32 period.

33

34 There's no biological concern
35 anticipated resulting from this modification.

36

37 Unless the antlered bull restriction is
38 removed as recommended in the original proposal, the
39 Board should fix a possible misinterpretation of that
40 language. That language could be read to only allow
41 the harvest of antlered bulls, August 1st to September
42 30 and no other moose. To clarify the intent of the
43 regulatory language, the Board could use this changed
44 phraseology; two moose, only one which may be antlered.
45 Antlered bulls may not be taken after September 30th.

46

47 Mr. Chair.

48

49 CHAIRMAN TOWARAK: Thank you. Does
50 that fit in with.....

1 (Pause)
2
3 CHAIRMAN TOWARAK: Any questions of the
4 ISC Chair.
5
6
7 (No comments)
8
9 CHAIRMAN TOWARAK: If not, are there --
10 were there any tribal consultations.
11
12 MR. LORRIGAN: Thank you, Mr. Chair.
13 Yes, we had two comments. One from a tribe, a
14 representative from the village of Atmautluak spoke in
15 favor, in support of 14-23, didn't give a rationale
16 why.
17
18 And a representative from the Kwethluk
19 Incorporated supported WP 14-23 but also did not
20 specify why.
21
22 CHAIRMAN TOWARAK: Thank you. Board
23 discussion with Council Chairs and State liaison.
24
25
26 (No comments)
27
28 CHAIRMAN TOWARAK: Would you like to
29 hear what -- would you like to discuss a possible
30 motion.
31
32 MR. HASKETT: I just want to make a
33 motion.
34
35 CHAIRMAN TOWARAK: Okay.
36
37 (Laughter)
38
39 CHAIRMAN TOWARAK: If there is no
40 discussion then we will go right to Board action.
41
42
43 (No comments)
44
45 CHAIRMAN TOWARAK: Go ahead.
46
47 MR. HASKETT: Okay. I'm going to make
48 a motion to adopt Proposal 14-23 with modification as
49 recommended by the Yukon Kuskokwim and Western Interior
50 Councils and supported by the Seward Peninsula Council

1 and if I get a second I intend to make an amendment --
2 wait -- make an amendment to my action.
3
4 MR. OWEN: Second.
5
6 MR. ARDIZZONE: My poor handwriting,
7 sorry.
8
9 MR. HASKETT: It's okay. Second?
10
11 MR. OWEN: Second.
12
13 CHAIRMAN TOWARAK: There's a motion and
14 a second on the floor, continue the discussion.
15
16 MR. HASKETT: Make the next motion.
17
18 CHAIRMAN TOWARAK: Go ahead.
19
20 MR. HASKETT: So I'd like to amend the
21 motion to clarify the regulations and make similar
22 changes that were recently adopted by the Board of Game
23 to allow antlered bulls to be harvested December 1st
24 through March 31st. It would simplify the regulations
25 for subsistence users and provide for additional
26 subsistence opportunities to harvest moose.
27
28 And I think we have the language where
29 you can put it up there if people want to see it.
30
31 You read it and said, yes, so I hope
32 that's still right.
33
34 MR. ROCZICKA: That's not what I saw
35 there or you read it wrong.
36
37 (Laughter)
38
39 MR. ROCZICKA: You said August 1
40 through March 31st, you did not include the portion
41 that it would be closed to the taking of bulls between
42 October 1 through November 30.
43
44 MS. K'EIT: Well, that's what this is
45 saying.
46
47 MR. OWEN: Yeah, that's exactly what it
48 says.
49
50 (Pause)

1 MS. K'EIT: Mr. Chair.
2
3 CHAIRMAN TOWARAK: Go ahead.
4
5 MS. K'EIT: So the proposed amendment
6 is saying in the positive when bulls could be
7 harvested, it's not referencing the closure dates but
8 those closure dates are what you said.
9
10 MR. ROCZICKA: What you have on the
11 screen is correct.
12
13 MR. HASKETT: I'm not making a
14 different motion.
15
16 (Laughter)
17
18 MR. CHRISTIANSON: I second your
19 amendment.
20
21 MR. HASKETT: Thank you.
22
23 (Laughter)
24
25 CHAIRMAN TOWARAK: There is a motion
26 for amendment to the original motion and we're ready
27 for action.
28
29 MR. CHRISTIANSON: Question.
30
31 CHAIRMAN TOWARAK: Question's been
32 called for. All those in favor of the amendment say
33 aye.
34
35 IN UNISON: Aye.
36
37 CHAIRMAN TOWARAK: Those opposed, say
38 nay.
39
40 (No opposing votes)
41
42 CHAIRMAN TOWARAK: Motion passes
43 unanimously. Now that brings us to the full motion to
44 -- on the proposal.
45
46 MR. HASKETT: To adopt.
47
48 CHAIRMAN TOWARAK: As adopted.
49
50 MR. C. BROWER: Question.

1 CHAIRMAN TOWARAK: Question's been
2 called for. All those in favor of the amendment say
3 aye.
4
5 IN UNISON: Aye.
6
7 CHAIRMAN TOWARAK: Those opposed, say
8 nay.
9
10 (No opposing votes)
11
12 CHAIRMAN TOWARAK: Motion passes
13 unanimously. Just.....
14
15 MR. CHRISTIANSON: Mr. Chairman.
16
17 CHAIRMAN TOWARAK:I'm -- go
18 ahead.
19
20 MR. CHRISTIANSON: I'd also like to
21 make a note that the Staff also said that by passing
22 this we also took care of a couple of other proposals
23 that were before us here, which would be 23, 24 and 28.
24
25 MR. MCKEE: 24, 25 -- well, 28 and then
26 24/25. 28 was originally 18 remainder so.....
27
28 MR. CHRISTIANSON: And so we passed
29 this with the assumption that we've taken care of those
30 proposals as well.
31
32 MR. MCKEE: Yes.
33
34 MR. HASKETT: Yes.
35
36 MR. CHRISTIANSON: Thank you.
37
38 CHAIRMAN TOWARAK: Okay.
39
40 MR. ROCZICKA: Mr. Chair.
41
42 CHAIRMAN TOWARAK: We will
43 continue.....
44
45 MR. ROCZICKA: Mr. Chair.
46
47 CHAIRMAN TOWARAK: I'm sorry, go ahead.
48
49 MR. ROCZICKA: Just to make sure, in
50 case it's a procedural matter you do have Proposal

1 24/25 on your consent agenda, so as long as the consent
2 is that you are taking no action on it and it doesn't
3 pass because it would be in conflict otherwise.

4
5 MR. PELTOLA: They were removed off the
6 consent.

7
8 MR. ROCZICKA: Okay.

9
10 CHAIRMAN TOWARAK: Okay, I'm going to
11 take over the meeting from now on.

12
13 (Laughter)

14
15 CHAIRMAN TOWARAK: We are going to
16 switch hats to take attention to the special action,
17 FSA14-03, which is in regards to the Kuskokwim chinook,
18 and with this I'm going to turn it over to Gene.

19
20 MR. L. WILDE: Mr. Chairman.

21
22 CHAIRMAN TOWARAK: Go ahead.

23
24 MR. L. WILDE: I would like to have Greg
25 carry on the discussion of this since he lives right
26 there on the Kuskokwim River and he is a part of the
27 community there.

28
29 CHAIRMAN TOWARAK: And that's
30 allowable.

31
32 MR. L. WILDE: Thank you, Mr. Chair.

33
34 CHAIRMAN TOWARAK: Go ahead.

35
36 MR. PELTOLA: Thank you, Mr. Chair.
37 Gene Peltola, ARD of OSM.

38
39 I'd like to start off with a little
40 introduction about how we got to where we are today and
41 then after that I would ask four other Staff members to
42 come up and go through our formal presentation.

43
44 First will be Pippa Kenner, she's from
45 our Anthropology Division. Don Rivard from the
46 Fisheries Division. George Pappas, our acting
47 Fisheries Division lead. And David Jenkins, our Policy
48 lead.

49
50 Okay. In order to initiate this

1 discussion, earlier on this winter OSM received a
2 request from the village of Napaskiak, and I believe
3 it's been provided in the supplemental, if I'm not
4 mistaken, but basically what that request entailed was:

- 5
- 6 1. To limit the fishery this summer to
- 7 Federally-qualified users only; and
- 8
- 9 2. The Federal version of Tier II.
- 10

11 Based on that request and some request
12 from the solicitor's office on how to particularly
13 handle it, OSM initiated an .804 analysis, which Pippa
14 Kenner drafted.

15

16 Accompanying that .804 analysis we also
17 have an allocation recommendation strategy in place,
18 then we have the Fisheries Division with some
19 biological background and justification for it and then
20 towards the end of the presentation we'll have David
21 Jenkins wrap everything up from a policy angle.

22

23 As I said we involved the solicitor's
24 office earlier on based on direction because we've
25 never had a request to .804 to fisheries. And so
26 there's some questions that we had to address.

27

28 From the time we received it it took a
29 fair amount of time in order to determine the process
30 to follow and then it took some time to work up the
31 .804 and also the accompanying allocation
32 recommendation. At no time did we ever feel like we
33 were trying to keep anything from individuals, we were
34 not trying to do anything behind anybody's back and
35 we're proceeding forth based on the information we had
36 and we're giving out information as it became readily
37 available.

38

39 So with that being said I'd like to
40 turn it over to Pippa.

41

42 MS. KENNER: Thank you, Gene. Mr.
43 Chair and members of the Council. I'd like you to take
44 out your supplemental book, it's this size, and towards
45 the back there's tab FSA14-03, and that is where you'll
46 find copies of the analysis and you can follow along
47 with me.

48

49 (Pause)

50

1 MS. KENNER: So at that tab at the
2 beginning there's a biological analysis and if you move
3 through it you'll find something that looks like Staff
4 analysis. I just want to make sure everybody's there
5 before I start. We're going to be referring to pages
6 and maps and tables.

7
8 (Pause)

9
10 CHAIRMAN TOWARAK: So which page is it.

11
12 MS. KENNER: You'll flip through it
13 until you come to this page, which is the Staff
14 analysis, and it's marked as Page 1.

15
16 (Pause)

17
18 MS. KENNER: Okay, I think we're ready
19 to begin.

20
21 (Pause)

22
23 MS. KENNER: Okay, I'm going to present
24 this to you and I'm basically going to go right off the
25 front page to begin with.

26
27 The Napaskiak Tribal Council asked the
28 Board to close the Kuskokwim River drainage to the
29 harvest of chinook salmon, except by Federally-
30 qualified users with a customary and traditional use
31 determination for chinook salmon. Additionally, the
32 Napaskiak Tribal Council asked the Board to allow only
33 some Federally-qualified subsistence users to harvest
34 chinook salmon, and that the determination of who will
35 be eligible be based on three criteria.

36
37 1. Customary and direct dependence
38 upon chinook salmon as the mainstay of
39 livelihood.

40
41 2. Local residency.

42
43 3. The availability of alternative
44 resources.

45
46 A determination under the three
47 criteria is required in Section .804 of ANILCA and is
48 commonly called a Section .804 analysis. You'll also
49 hear people referring to this as Napaskiak's proposal,
50 Napaskiak's request.

1 So the context of the Napaskiak Tribal
2 Council's request is that it is likely that the 2014
3 chinook salmon season will be closed preseason to the
4 harvest of chinook salmon. The proponent anticipates
5 that the Yukon Delta Refuge manager in consultation
6 with other fishery managers may open the Yukon Delta
7 Refuge waters to the harvest of chinook salmon to only
8 Federally-qualified subsistence users at some point in
9 June or July 2014 and, if, this occurs, there will be a
10 small number of chinook salmon available to harvest
11 relative to the large number of subsistence users,
12 which are about 40 villages, including Bethel, with a
13 customary and traditional use determination to harvest
14 chinook salmon, thus, there's a high potential for
15 harvest to exceed the harvestable surplus and a Section
16 .804 analysis is necessary to determine which of the 40
17 villages will be eligible to harvest chinook salmon in
18 Refuge waters.

19
20 So to begin with I want to direct you
21 to the map on Page 4, it's also the map that's in our
22 fishery regulations, and on that map it outlines the
23 Kuskokwim fishery management area. It's basically the
24 drainage and the coastal areas over past Nelson Island.
25 You can also see the Refuge boundary in that. The
26 Refuge is the darker colored waters.

27
28 So for the customary and traditional
29 use determination who's eligible right now, who's
30 Federally-qualified, we're talking about all the
31 communities in the fishery management area, so that's
32 about 40 communities so it's everybody in the drainage
33 and then going over to the coastal communities of
34 Kwigillingok, Kongiganek, Kipnuk, Chefornak, over on to
35 Nelson Island, Tununak, Toksook Bay, Nightmute, Newtok,
36 and Mekoryuk on Nunivak Island; so we're talking about
37 that large area.

38
39 Now, as far as where Federal management
40 occurs, it's within and adjacent to the outer
41 boundaries of the Refuge so it would be the lower
42 Kuskokwim drainage within and adjacent to the outer
43 boundaries of the Yukon Delta Wildlife Refuge.

44
45 If you go to Page 15, you will see a
46 list of the tribes and communities that we're talking
47 about. So if you need reference to that, those are
48 your two places to look at. What area are we talking
49 about and who's qualified.

50

1 So we went through the analysis and the
2 conclusion of the analysis has two parts.

3
4 1. Preseason, the Yukon Delta Refuge
5 manager in consultation with other
6 fishery managers should close Refuge
7 waters to the harvest of chinook salmon
8 except by Federally-qualified
9 subsistence users; and

10
11 2. The Board should allow residents of
12 the Kuskokwim River drainage and the
13 coastal communities of Chefnak,
14 Kipnuk, Kwigillingok, and Kongiganek to
15 harvest chinook salmon from Refuge
16 waters.

17
18 So that's about 32 villages.

19
20 So if you look at the population of
21 everybody, we are talking about 17,454 people based on
22 the US Census and that's 40 communities and the
23 conclusion is that 32 communities with a population of
24 just over 14,000 would continue to be eligible.

25
26 If there is a harvestable surplus and
27 we're going to be talking to that later, and there is
28 an allocation, the US Fish and Wildlife Service is the
29 Federal agency that would be responsible for
30 coordinating the allocation of chinook salmon to the
31 residents of the 32 villages in the Yukon Delta -- if
32 the Yukon Delta Refuge manager in consultation with
33 other fishery managers deems a harvestable surplus of
34 chinook salmon has entered the Kuskokwim River.

35
36 Thank you, Mr. Chairman.

37
38 That's the end of my presentation.

39
40 I have Don Rivard, who is going to
41 follow me with the summation of the biological
42 analysis.

43
44 CHAIRMAN TOWARAK: You have the floor.

45
46 MR. RIVARD: Thank you, Mr. Chair.
47 Good afternoon, Mr. Chair. Board members. Council
48 representatives. My name is Don Rivard, I'm a fish
49 biologist with the Office of Subsistence Management.
50

1 I'd like to direct your attention in
2 the Staff analysis to Table 2, Page 16 because I'll be
3 speaking from -- giving you information on that.

4
5 This is basically giving you the
6 biological background of what's been happening with
7 chinook salmon over the past four years or so. For the
8 last four years the Kuskokwim River chinook salmon
9 stocks have experienced a period of low productivity
10 insufficient to meet escapement goals and provide
11 average subsistence harvest opportunity. The
12 average Kuskokwim River chinook salmon run size from
13 1976 to 2013 is approximately 239,000 fish, with the
14 last five years from 2009 to 2013 averaging only
15 130,000 fish. Since 2010 the chinook salmon runs have
16 been some of the lowest runs on record with the
17 estimated 2013 run of 94,000 fish, the lowest ever
18 documented.

19
20 Now, the escapement objectives for
21 chinook salmon have not been met on the Kuskokwim River
22 on the past four years as well.

23
24 Prior to the 2012 chinook salmon
25 fishing season, the Federal and State in-season
26 fisheries managers in conjunction with the Kuskokwim
27 River Salmon Management Working Group agreed on
28 managing the subsistence fishery with an escapement
29 goal of 127,000 fish based on the Bethel test fishery
30 abundance index. The estimated 2012 total run of
31 100,000 chinook salmon in the Kuskokwim River was not
32 only lower than the escapement goal, but turned out to
33 be the lowest on record at the time dating back to '76.
34 The 2012 chinook salmon escapement is estimated to be
35 approximately 76,000 fish.

36
37 In January 2013 the Alaska Board of
38 Fisheries adopted a new Kuskokwim River Salmon
39 Management Plan and a new drainagewide sustainable
40 escapement goal with a range of 65,000 to 120,000
41 chinook salmon. For the 2013 chinook salmon fishing
42 season with this new escapement goal in place, the in-
43 season fisheries managers with concurrence from the
44 working group agreed on managing the subsistence
45 fishery with an escapement goal of 85,000 fish. Due to
46 run timing and compression, few restrictions were
47 placed on chinook salmon subsistence harvest throughout
48 the 2013 fishing season, which resulted in the lowest
49 escapement on record. The 2013 chinook salmon
50 escapement is estimated to be approximately 47,500

1 fish.

2

3

Now for the harvest history.

4

5

Historically the Kuskokwim River has been home to the largest chinook salmon subsistence fishery in the state of Alaska. From the early 1990s through 2011, the chinook salmon harvest has averaged approximately 85,000 fish annually. However, since 2010 the amount of chinook salmon harvest has trended downward due to both record low runs and corresponding increased fishing restrictions in some years.

12

13

14

The estimated 2010 subsistence harvest was 66,000 chinook salmon and the 2011 estimated subsistence harvest was 59,000 chinook salmon. The estimated 2012 subsistence chinook salmon harvest of 24,000 fish was the lowest on record. This occurred as a result of the lowest run size to date -- at the time -- in conjunction with significant restrictions on chinook salmon fishing throughout the 2012 fishing season. In 2013 subsistence users harvested an estimated 46,500 fish, almost twice as much as the previous year but still well below the long-term average of 85,000 fish.

25

26

27

Thank you, Mr. Chair.

28

29

CHAIRMAN TOWARAK: Go ahead.

30

31

32

33

34

35

36

37

38

39

40

41

42

43

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45

46

47

48

49

50

I'm going to discuss some of the potential management -- briefing for the Federal Subsistence Board on the chinook salmon overview here, potential management of the Kuskokwim River Federal subsistence fisheries. It can be found on the first page under Tab FSA14-03 and the title says, Kuskokwim River Chinook Salmon 2014 Overview. I'll be summarizing, I'm not going to touch on the biological history -- or history section, Don just took care of that.

So information I'm about to present here is from -- in your book there and the overview is very basic in nature. I'm not providing recommendations, we're putting together some

1 considerations for the Board and all the fisheries
2 managers involved to consider for the 2014 season.

3
4 As you've heard both escapement and
5 subsistence harvest have been at record lows recently,
6 warranting cautious and exceptionally conservative
7 approach to managing the 2014 season.

8
9 During this presentation I have three
10 sets of numbers you need to concentrate on.

11
12 First is the preseason forecast, which
13 came from the Department. The preseason forecast is
14 about 94,000 chinook salmon back to the Kuskokwim.
15 There's an error range of 24 plus/minus percent, so the
16 range for that forecast could be from 71,000 fish to
17 117,000 fish.

18
19 The next set of numbers is the
20 escapement goal. The escapement goal is a sustainable
21 escapement goal set by the Department of Fish and Game
22 and that is from 65,000 chinook salmon to 120,000
23 chinook salmon. So you'll notice that the projected
24 forecast return including the errors are still within
25 the escapement goal range.

26
27 The third set of numbers I'll bring
28 forth are the Bethel test fishery catch per unit effort
29 numbers, which I'll mention momentarily.

30
31 So adoption of the Special Action
32 FSA14-03 will result in restricting the pool of
33 Federally-qualified users who will be eligible to
34 participate in the chinook salmon take in 2014 in
35 waters under Federal subsistence fisheries
36 jurisdiction. Adoption of the special action will not
37 establish a new fisheries management plan in Federal
38 regulation, therefore, the existing State of Alaska
39 AAC 07.365 Kuskokwim River Salmon Management Plan,
40 which is Appendix A of this document will continue to
41 be the guidance for management of the fisheries for
42 2014.

43
44 Managing the various fisheries in the
45 Kuskokwim drainage to meet the chinook salmon
46 escapement goal is accomplished through the use of
47 several tools in season. These tools include the
48 Bethel test fishery, commercial and sportharvest and
49 in-season surveys of the subsistence fishermen. None
50 of these tools provide enough information to accurately

1 manage the fisheries alone but these tools used in
2 combination help managers assist in determining the
3 relative abundance and run timing of the salmon returns
4 to the Kuskokwim. If significant restrictions are
5 required this summer because of the potentially small
6 run and they are in place, most of the tools for in-
7 season management will be reduced or eliminated but the
8 Alaska Department of Fish and Game Bethel test fishery
9 will likely be the primary tool available for in-season
10 management. The Bethel test fishery itself is an
11 imperfect tool, it requires subjectivity, familiarity
12 by experienced Staff to interpret this information
13 effectively. The Department of Fish and Game states
14 that the comparison of the test fish CPUE data between
15 years should be approached very cautiously because many
16 factors such as water level, clarity, height of the
17 water, flooding, flood types, weather conditions and
18 change in river, et cetera, do have impacts on the
19 accuracy of it.

20

21 One of the challenges managers face in
22 using the Bethel test fishery CPUE in-season to predict
23 relative abundance and timing, because of the time
24 series of data that's used to compare it to is very
25 short. It's only about six data points. Because in
26 2008 the Bethel test fishery was -- the nets were
27 redesigned, which modified the results and the catch --
28 has a higher catch rate even during low abundance
29 years.

30

31 Managers have not been able to
32 correlate the new Bethel test fishery data -- the new
33 most recent six years of data points to historic, the
34 longstanding historic Bethel test fishery data set so
35 the indicators that we're using right now have only six
36 data points and you'll be able to see that in Table --
37 excuse me, Figure 1 at the back of this document.

38

39 I'll reference this later, about the
40 Bethel test fishery values and how the escapements came
41 in in recent years at the end of each of the sections
42 I'll be discussing here in a minute.

43

44 The following is presented to stimulate
45 discussion during consultation between the Federal
46 Subsistence Board, Federal agency Staff, State of
47 Alaska fisheries manager, public and Federally-
48 qualified users identified in the .804 analysis, if the
49 Board decides to adopt this analysis.

50

1 Specific times, areas, methods and
2 means and harvest of allocation need to be developed
3 prior to the season, probably not at this stage but it
4 needs to be developed between now and when the season
5 starts.

6
7 The following information is presented
8 in three sections based on the preseason forecast.
9 These sections include, if the managers want to target
10 the lower end of the goal, which is 65,000, the second
11 section if you want to target the middle of the goal,
12 which is 92,500, or the upper end of the goal of
13 120,000 fish for the drainage-wide escapement goal.
14 Management considerations are based on the preseason
15 forecast which projects a minimum harvestable surplus
16 of 6,000 fish. So if the forecast comes in, the lower
17 end, 71,000 fish, the escapement goal is 65,000 fish,
18 if you want to manage down to the last fish that allows
19 a 6,000 fish. If it comes in on the upper end of the
20 goal and you want to manage to the last fish, which at
21 -- at the bottom end of the goal, that would provide
22 for an opportunity of say 52,000 fish harvest; that's
23 if you want to manage towards the bottom.

24
25 So if the run returns low and you want
26 to manage towards the low end, we do have some options
27 here.

28
29 Other fisheries, which result in
30 incidental mortality of chinook salmon, including
31 allowing the use of four inch mesh gillnets targeting
32 whitefish, sheefish and other non-salmon species. And
33 also the second tool you'd have there would be allowing
34 the six inch mesh gillnets that target sockeye salmon
35 and chums.

36
37 So some potential management options
38 for the lower section.

39
40 First, you'd want to close it to all
41 Federally -- excuse me, restrict it to Federally-
42 qualified users only, closing all fisheries resulting
43 in chinook salmon mortality in waters under Federal
44 subsistence fisheries jurisdiction at the beginning of
45 the season, which would include sport, commercial and
46 other fisheries as such, and have that closed to
47 protect the chinook salmon through the entire run of
48 chinook coming through.

49
50 Additionally, authorize the use of four

1 inch mesh 60-foot long nets to target non-salmon
2 species for periods per week. Instead of going 24/7,
3 which has been a recent practice, maybe fish two, or
4 three, four days, 12 hour days, that's to be
5 determined, but don't go 24/7, fish certain periods.

6
7 And require the gillnets, the four inch
8 gillnets to be operated as setnet only. I believe this
9 is one of the Federal -- excuse me -- this same issue
10 has been put forth in front of the Board of Fish as an
11 emergency petition and I believe they'll be acting on
12 that in the next couple of days. So that makes a four
13 inch mesh net very ineffective for king salmon. So if
14 you stake your net to the shore it's four inches, it's
15 not moving, in comparison to using the net as a four
16 inch driftnet; there's a potential harvest capacity of
17 maybe two, three, 4,000 fish in a season if everybody's
18 using it 24/7 as incidental harvest. So if you want to
19 protect all the chinook, this is one way to do it.

20
21 The second -- now we're out of order
22 here because we're going to discuss the Special Action
23 No. 1, FSA14-01 for dipnets, so this is -- just keep
24 this in mind, if this Board decides to authorize the
25 use of dipnets like the Board of Fish did recently,
26 that would be another tool you could use to allow
27 subsistence users, Federally-qualified subsistence
28 users to go after chums and sockeyes by immediately
29 releasing kings.

30
31 Now, if we're that low in the run and
32 we're that low in escapement goal, if you decided to
33 allow a four inch mesh net, 60 inches staked to the
34 shore and a dipnet fishery, you'd want to stagger them,
35 you wouldn't want them at the same time because there's
36 a potential for gear conflict, a slight potential, but
37 the bigger potential is false reporting. So if
38 somebody is required to release a king out of a dipnet
39 and they decide to toss it to a buddy's boat that has a
40 four inch mesh that's right next to them, there could
41 be some problems with fish that shouldn't be harvested
42 of being retained, yes, it's an enforcement problem,
43 but you can eliminate that by keeping those two
44 fisheries separate.

45
46 And if we seine fish using a four inch
47 mesh, shorten periods, stake to the shore, this should
48 allow some harvestable surplus, a small amount to be
49 authorized as a cultural and social practices, Federal
50 special permit fishery. This would allow about 800

1 chinook salmon to be harvested and divided equally
2 between 32 communities as identified -- those
3 communities identified in the .804 that you just heard
4 and do this later in the year. So this is something
5 new. There was a request for something like this,
6 having some fish -- it's a cultural fish early, I think
7 some -- you'll hear some public testimony on this
8 possibility but this particularly type of fishery of
9 800 chinook salmon done by community is throughout the
10 three sections of options we're discussing here.

11
12 And the last tool you want to look at
13 is following the midpoint, approximately starting June
14 20th, the midpoint of the run, you'd want to get
15 everybody together, the fisheries manager, the public,
16 the Kuskokwim workgroup, and discuss where we are with
17 run timing and abundance and at that point determine
18 when to use and authorize a six inch gillnet
19 subsistence fishery to target chums and sockeye and
20 it's very important to remember when the river gets
21 open to six inch mesh for chums and sockeye a
22 significant portion of -- or number of chinook salmon
23 can be harvested in short order, four, six hour opener
24 can get several thousand kings at a time, depending on
25 timing.

26
27 So with these management options
28 discussed, if you're looking at the lower end of the
29 range, if you look at the Bethel test fishery recent
30 information, the lowest and most comparable run was
31 2011, they had 72,000 kings estimated to escape and the
32 Bethel test fishery value was 578. So even though you
33 met the lower end of the goal -- the drainagewide goal,
34 three of the four tributary escapement goals were not
35 met during that year.

36
37 So shifting gears to the middle
38 section, I'll go through this as fast as I can, Gene.

39
40 If you're shooting for 92,500 fish, the
41 midpoint of the escapement goal, we're still going to
42 need some serious restrictions, in that it's not a
43 large return being projected to come back. And at the
44 midpoint this would allow for some mortality through
45 say four and six inch gillnet fisheries, allow a social
46 and cultural practices fishery and potentially if, you
47 know, an extra few fish come through provide a limited
48 harvest through a Federal community harvest permit and
49 that would be a separate fishery we can discuss.

50

1 So for a potential management strategy
2 for looking at the midpoint of 92,500, once again
3 restrict to Federally-qualified users only, restrict
4 the fisheries within Federal public waters that are
5 under Federal subsistence fisheries jurisdiction,
6 including sport, commercial and others to non-
7 Federally-qualified, make sure those are protected
8 throughout the entire chinook salmon run. Authorize
9 use of four inch mesh nets to target non-salmon May
10 15th to say June 20th in Federal public waters under
11 Federal -- Federal subsistence fisheries jurisdiction.
12 And if you feel like you have a few more fish, the
13 managers feel like the run's a little bit larger, maybe
14 it's not such a concern to separate the four inch mesh
15 and the dipnet fishery because -- conservation wise,
16 that'd be an enforcement issue, yes, but conservation
17 wise maybe there's a little more free space to catch a
18 few more fish incidentally there. And, again, authorize
19 dipnet fishery.

20
21 Something else to be considered; we've
22 heard public testimony at multiple meetings that four
23 inch mesh nets used as setnets and dipnets may not work
24 in all parts of the river. We've heard testimony from
25 the mouth of the Kusko where it could be multiple miles
26 wide, and 90 feet deep, they might not be functional so
27 you have to -- the managers -- everybody would have to
28 get together and keep that into consideration.

29
30 Again, authorize a cultural and social
31 practices fishery with 800 fish divided amongst the 32
32 communities. And at the midpoint everybody get
33 together, reassess where we are and determine when a
34 six inch gillnet fishery could be used for the other
35 more abundant species.

36
37 Now, for these first two options, we do
38 have the -- for the six inch mesh, we have the
39 opportunity or possibility, if necessary, to restrict
40 the 50 -- the normal 50 fathom net to six -- excuse me,
41 to 24 fathoms, cut those in half. Not officially cut
42 them in half, but keep half of them in your boat. The
43 Board of Fisheries just passed that regulation on the
44 State side, allowing managers to slow the fishery down
45 a little bit because the fishery with six inch mesh in
46 the Kuskokwim drainage has some serious horsepower, it
47 can catch a lot of fish real fast. The difference
48 between the State and the Federal side, the State had
49 to go through regulatory to authorize a manager to do
50 so, on the State side -- it's delegated to the

1 fisheries manager, the Federal subsistence in-season
2 manager can actually determine any size of net up to 50
3 fathoms. So it would be recommended as an option if
4 you want to slow it down, get those nets in half.

5
6 And, additionally, if there's a few
7 extra fish available at this midpoint, say, five to
8 10,000 even 15,000 fish, that might not be enough to
9 open a full bore fishery throughout the watershed but
10 within Federal public waters we can still come up with
11 some type of a Federal community harvest permit. So
12 there'd be some type of allocation, which would be
13 discussed, how many fish potentially could be divided
14 out of the different communities and go through a
15 community permit system to have those fish harvested.

16
17 So coming back to the Bethel test fish
18 numbers for a midpoint run, the most recent
19 information, we don't have anything close. We have a
20 19 -- or 2012 run of 76,000 fish and a 2009 run of
21 118,000 fish, one is 16,500 below and one's 26,000 fish
22 above. So the catch per unit effort in 20 -- excuse me
23 -- in 2012 was four -- was 419 and then in 2009 it was
24 706, so there's a big variance there. But in 2012 even
25 though it was above the lower goal by 16,000 fish, both
26 2012 and 2009 did not meet two of the four respective
27 tributary escapement goals.

28
29 One last section, bear with me, that's
30 if you want to shoot towards the upper end, 120,000
31 chinook salmon on the spawning grounds. If this is
32 going to happen, this is what, about 3,000 fish above
33 the upper end of the escapement -- projected escapement
34 return for -- forecast for 2014. We could allow --
35 managers could allow a four inch mesh gillnet fishery,
36 a six inch mesh gillnet fishery, cultural practice --
37 cultural and social practice Federal special permit
38 fishery, and allocate harvest through a Federal
39 community harvest permit. The only difference in this
40 tier-- between this tier and the other ones would you
41 could potentially consider right about the middle of
42 the season to be a little more aggressive with the six
43 inch gillnets, maybe allow 50 fathoms instead of 25
44 fathoms, depending on how -- how the teams are feeling
45 about how big the run's going to be and, additionally
46 at this tier we might end up with more harvestable
47 surplus to allocate through a Federal community harvest
48 permit so you end up with 10,000 fish, 15,000 fish,
49 however you -- if the Board decides to come up with an
50 allocative direction, we could then issue permits to

1 the communities to harvest those fish.

2

3 And at the upper end here, comparing it
4 to the Bethel test fishery, an escapement about 129,000
5 fish in 2008, remember we're looking at a goal of 120,
6 it was larger than the upper end of the goal and the
7 Bethel test fishery number was 623, however, three of
8 the four tributary goals were not met.

9

10 So those are different options. It's a
11 -- it can be very complex, it's very different -- it'll
12 be very difficult for managers this summer to manage
13 because most of the tools will be not available to them
14 at the time. But no matter how you -- how this is done
15 within Federal public waters of the Refuge, there are
16 Federally-qualified users outside of the Refuge up
17 river, so any management that's done in the Federal
18 waters under Federal subsistence fisheries
19 jurisdiction, there has to be some type of allocation
20 to make sure that escapement and harvestable surplus
21 makes it up the river. Now, we don't have -- the
22 Federal Program does not have authority to control or
23 conduct the fisheries outside of the Federal public
24 waters so that would be up to the State, but it would
25 be definitely the responsibility of the Federal Program
26 to insure that those fish are available for harvest up
27 river of the Program.

28

29 And, in conclusion, this presentation
30 attempted to illustrate some of the complexities of
31 managing the fisheries on the Kuskokwim River. I
32 wanted to present the tools. This is a very basic
33 overview. And the different methods and means used to
34 harvest on that river. I wanted to illustrate how even
35 -- no matter how -- at this level of forecast -- no
36 matter how you cut it up, there likely won't be a
37 directed fishery for chinook. These fisheries would be
38 for other species and the harvestable surplus would be
39 taken incidentally in other gear types. And also an
40 introduction to a cultural and social pattern Federal
41 special use permit, which would be new, for fish, and
42 also a Federal community harvest permit which also
43 would be fairly new to this program.

44

45 I appreciate your time and I'll answer
46 any questions if I can. I tried to move right through.

47

48 CHAIRMAN TOWARAK: Go ahead.

49

50 MS. KENNER: Thank you, George. Again,

1 this is Pippa Kenner, with the -- anthropologist with
2 the Office of Subsistence Management. We're going to
3 go ahead and complete the full presentation of this
4 process and then we'll be available for questions.

5
6 So there was a special meeting of the
7 Yukon Kuskokwim Delta Regional Advisory Council in
8 Bethel on Monday April 7th, 2014, just a couple weeks
9 ago, and the Council supported FSA 14-03. On April
10 8th, 2014 in Bethel, Staff from the Office of
11 Subsistence Management in consultation with
12 representatives of tribes and Native Corporations. And
13 on April 8th, 2014 in Bethel, Staff from the Office of
14 Subsistence Management conducted a public hearing
15 concerning FSA 14-03. Specifically, the public was
16 asked if this special action should continue for up to
17 60 days or if the special action should continue past
18 60 days and up to 120 days, based on our regulations.

19
20 I'm going to quickly go over what
21 happened at those meetings and I have a draft summary
22 for you at the very end of the analysis, there's a
23 draft summary of the three meetings.

24
25 So at the Yukon Kuskokwim Delta
26 Regional Advisory Council I -- I want to include that
27 there were members of the Western Interior Council
28 which covers the upper Kuskokwim region were invited
29 and there were two members who actually live along the
30 Kuskokwim in the drainage and one was able to attend
31 and participated quite a bit in the meeting,
32 representing the villages or communities in his area.
33 So at this special meeting, the Council supported, with
34 modification, the conclusion, the OSM conclusion and
35 the analysis for FSA 14-03, and the modification added
36 the villages of Napaimute, Georgetown and Telida to the
37 Section .804 analysis.

38
39 So the Council agreed with the OSM
40 preliminary conclusion that residents of south
41 Kuskokwim Bay, Nelson and Nunivak Island generally do
42 not rely on chinook salmon in the Kuskokwim River
43 drainage. And significantly we did have a Council
44 member who's from Nelson Island and could reflect on
45 the exclusion of those communities and approved of it.
46 However, the Council believed that the Staff erred by
47 not including all of the villages situated in the
48 drainage. Currently there are permanent residents of
49 Napaimute, Georgetown and Telida and they should be
50 included in the Section .804 determination. And,

1 subsequently, the analysis and the conclusion were
2 modified to include all of the residents of the
3 drainage, which was the intent of the original
4 conclusion.

5
6 On the -- not associated directly with
7 the special action request, but because we were having
8 a meeting, we wanted to ask people about it, on the
9 question of allocation among those in the .804
10 determination, the Council supported the
11 Orutsararmiut's Native Council's, or ONC, which is the
12 tribal council of Bethel's request to allocate chinook
13 salmon to only people who have engaged in drying and
14 smoking chinook salmon for at least 10 years and to
15 allocate chinook salmon by village. And there's a
16 justification for that on that page.

17
18 And then concerning the question about
19 whether or not the special action should be emergency,
20 for less than 60 days, or a temporary special action
21 which goes for 60 days to 120 days, the Council
22 supported beginning a closure to target chinook, the
23 harvest of chinook salmon on May 15th, but ending
24 within 60 days, on or before July 14th. And I'd like
25 to ask Greg if he'd like to add anything to the
26 comments I just made.

27
28 MR. ROCZICKA: As far as from the RAC
29 perspective the only thing you're missing is on the
30 allocation, to allocate them by village, you missed the
31 word, equitably, which is quite important, people were
32 saying spread it out equally amongst everybody.

33
34 MS. KENNER: Thank you, Greg. Okay.
35 And then the next morning we had a meeting where all
36 the tribes and corporations were invited. And on that
37 page, you will see a list of who was represented at the
38 meeting. Because there are 40 tribes in the area,
39 although not all of them attended or teleconferenced in
40 or gave us or faxed us something, there was a lot of
41 different points of views, because of the -- a lot of
42 participation.

43
44 And so I'm just going to go over some
45 of the most common comments.

46
47 The most common comments concern the
48 need to address the harvest of chinook salmon in marine
49 waters by factory trawlers targeting other species.
50 Next most common was commentators expressing the desire

1 to include the villages of Napaimute, Georgetown and
2 Telida in the Section .804 determination. As I
3 mentioned previously we did subsequently add those
4 communities. There were other comments, and there were
5 other comments on allocations. Whether or not it
6 should be an emergency or temporary special action
7 concerning the number of days that FSA 14-03 would be
8 in effect, tribal and corporation representatives
9 commented requested an emergency special action lasting
10 no more than 60 days.

11
12 And then at the public hearing the next
13 day the question we were ask -- that same day, the
14 question we were asking was is this -- do you recommend
15 an emergency or temporary action lasting less than 60
16 days, or 60 to 120 days. We had a couple of comments.
17 One was from Dan Gillikin of Aniak with the fisheries
18 department of the Kuskokwim Native Association and he
19 requested that the special action should be temporary
20 to cover the back end of the run so if more
21 conservation is needed, we have the ability to do that.
22 And Mike Williams of Akiak, he thought that 60 days may
23 be too long and that it should be an emergency special
24 action.

25
26 That's the end of my report. I'm going
27 to stop there. We have one more presentation and that
28 is an allocation framework we've developed. Now, the
29 management and allocation frameworks we're offering you
30 is just a picture into what this might look like.
31 What's before the Board right now is the special action
32 request to open to only Federally-qualified users and
33 to limit, who, of the Federally-qualified can
34 participate. But we are going to offer you this
35 insight into how allocation occurs.

36
37 Thank you.

38
39 CHAIRMAN TOWARAK: Go ahead.

40
41 DR. JENKINS: Mr. Chair. David Jenkins
42 with OSM. Good afternoon, Board members and Council
43 members.

44
45 You've heard a great deal of the
46 complexity of the .804 analysis and of the biological
47 issues and of the administrative problems that we're
48 having. The basic issue, however, can be stated quite
49 simply, there are too few fish and there are too many
50 people. So what do we do in those situations.

1 Congress laid out a scheme in which to
2 limit the numbers of qualified subsistence users to get
3 access to those fish and Pippa went through this, so-
4 called, .804 analysis and limited the numbers from over
5 17,000 down to somewhere over 14,000 people. We still
6 have the problem under that situation of a projected
7 too fish and lots of users who would like access to
8 those fish.

9
10 So what I'm going to go through are
11 some allocation alternatives that we've been thinking
12 about and that came from, in part, from the public
13 meetings and the RAC meetings that we held in early
14 April in Bethel. And those allocation alternatives can
15 be found on, I think, almost the last page of your
16 briefing in that tab that we've been going through.

17
18 The first allocation alternative would
19 be to distribute a permit that allows the harvest of up
20 to 25 chinook salmon in mid- to late June to each of
21 the 32 villages in the Section .804 determination. So
22 this is just a straight up to 25 chinook for each of
23 those villages, including Bethel. Now, if there's a
24 further harvestable surplus, if it's in that range that
25 George mentioned, somewhere above 6,000 up to 52,000,
26 if there's a further harvestable surplus, establish
27 harvest allocations to 31 of the communities, not
28 including Bethel based on their 20 year average of
29 chinook salmon harvest and the estimate of the
30 harvestable surplus of chinook salmon and allocate
31 using a community-base approach, in other words take
32 the 20 year average from each of the communities and
33 use that as an allocation model to -- as Mr. Roczicka
34 says, equitably allocate any surplus fish that are
35 coming into the Kuskokwim drainage. Bethel, however,
36 is difficult to allocate on a community based model
37 because of the numbers of people there and in that
38 instance distribute Bethel's community allocation
39 harvest based on its 20 year average of chinook salmon
40 harvest to individuals within Bethel, but based on the
41 following regulation which comes from 50 CFR 100.17
42 which is, in effect, a second .804 analysis within
43 Bethel. So if -- and the regulation reads like this:

44
45 If an allocation on an area or
46 community basis is not achievable then
47 the Board shall allocate subsistence
48 opportunity on an individual basis
49 through the application of:

50

1 Customary and direct dependence upon
2 the population of mainstay of
3 livelihood

4
5 Local residency

6
7 The availability of alternative
8 resources

9
10 You've already heard this, this is the
11 .804 analysis. This is what we used to shrink from 40
12 villages to 32. Within Bethel the regulations then
13 direct us to potentially shrink that pool of users even
14 further using those same three criteria.

15
16 In the event that such an allocation
17 scheme is not possible to implement by June of 2014,
18 then the recommendation is to establish a drawing
19 permit to distribute a harvest allocation to residents
20 of Bethel, again, based on its 20 year chinook salmon
21 harvest.

22
23 So these are the alternatives that we'd
24 like to present to the Board for its discussion.

25
26 Mr. Chair. Board members.

27
28 Thank you.

29
30 And, with that, we're done with our
31 overall presentation and we give it back to you.

32
33 CHAIRMAN TOWARAK: Are there any
34 questions of the Board or any of the Staff members.

35
36 MR. CHRISTIANSON: Mr. Chair.

37
38 CHAIRMAN TOWARAK: Go ahead.

39
40 MR. CHRISTIANSON: I would just like to
41 state for the record, I'd just like to thank the Staff
42 for their analysis and the work put into this. I know
43 the Kuskokwim is a big issue and the lack of resource
44 there and the users needing to try to meet the demands
45 of their needs for chinook salmon and I just appreciate
46 the work by the Staff here today that has gone into the
47 analysis, and I think it really helps us craft
48 decisions before the Board.

49
50 CHAIRMAN TOWARAK: And I also

1 appreciate them working with the communities up and
2 down the river.

3

4 Go ahead.

5

6 MR. PELTOLA: Mr. Chair. Gene Peltola,
7 ARD, OSM.

8

9 First off, I'd like to mention we
10 received several faxes in regard to this particular
11 request, those should have been included in your
12 supplemental book. But, more importantly, Friday night
13 we received correspondence requesting similar action,
14 and then Sunday night we received an additional second
15 request, requesting similar action. So not only do we
16 have the Napaskiak request but then like I said late
17 Friday and then late Sunday we received two additional
18 requests. Now, those were not included in the
19 presentation we gave today. The reason being is that
20 we received the Napaskiak request several months ago,
21 the Staff has been working late, a long time to get to
22 the point where we are today and so you have an
23 opportunity to determine, if you address the Napaskiak,
24 how you may determine those two additional requests.

25

26 And I'd like to pass it on to Ken,
27 specifically, to try to address that.

28

29 MR. LORD: Thank you, Mr. Chair.

30

31 Really, the issue here is to make sure
32 that we have, on the record, that the Board has
33 considered those two additional requests as it went
34 through this process and that they have acted on them
35 or not acted on them accordingly. And as long as we've
36 done that I think that we are, have met the Board's
37 obligations.

38

39 CHAIRMAN TOWARAK: Mr. Haskett.

40

41 MR. HASKETT: So the two additional
42 requests are identical to what we received first.

43

44 MR. PELTOLA: They're identical in the
45 sense they referred to the .804 process. And then the
46 second part to the letters, which addresses something
47 which is administrative within the program and doesn't
48 necessarily have to be addressed by the Board.

49

50 CHAIRMAN TOWARAK: Go ahead, Judy.

1 MS. CAMINER: Thank you, Mr. Chair.
2 May I just ask where were they from or what
3 organizations.

4
5 MR. PELTOLA: Yeah, the first letter
6 was received by a private individual, Michael B.
7 Reardon. The second one, which we received Sunday was
8 from the Village of Aniak on the Kuskokwim.

9
10 CHAIRMAN TOWARAK: Go ahead.

11
12 MR. SMITH: Have you ever had any
13 experience with these community allocations, I'm just
14 wondering how well the distribution works.

15
16 MS. KENNER: Yes. And I think what
17 would be probably most helpful right now is to think
18 about wildlife when we have a draw permit, Tier II
19 hunts, we have examples of two or three community
20 allocation schemes in Federal regulations, where
21 instead of harvesting on individual harvest limits, a
22 community harvest limit is given. But I think if you
23 think of wildlife with permits that are first come,
24 first serve or draw, same idea in Bethel. Probably.

25
26 MR. SMITH: So the right to harvest the
27 fish would be delegated to individuals within that
28 community then, I kind of understood that the community
29 itself would get an allocation.

30
31 MS. KENNER: So you're talking about
32 the 31 villages, yes, there would be an allocation and
33 we wouldn't delegate -- the Fish and Wildlife Service
34 would not delegate its authority to distribute the
35 allocation but it would work with the local council,
36 city, whichever -- sometimes it's the post office,
37 somebody who -- a place where many people visit every
38 day and has a lot of contact with people and could put
39 out the word of how it was going to be distributed.

40
41 CHAIRMAN TOWARAK: I'm a little worried
42 about timing here, we've got some obligations that
43 we've committed ourselves to for the rest of the day
44 so, if possible, I'd like to ask the Board what -- what
45 the next step you'd like to take. I think -- we've got
46 six or seven people that would like to testify and I
47 think this is an appropriate time for them to do that
48 at this point. And, if possible, I'd like to restrict
49 the questions to the Board because we're the ones that
50 are going to make the decision and then also the

1 Regional Chairs involved. And I think in order to get
2 through the testimonies, we'd like to maybe restrict
3 each one to three minutes and we'll go ahead and get
4 started with that, and we will start with Mr. John
5 Andrew from Kwethluk.

6

7 MR. ANDREW: Mr. Chairman. Members of
8 the Board. Regional Advisory Council Chairs. For the
9 record my name is John W. Andrew of the Organized
10 Village of Kwethluk representing my tribe and myself as
11 a lifetime subsistence fisherman.

12

13 My testimony -- I've been waiting for
14 the last three days and I forgot what I was supposed to
15 testify on. It's the longest wait I have ever did. My
16 testimony will be on request for special action 14-03,
17 Napaskiak Tribal Council, dipnetting and the use of 25
18 fathom nets on the Kuskokwim.

19

20 First of all I'd like to thank -- for
21 letting me allowed to be over here, but right before I
22 testify I always get stage fright and I always feel
23 like I'm just lost in here and being alone but I think
24 I'll manage.

25

26 Before I do my testimony I'd like to
27 present a little historical traditional and
28 environmental knowledge from my elders from my tribe.
29 We used to be -- when I was growing up I used to see
30 them fish prior to the 1960s, prior to those dates
31 traditionally our people used to fish for salmon along
32 the Kuskokwim right where I am, Bethel area, a little
33 above Bethel in Akiachak, Akiak, Kwethluk, Tuluksak
34 area, they used to use good size river, big fyke traps
35 for salmon and whitefish all the way down to the mid-
36 1950s. Then with the introduction of commercial
37 fishing gear from Bristol Bay and the Seattle area,
38 they started using twine and nylon webbing when they
39 started getting -- harvesting a lot more. But I do
40 know people in those days used to harvest a lot of fish
41 and I used to see them fill their fish racks from the
42 first part of June to the latter part of June, before
43 the Fourth of July, they'd fill their racks two or
44 three times and fill their smokehouses full with dried
45 salmon, Mr. Chair, kings, reds and chums. The reason
46 why they did that in those days was they did not have
47 snowmachines or fourwheelers and other vehicles to rely
48 on, they had dog teams. They used to harvest them by
49 the hundreds, even by the thousands. But starting in
50 the -- starting around the mid-1980s we started to see

1 serious declines of our salmon runs.

2

3 And the Department has a record of the
4 harvest, records of both the commercial and the
5 subsistence catches from 1976 to 1913 -- no 2015 [sic]
6 -- my people call the king salmon (In Native language),
7 which means food for survival, our people -- we need to
8 have that salmon on our table every year because the
9 first catch is the -- the ones we catch we always share
10 with our elders first and to our people that cannot
11 afford to go out before we harvest some for our own
12 families.

13

14 In those days, in the early years,
15 along with those fyke traps, people made their little
16 short homemade nets out of the large mammals' spinal
17 cords, they'd dry them and hammer them and braid them
18 into twines and they'd create their own nets, like 25
19 to 30 feet long and antlers for sinkers and carved
20 woods for floats on top of it and they'd drift down
21 along the Kuskokwim during the salmon runs with their
22 canoe, kayaks, if a couple of the good sized kings hit
23 it they'll drag their canoe up river. But now days if
24 the people, our younger generation, if they see a small
25 or mid-sized king they think that's a large salmon. We
26 don't see those large salmon anymore, hardly ever.

27

28 Then switching back to -- because this
29 summer is that they allow us to use dipnets to harvest
30 salmon, the idea is to target chums and reds and if we
31 ever catch a king to let it go but from my experience,
32 right where I live, around a little bit above Bethel I
33 don't think that's doable unless it's at the peak of
34 the run when there's a mixture of kings, reds and chums
35 are running at the same time, from the middle of June
36 to mid-20s of June, that should be only good for almost
37 a couple of weeks. And the big drawback right here is
38 our people don't have no dipnets for salmon or larger
39 fish and we -- most of them won't be able to afford it.
40 Most of them won't be able to afford it because I don't
41 think none of us every used it. I know they use that
42 on the Yukon but we never see it in use on the
43 Kuskokwim except for smelts, dipping for small smelts.

44

45 We need some kind of a promise or give
46 them some opportunity to harvest salmon out there
47 because we really need -- we really need to harvest
48 salmon out there, too, at least provide for -- provide
49 whitefish for our elders for the first taste of the
50 season. If you can allow them that -- allow them to

1 harvest a few salmon it would be really appreciate --
2 they'll appreciate it.

3
4 And what this -- what they're asking
5 for is at least give them a chance to fish and they
6 won't mind the closure afterwards. It's really -- it's
7 really hard for me to try to say it in front of you
8 right now. There are a lot of salmon studies done in
9 the area starting from around the latter part of the
10 '60s. Two researches I can cite is the one done by
11 Michael Coffing, it's Technical Paper 157. He worked
12 in our area describing where they fished and harvested
13 animals right in our region. The other one I can think
14 of is -- the current one I can think of is Technical
15 Paper by the State -- Technical Paper 382, titled
16 Social Economic Patterns Subsistence Salmon Fisheries,
17 historical and (indiscernible) trends in the five
18 Kuskokwim communities and overview of the 2012 season
19 edited by Dr. Harold (indiscernible), Andrew Brenner
20 and Anna (indiscernible)

21
22 This is the extent of my testimony as
23 the time being.

24
25 Quyana.

26
27 CHAIRMAN TOWARAK: Thank you, John.
28 Are there any questions of John.

29
30
31 (No comments)

32
33 CHAIRMAN TOWARAK: And we have records
34 of a lot of the history of the fishing in the Yukon --
35 I mean on the Kuskokwim and we appreciate your
36 perspective as well of how the fish.....

37
38 MR. ANDREW: Thank you, very much.

39
40 CHAIRMAN TOWARAK: Thank you for your
41 time.

42
43 Next will be Ivan Ivan.

44
45 (No comments)

46
47 CHAIRMAN TOWARAK: I don't see Mr. Ivan
48 here but.....

49
50

1 MS. KENNER: Thank you, Mr. Chair. Mr.
2 Ivan has already left. And he was able to talk the
3 first day, if you remember back to his testimony.

4
5 CHAIRMAN TOWARAK: Okay. We will then
6 as Jim Nicori from Kwethluk. Nicori, I'm sorry.

7
8 MR. NICORI: Thank you, Mr. Chairman.
9 Members of the Board. My testimony's just about in
10 line with John's testimony, how we were brought up with
11 salmon.

12
13 First of all my name is James Nicori.
14 I'm a member of the Organized Village of Kwethluk,
15 Kwethluk IRA Council, Kwethluk, Alaska.

16
17 Ever since I can remember, as a boy,
18 I've been taught to gather fish in the summertime with
19 my dad. He taught me how to fish. And after the first
20 test he let me go by myself and ever since, I was about
21 13 years old, and ever since that time I've been
22 fishing by myself, for my family and now for my family
23 and my grandchildren and my uncles that can't fish
24 anymore.

25
26 And the first kings that are coming in
27 in the springtime, we're the first ones that try to get
28 the first king and I didn't realize the other boys were
29 watching behind me when I go fishing. And they ask the
30 -- the whole town ask each other, has James gone
31 fishing, and one of them say yes he has gone out, then
32 the boys, they all get ready and say, oh, it's time to
33 go fishing, the fish are here. And that's how our
34 fishing starts in the springtime.

35
36 Our first fish that we catch in the
37 springtime I share with the elders in town, distribute
38 my whole catch, no matter how much I get I take it out
39 to the elders, all of it so they can have the first
40 taste of fish, of what they're going to be eating all
41 summer. That's been our lifetime since I can remember
42 -- as far as I can remember, catching, eating, drying,
43 and putting away. We even trade. I've been trading
44 and sharing, I don't know for how long.

45
46 As you can see, Mr. Chairman, the
47 Kuskokwim River is like a supermarket to us. We eat
48 from it. We eat and survive from the Kuskokwim. If we
49 don't, people start asking and start trying to buy it
50 off other people when they're low on fish. Even my

1 grandchildren and my children, when we're eating
2 Western food on the table, they push their dish aside
3 and ask their mom or their grandma, can I have some dry
4 fish and they eat dry fish while we're eating Western
5 food. And sometimes I get embarrassed when we have
6 guests, thinking that I'm mistreating my kids without
7 letting eat good cooked food, instead they ask for dry
8 fish and agudak, and that's how they were raised and
9 they like it.

10

11 The way we dry -- use our chinook
12 salmon is chop the head off, set it aside and clean the
13 gut out, take the liver and the -- if it's a female we
14 hang the eggs and if it's a male we put it aside with
15 the liver and the blood of the -- and put it in a
16 container and my wife splits the king salmon apart,
17 make a slap out of it, hang it, or make strips out of
18 it, and the backbone, she takes part of the meat off, a
19 thin slice or a v-type and hang it after she salts it.
20 The only thing that we don't use is the gill. That's
21 the only thing we don't use. The intestine is dried
22 and the kids love it after it's smoked. And the fish,
23 we put the head, we dig a hole in the ground and
24 ferment it along with the liver -- the liver and the
25 blood and the other parts of the inside is used for
26 fermenting and doing it right. And we use the eggs
27 later on after we dry it we make -- we collect more raw
28 eggs, lay them up in different layers, dry, raw, dried,
29 salt them and put them away in the ground and leave
30 them for eight months and that's how we make our
31 caviar, what we -- what a White man would call a caviar
32 and that's ours and that can keep you going for a whole
33 day without eating.

34

35 And that is what we are asking. We are
36 asking if we could -- if we could fish the first part
37 of June, maybe a couple days or couple -- half a day
38 then another part in the last part of June. That would
39 give us ample time to get some fish for our elders and
40 us for the table and a few for drying. We cannot live
41 without chinook salmon. As I told you, the Kuskokwim
42 River is our supermarket. It keeps us alive. It keeps
43 us going up to this day.

44

45 And I thank each and every one of you
46 for listening to me and wish you a Happy Easter and
47 have a good time with your family when you go home.

48

49 Thank you, very much.

50

1 Any questions.

2

3 CHAIRMAN TOWARAK: Thank you, James.
4 Are there any questions of Mr. Nicori -- Nicori, I'm
5 sorry.

6

7 MR. NICORI: Where do I leave my
8 testimony, who can -- thanks again.

9

10 CHAIRMAN TOWARAK: Next on the list is
11 Lisa Fayerism, is it, Feyereisen.

12

13 MS. FEYEREISEN: Thank you, Mr.
14 Chairman. And all the people in the room, including
15 the people that have traveled far from the Kuskokwim.

16

17 We appreciate this opportunity. And
18 for clarification it's Feyereisen, but I don't care if
19 you mispronounce it, my husband's name is David
20 Phillips so for our trapline we call it Feyerlips, it
21 works out pretty good.

22

23 (Laughter)

24

25 MS. FEYEREISEN: I'm here in two
26 official capacities and so I'm going to testify in both
27 capacities. The first capacity is I am the tribal
28 administer for the Native Village of Chuathbaluk. The
29 tribe of my ancestors, my children's ancestors, and my
30 grandchildren's ancestors. So I will be providing
31 testimony on behalf of the tribe. I will also be
32 providing testimony on behalf of the Central Kuskokwim
33 AC, I am their Chairman, and we did have a meeting
34 about this in February.

35

36 Our Chairman, Tracy Simeon, who happens
37 to also be my niece gave public testimony on Tuesday.
38 I wasn't able to make it because I was at a Donlin
39 Creek barging technical working group meeting because
40 of the mine that's coming into our area, and that was a
41 meeting that had been planned for nine months and I had
42 to be there. She was very nervous when she testified so
43 we had prepared her written testimony ahead of time,
44 you all have copies of it, but I would refer to that
45 that we actually did pass a resolution back in August
46 of 2013 and we submitted the resolution to US Fish and
47 Wildlife, along with two other villages in our area,
48 and the Kuskokwim Native Association, very similar but
49 a little bit different resolutions, each one.

50

1 Those are in response to a government
2 to government meeting that we called with the US Fish
3 and Wildlife from the Refuge last -- a year ago, before
4 the 2013 season, we had a tribal consultation as they
5 flew up and down the river, with the river forecast of
6 the chinook salmon. And we drank the Kool-Aid, which
7 was to tell us that the fish were going to be plentiful
8 and not to worry, we're not going to have another 2012,
9 2013 was going to be awesome.

10
11 So when they called us up in August and
12 said we want to come and consult about the moose season
13 we said, well, make sure you bring back those mugs that
14 we gave you when you came in April because you lied to
15 us, so they said we will bring two float planes full of
16 people up to the Central River, and they did, they
17 showed up with two float planes within the next week
18 and we had six people from the US Fish and Wildlife
19 doing a government to government with the Native
20 Village of Chuathbaluk, the Native Village of Napaimute
21 and the Village of Lower Kalskag and we were heard and
22 listened to. And from then we formulated a plan, a
23 year long plan that finished on April 15th, and in our
24 resolution we stated very specifically in August, that
25 special actions were going to be called for if severe
26 restrictions were not put in place.

27
28 We're different than the lower
29 Kuskokwim because we get the fish that are leftover
30 after they're done fishing. So we have seen zero fish,
31 not zero fish but the minimum fish for years. So we
32 have been going hungry for years. Because by the time
33 the fish get to the Central River they're so few and
34 far between we pull our nets, we can't afford to go
35 fishing for them, we just wait until the silvers come
36 or the chums or the reds. So when you look at my
37 smokehouse you'll see a bunch of little red strips and
38 just a few little straggly kings the last couple
39 summers and I take pictures because it looks so sad but
40 it's the truth.

41
42 You know we get on the phone and we
43 testified in 2013, there are no fish coming up and we
44 kept hearing from down river people, and these are the
45 managers, these are the people that are looking at the
46 Bethel test fisheries, the run is late, the run is
47 late, we're filling our nets down here. That's what we
48 heard all summer long, we are filling our nets, you
49 will be swimming in fish. They never showed up in the
50 Central River. We knew there was no escapement before

1 the fish biologists knew there was no escapement or
2 anybody else because our nets were empty.

3

4 So we have voluntarily restricted
5 ourselves for the last several years from chinook
6 because one thing we can all agree upon up and down the
7 river that, unless those fish get to the headwaters,
8 we're not going to have any fish in the future. And we
9 know that there's several types of fish along the
10 Kuskokwim, it's just not the chinooks. We have a nice
11 run of reds, we have a nice run of chums, and we have a
12 nice run of silvers.

13

14 So we have been working with our tribes
15 in the center to look at canning fish instead of
16 drying, because we know there is rainy seasons and it's
17 more difficult to put up strips of those alternative
18 resources. So we've talked to them about -- we've sat
19 there and we offered free labor to go put your racks
20 down further so they're closer to the stove because
21 they're reds instead of kings. We've given out, at our
22 annual gatherings, four inch mesh nets or smaller,
23 anticipating what was coming down the pipe. We quit
24 giving out six inch mesh nets because we thought we
25 wanted people to be legal when the time comes. We saw
26 this coming.

27

28 So we've asked for a complete closure,
29 which is probably something different than you've heard
30 from other people and we completely respect their
31 opinion. But we know from our elders, and that's one
32 of the wonderful things that's happened over this last
33 year, it seems like almost every other week we're
34 having some type of fish meeting, whether it's the
35 working group, the RAC, the ACs or something, but we've
36 heard each other's stories, and I think it's the first
37 time we've actually listened to each other. I heard
38 people from Nikolai say, well, if we put those setnets,
39 because not everyone has the setnets so we had talked
40 about, well, sharing, maybe the people from Nikolai
41 could send some fish down river, and they said, no, we
42 can't do that, that's against what our elders taught
43 us. They taught us if those fish swim all the way up
44 to the headwaters, if we return them to the lower
45 river, we won't get fish next year. So that's so
46 different than anything we would believe in the middle
47 section. In the middle section, we were taught from
48 our elders, you always leave the first push go through
49 because those are your breeding stock, those are the
50 ones that swim the farthest, those are the strongest,

1 those are the largest, so we never started fishing in
2 the center until our neighbors up in Stoney River
3 filled their smokehouse. They're a small village, so
4 if they filled their smokehouse in the center river, we
5 knew enough fish had made it to the headwaters that we
6 could start fishing for chinook. Down river, they fish
7 early to give it to the elders and it's a way different
8 earlier fish and their elders taught them -- we heard
9 testimony about if we don't go out there and fish hard,
10 our fish won't come back. Which is a completely
11 different belief than what we have.

12

13 So knowing that we need to be
14 respectful and that we are all people of the river,
15 it's been a very difficult winter. It's been a very
16 difficult winter for all the tribes and it's just --
17 it's hard to make decisions so you guys have a very
18 difficult task in front of you.

19

20 And I just want to conclude, as the
21 tribal administrator, that when Tracy was talking, our
22 Chairman, she mentioned the trust responsibility you
23 have, and preparing for this presentation I don't
24 really want to talk -- I mean I will talk to you on the
25 AC on other issues, but I want to talk to you about
26 your very first responsibility, when you read those
27 Federal regulations, is the viability of our
28 subsistence way of life, and we are done listening to
29 the State's and we are done listening to working groups
30 and everybody else because our subsistence way of life
31 is in a crisis right now, so we are demanding you
32 preserve our resources.

33

34 Our subsistence way of life needs to be
35 preserved.

36

37 And if we have to do a fish moratorium
38 for five years, that's what we'll do. But I want to be
39 able to show my grandchildren that live in the
40 Kuskokwim what a chinook salmon looks like. We know,
41 other river systems have not been successful in
42 preserving their chinook stock, we cannot do the same
43 'ol, same 'ol, we can't do what the Yukon did, we can't
44 do what the Kenai did, we need to do something drastic
45 and we need to do it now and we will suffer but we're
46 an adaptable people. And actually we're usually pretty
47 quiet in the central river, so the fact that we're
48 speaking up at this time, which is the first time I've
49 ever heard the central river speak in the 25 years I've
50 lived there means something.

1 They tasked me with saving the king.
2 The first time my Council's ever said go something to
3 me, besides administrate housing and roads, they said
4 you have between now and next summer to save our
5 chinook. So I took that responsibility seriously and
6 I've been very proactive in that area.

7
8 Now, I'm going to throw my other hat
9 on.

10
11 As the Chairman for the Central
12 Kuskokwim Advisory Committee, we met in Kalskag in, I
13 want to say it was February 7th, to discuss a pretty
14 major boundary we've been having for 10, 15 years out
15 on the Kuskokwim River between 18, 19 and 21E.

16
17 So two parts to that story is, we had
18 51 people give public testimony in Lower Kalskag. If
19 you look at the population of Lower Kalskag I think
20 it's about 250. So the fact that we had 51 people
21 giving testimony on the boundary, but they would start
22 to talk about the boundary issue and it went right into
23 king salmon. And for the first time what I heard on
24 that part of the river was we starved this year. We
25 did not put up enough fish because we thought the king
26 salmon were coming. We were told the king salmon were
27 coming. We were told by our neighbors down river, our
28 brothers and our cousins the king salmon were coming so
29 we just kept waiting and we should have been putting up
30 other types of fish. Our freezers were empty in
31 February. We had women crying into the microphone
32 saying we don't have any fish anymore, this is
33 February, they were out of fish. And this is not a
34 village that has stores around every corner, or a
35 Walmart, or alternative resources to rely upon. We had
36 51 people testify and each and every one of those
37 people said, we will give up fishing if we can get our
38 kings back. We used to fish for chum in this part of
39 the river, we didn't focus on kings, and we've gotten
40 so that they're easier to cut, they're easier to dry
41 and we've changed our traditional lifestyles because we
42 have bigger nets, but it was just -- it broke my heart,
43 more so than even my own tribe, it really broke my
44 heart listening to 51 people testify that that's what
45 -- and the Central Kuskokwim Advisory Committee, much
46 like the rest of the Central Kuskokwim has never done
47 an opinion outside of, oh, we accept this proposal or
48 we don't, and they actually wrote a whole opinion
49 letter on the chinook, saying, please, please start the
50 season open, which means to not start -- we do not want

1 a single chinook caught until escapement has been met.

2

3 We want guaranteed escapement and we
4 are willing to go without fish.

5

6 Stoney River wrote a letter to Mark
7 Leary, who's on our -- and he wrote it in public
8 testimony -- Stoney River, who has no store, it's a
9 village of 50, 60 people at the most, normally around
10 40, they have -- they go to school in one of the little
11 houses, they have no fuel station, they said they are
12 willing not to catch any fish if it will bring the king
13 salmon back. Because they have not seen them for years
14 anyway.

15

16 So these are the people from the
17 Central Kuskokwim that have a way different story than
18 the people in the Lower Kuskokwim, and I think it's
19 because we have been living differently for several
20 years. The allocations have not been equitable. So we
21 notified the Federal -- this is not a surprise to the
22 Federal people that a special action has been called
23 because we told them in August that if by April 15th we
24 didn't see what we wanted from the State and the
25 fishing groups as far as restrictions to allow for
26 complete escapement -- they said what are your fall
27 back positions, we said we have no fall back positions,
28 this is what we demand to happen. For the first time
29 we are going to take control of the management of our
30 resources. And much like in basketball, if you have a
31 losing team, we love the State and the State has done a
32 lot of wonderful compromises, but they've been losing
33 so we're firing their coach, and we're asking the
34 Federal government to step in and help us and they know
35 that this was coming down the pipes, so you guys do
36 have a big trust responsibility and we will be
37 watching.

38

39 That's about it.

40

41 I mean I guess I wanted to say one
42 final thing. We were saddened in the middle river that
43 the RAC, it was only the down river RAC meeting that
44 took place, we know that Ray Collins, who is a very
45 respected elder and on the Western Interior RAC was
46 able to attend that meeting, but our villages -- I got
47 notification of the meeting just because I happen to
48 see Greg all the time with other meetings or other
49 people that are from the Yukon -- plus they would just
50 call me anyway because they know I talk a lot, but none

1 of our tribes got notified about that meeting, so our
2 tribes did not call in. The upper river tribes, the
3 central river tribes. So I have asked Jack to speak on
4 behalf of the Western Interior RAC, because there
5 should have been a meeting that took place with them,
6 too. It's a shared resource and it's dual
7 jurisdiction.

8

9 Thank you for your time.

10

11 CHAIRMAN TOWARAK: Thank you. Are
12 there any questions of her.

13

14

15 (No comments)

16

17 CHAIRMAN TOWARAK: Thank you for taking
18 your time.

19

20 MR. REAKOFF: Mr. Chairman.

21

22 CHAIRMAN TOWARAK: I'd like for you to
23 talk to Jack Lorrigan about making sure that he's got
24 your contact for the -- for the tribe's contact.

25

26 Mr. -- go ahead.

27

28 MR. REAKOFF: Mr. Chairman. The
29 Western Interior Regional Council, you could read our
30 transcripts from our fall meeting, I was very annoyed
31 to see that escapement needs were not met on the
32 Kuskokwim River and we were told that the communities
33 down river met 100 percent, some communities met 100
34 percent of their chinook needs. We were very annoyed
35 by that.

36

37 Lisa speaks exactly -- I can't put
38 another word on the record, I won't belabor the point,
39 she said everything I would say and so I concur
40 explicitly with what she's saying. We're very
41 concerned about the escapement needs for chinook salmon
42 on the Kuskokwim River.

43

44 Thank you, Lisa.

45

46 CHAIRMAN TOWARAK: Thank you. With
47 that we will move on to Dan Gillian.

48

49 MR. PELTOLA: Gillikin.

50

1 CHAIRMAN TOWARAK: Oh, Gilligan, I'm
2 sorry.

3
4 MR. GILLIKIN: Thank you, Mr. Chair.
5 It's Dan Gillikin.

6
7 So, Mr. Chairman, Members of the Board.
8 First, I would like to thank you for this opportunity
9 on behalf of my board of directors at the Kuskokwim
10 Native Association. I recognize this has been a long
11 meeting and I will keep my remarks brief and to the
12 point.

13
14 KNA is a private non-profit association
15 that represents 12 Federally-recognized tribes from the
16 middle and upper Kuskokwim River. My name is Dan
17 Gillikin and I'm the director of fisheries department
18 at KNA. I've been working on fisheries issues in
19 Alaska for some 27 years for various Federal agencies,
20 including my last eight years of Federal service as the
21 fisheries biologist for the Yukon Delta National
22 Wildlife Refuge before retiring last year and coming to
23 work for KNA.

24
25 In your information packet you will
26 find a letter from my board of directors to the
27 Chairman expressing KNA's concerns and the
28 recommendations related to chinook salmon management on
29 the Kuskokwim River. If you don't have copies I have
30 some available for you.

31
32 At this time KNA is neutral on the
33 Napaskiak special action request for several reasons,
34 but primarily because the message from both State and
35 Federal managers and the working group for the 2014
36 season has been quite simply that there are not enough
37 projected returning chinook salmon to allow for a
38 directed harvest and that opportunity will be provided
39 for chum and sockeye harvest to fulfill subsistence
40 needs. KNA is in agreement with this strategy. The
41 concern is that, if an allocation and permitting system
42 were implemented this year, there would be an
43 expectation of harvestable quota to be issued to each
44 village when, in fact, there is none, and that this
45 could jeopardize opportunity for harvest of other
46 species, possibly creating confusion and additional
47 frustration among subsistence users. We believe that
48 if chinook abundance increases in the future and an
49 adequate, equitable allocation and permitting system,
50 which has been thoroughly vetted with the users and

1 tribal organizations has been established, this
2 approach has merit and great promise.

3
4 With that being said, KNA does offer
5 these suggestions if the Board decides to adopt Special
6 Action 14-03.

7
8 First, our letter outlines five
9 recommendations related to the Section .804
10 determinations conducted by OSM Staff and the
11 associated allocation criteria that we feel should be
12 considered under any permit system.

13
14 Secondly, the letter requests two
15 special actions that Mr. Peltola referred to.

16
17 First, is to establish a permit system
18 administered by local organizations in the affected
19 communities; and secondly establishment of a Federally-
20 recognized Advisory Committee. Together these two
21 actions are the first steps in involvement of local
22 tribal or other organizations in the management of a
23 fishery in a meaningful tangible way.

24
25 Additionally, the Kuskokwim Salmon
26 Management Working Group has been a valuable resource
27 to the managers over its many years of participation.
28 The current State sanctioned working group would be the
29 logical entity to also receive this Federal recognition
30 and is probably something that should have been done a
31 long time ago. In my opinion it would be a disservice
32 to eliminate their participation when managers are
33 making in-season decisions or developing management
34 strategies under a Federally-controlled fishery.

35
36 The final section of the letter
37 requests that Federal and State managers find a way to
38 allow for a bear minimum level of chinook harvest in
39 2014 administered by each community identified in the
40 .804 analysis. To be clear, the intent of the permit
41 is to allow for some symbolic level of harvest without
42 jeopardizing escapement and is not intended to provide
43 for chinook salmon consumptive subsistence needs.

44
45 Mr. Chair. Board members. I wish to
46 emphasize the gravity of the situation we are facing on
47 the Kuskokwim and the decision before you.

48
49 Never before has escapement of chinook
50 salmon on the Kuskokwim been this low or the demand

1 been so high. It's the classic tragedy of the common
2 scenario, one I'm certain you are all too familiar with
3 and if not addressed will soon have the inevitable
4 outcome of the collapse of the fishery.

5
6 Figure 5, 6 and 7 starting on Page 33
7 of the Staff analysis for Special Action 14-03
8 illustrates just a few alarming trends for chinook
9 salmon, coupled with what you know of future climate
10 scenarios, ocean acidification, population growth,
11 potential resource development and what you have heard
12 here today in public testimony, the picture for the
13 sustainability of chinook salmon on the Kuskokwim River
14 is uncertain at best.

15
16 If we are to meet our mandates, and I
17 say our mandates because mine is very similar to yours,
18 to provide for sustainable subsistence opportunities to
19 my village members then some form of a permit system,
20 in my opinion, is inevitable. Either in a few years
21 under a State Tier II system, or now under the .804
22 determination and special action request before you.

23
24 The urgency is real.

25
26 The fishing power in the lower river is
27 phenomenal, even frightening. Managers have estimated
28 that as many as 20,000 chinook could be harvested in
29 just one eight hour opener in the lower river
30 threatening fishing opportunities for fishermen up
31 stream of Bethel and escapement. The management tools
32 of primarily time and area currently employed are blunt
33 and contrary to traditional practices. The alternative
34 is to not take action on a permit system and the
35 continued application of these tools, which are seen as
36 extreme and unwarranted measures by many subsistence
37 fishermen.

38
39 The issues are many to be shared.

40
41 State versus Federal jurisdiction.

42
43 Rural versus non-rural.

44
45 Up river versus down.

46
47 Uncertainty associated with management
48 tools.

49
50 And even the suggestion that a breach

1 of your trust responsibilities to the resource and
2 subsistence users has occurred.

3

4 The list could go on. However, at the
5 very heart of these issues is conservation and
6 sustainability. Address these two and the others don't
7 necessarily fade away but they are, at some level,
8 mitigated.

9

10 KNA believes that this is an
11 opportunity for the Federal Subsistence Board to
12 directly involve subsistence users and incorporate
13 their generational knowledge and experiences into any
14 management scheme. This local involvement can only
15 serve to conserve the chinook salmon and insure that
16 subsistence users have the opportunity to pass on a way
17 of life to future generations.

18

19 With that, I thank you, and would be
20 happy to answer any questions.

21

22 CHAIRMAN TOWARAK: Thank you. Any
23 questions from the Board.

24

25

26 (No comments)

27

28 CHAIRMAN TOWARAK: I personally have
29 one question. I'm looking at the statistics of the
30 region -- the communities on the Kuskokwim went from in
31 1960 about 6,000 to 2010 almost 17,000, or about
32 18,000, almost three times what it was in 1960 and I'm
33 sure that's contributed to the current condition. Do
34 you know where the increases are coming from.

35

36 MR. GILLIKIN: Mr. Chair. Yeah, the
37 increases are primarily as a result of Bethel, the
38 increase in size in Bethel. Most of the villages have
39 actually even remained fairly stable, or even declined
40 and that there has been actually a contraction of a lot
41 of people, or a migration of people from the smaller
42 villages to Bethel. But I don't believe that that
43 accounts for all of it. There's also, you know, more
44 infrastructure in Bethel, a lot of people from outside
45 are moving to Bethel in support of, you know, all the
46 services that are provided there.

47

48 CHAIRMAN TOWARAK: That answers my
49 question. Any other questions.

50

1 (No comments)

2

3 CHAIRMAN TOWARAK: Thank you for your
4 -- go ahead.

5

6 MR. SMITH: I'm from Nome and in the
7 Nome area, in the '90s -- well, starting in the --
8 beginning in the '80s we had a real similar situation
9 with chum salmon and I'm seeing the same pattern here.
10 When we could no longer meet escapement goals, we
11 lowered the escapement goals and that hasn't produced
12 recovery. I'm just wondering how you feel about
13 lowering the escapement goals for king salmon on the
14 Kuskokwim.

15

16 MR. GILLIKIN: Through the Chair.
17 Thank you for the question.

18

19 We worked with the State, when I was a
20 Federal fisheries biologist on review of those
21 escapement goals, and the development of those goals
22 was -- I'll say a challenge in acceptance of those
23 goals, but how I feel personally about those goals now,
24 I can just tell you that the lower end of the current
25 escapement goal is 65,000, which is about half of what
26 we have historically seen on the -- less than half of
27 what we've historically observed on the Kuskokwim for
28 escapement. So time will tell. The goal's only been
29 in place for two years now and managed for directly,
30 and, so, you know, as we start getting returns off
31 these very low -- returning salmon off these very low
32 escapements we'll find out whether they're actually
33 affective or not.

34

35 CHAIRMAN TOWARAK: Thank you, Mr.
36 Gillikin, for your testimony.

37

38 MR. GILLIKIN: Thank you, Mr. Chair.

39

40 CHAIRMAN TOWARAK: Next on the list is
41 George Guy.

42

43 Is Mr. Guy here.

44

45 MR. GUY: Mr. Chairman. Members of the
46 Board. My name is George Guy. I'm the general manager
47 for Kwethluk Incorporated. And I'd like to thank the
48 Board for deliberating on this special request on the
49 subsistence regime that we have been living off the
50 lands and waters for -- since time immemorial.

1 And this one important aspect is the
2 chinook king salmon which feeds our families throughout
3 the long winters and we depend on all the salmons,
4 nothing is wasted. We share with our elders, our
5 widows and we can't buy wild salmon, but through blood,
6 sweat and tears we feed our familiar.

7

8 We have a short time to harvest all
9 these renewable resources that our Creator has given to
10 us.

11

12 In 2012, 33 fishermen -- subsistence
13 fishermen were convicted and already labeled as
14 criminals. You know, the Federal government has a
15 Federal trust responsibility mandated to protect the
16 American Natives livelihoods. The Treaties go back to
17 1700s. We were here first before all the Federal and
18 the State governments were here, we were here first.
19 We managed our own resources.

20

21 Our cultures and our traditional values
22 of the subsistence torch has been passed on since time
23 immemorial to the 21st Century, and we are carrying on
24 the legacy, the right to subsist off of our waters and
25 our lands.

26

27 I feed my grandson with wild salmon so
28 he can have a grasp, so I can pass on the subsistence
29 torch to him.

30

31 And very briefly, in conclusion, if we
32 are denied the right to subsistence chinook and all the
33 salmons, shut down all outfitters, guides in our
34 region, the sportshunters and sportsfishermen that play
35 with our food that we depend on to feed our families
36 since time immemorial.

37

38 And I don't have to reiterate what the
39 other speakers have indicated, but I'd like to thank
40 you for allowing me to testify on this matter. Have a
41 Good Friday and Happy Easter.

42

43 Thank you.

44

45 CHAIRMAN TOWARAK: Thank you, Mr. Guy.
46 Are there any questions.

47

48

49

(No comments)

50

1 CHAIRMAN TOWARAK: We appreciate you
2 taking time to come here to testify.

3
4 MR. GUY: Thank you, Mr. Chairman.

5
6 CHAIRMAN TOWARAK: Our final testifier
7 will be Andrew Guy. Mr. Guy.

8
9 MR. GUY: Thank you, Mr. Chairman.
10 Members of the Board. Staff of the Fish and Wildlife.

11
12 Thank you for allowing me, again, the
13 opportunity to talk. I'm originally from Napaskiak,
14 that village that made the proposal. I'm up here to
15 talk in favor of that proposal because it needs due
16 consideration.

17
18 You know, we grew up on stories of
19 long, long time ago. We know about the shortage of
20 kings. We know about famine already through the
21 stories that we've been told, that we've been taught to
22 expect again, and how to prepare and how to deal with
23 it. We have that knowledge.

24
25 You know, a long time ago there was a
26 question about the population about the lower Kuskokwim
27 area earlier, from the stories that I've heard we're
28 not even back to the levels of populations that we used
29 to have before the various diseases really pared down
30 our population. We have so many ghost villages and so
31 many population centers that aren't occupied on that
32 lower river and even up on the upper river so we have
33 that knowledge. We have that knowledge about having
34 more people than we ever had before. We have knowledge
35 about having gone through a shortage of king salmons.
36 We have knowledge about having gone through general
37 famines. We have knowledge about what we've been -- or
38 how we've been taught to deal with those. And one of
39 the ways to deal with that is what we're facing now, is
40 a very noticeable and quantifiable lack of kings
41 returning. It has happened before in the past and how
42 it has been dealt with and how we were taught how to
43 deal with it was to -- yes, take some of the kings, but
44 not to endanger it, and this is what I think Napaskiak
45 is asking for now. And I think a lot of people have
46 been asking for now.

47
48 They just want to have -- and I think
49 this Board should give due consideration to allowing
50 those people, especially the people that need it, to

1 harvest a little bit, so that they can continue to --
2 for cultural and other reasons, teach about this
3 resource that we have. But I think a lot -- but I
4 think a very big moral reason why it should be allowed
5 is when you are -- the Federal government is allowing
6 bycatch to occur on this very resource that's being
7 diminished on the river, you know, it's morally wrong.
8 I've heard that the bycatch for the Western rivers
9 equals to about 75 percent of what is caught out there,
10 that's a lot of fish that otherwise could be feeding
11 many of these families, allowing them and allowing us
12 to continue to teach our kids about how to properly use
13 this resource, not only depend on it for sustenance.

14
15 You know, I've testified a couple of
16 days ago that it's a way of making a living and that is
17 another important reason why this body should give due
18 consideration to this proposal.

19
20 And I've talked about and I won't
21 belabor the point about the failure of the Federal
22 government to insure ANCSA and the village corporations
23 and the -- well, the failure of the Federal government
24 to insure that village corporations operate in a
25 competitive environment. You know, basically a lack of
26 infrastructure. Right now there is -- that lack of
27 infrastructure contributes to a high cost of doing
28 business out there so these village corporations are
29 admirably doing well, a lot of them, but they're not
30 growing and adding jobs, so they are faced with the
31 lack of jobs and, now, a lack of harvesting a very
32 important resource.

33
34 Thank you for giving me an opportunity
35 to address you again.

36
37 CHAIRMAN TOWARAK: Thank you, Mr. Guy.
38 And I want to thank you for taking time. I know -- and
39 for your information Andrew is the chief executive
40 officer for Calista. Calista is the second largest, in
41 numbers -- of shareholders, is the second largest
42 regional corporation in the state and plays an
43 important role in the economics of the Bethel region,
44 the Kuskokwim and the Yukon River. And we appreciate
45 you taking time to address the Board with your concerns
46 about the process that we're going through now.

47
48 MR. GUY: Thank you.

49
50 CHAIRMAN TOWARAK: I'd like to ask if

1 there's anyone on the phone that would like to testify
2 in regards to proposal -- what is it, 14.....

3

4 MR. PELTOLA: Yes, 14-03.

5

6 CHAIRMAN TOWARAK:14-33.

7

8 MR. PELTOLA: 03.

9

10 CHAIRMAN TOWARAK: If you would like to
11 address the Board hit star one on your phone.

12

13

14 (No comments)

15

16 CHAIRMAN TOWARAK: Not hearing any I'm
17 assuming that -- and it should have been 14-03, I'm
18 sorry, I misused the number.

19

20 OPERATOR: There are no questions in
21 the que.

22

23 CHAIRMAN TOWARAK: Thank you very much.

24

25 The next portion of our consideration
26 is to ask the Regional Council for recommendations, the
27 Chairs.

28

29 MR. ROCZICKA: Yeah, Quyana, Mr.
30 Chairman. We did not have these actual allocation
31 alternatives, you know, just because of the timeline,
32 the constricted timeline the OSM Staff had to work with
33 in getting this out, available to us so we didn't make
34 a recommendation specific to these. And actually,
35 maybe took it to the next step, which was contained
36 within the recommendation that did come out of -- or
37 maybe we misunderstood that it would be required of
38 this Board to come up with a specific allocation
39 strategy per village and I understand now that that's
40 not something that the Board needs to take action on,
41 that's something that will be done with the Federal
42 manager, the Refuge manager within season.

43

44 So I believe if these criteria kind of
45 follow along and can be fit in to what we have put in
46 as a recommendation but the details would be worked
47 out. So, again, I can't speak without having an action
48 vote, but I believe if these would have been there we
49 would have supported these.

50

1 And just to speak directly to a couple
2 of them.

3
4 To go through them as far as Mr.
5 Gillikin mentioned that that one for a permit to allow
6 the harvest of up to the 25 salmon in mid- to late June
7 for each of the villages, again, that's not for
8 subsistence needs, per se, it's to recognize for people
9 to be able to let the fish know that they are
10 appreciated and give people -- to bring the fish around
11 to the elders that have such a -- such a strong desire
12 for them -- well, everyone does, but, again, that's to
13 -- I don't know how to say it, you know, Quyana (In
14 Yup'ik), we love our salmon, we love the king salmon,
15 we appreciate you and thank you for being here, and to
16 do that you have to harvest some to eat to let them
17 know.

18
19 It was mentioned earlier about how the
20 dispersal of permits may or may not work. Back in the
21 late '80s we had a similar problem with the caribou,
22 where there was only like 70 animals of a harvestable
23 surplus considered and this was done through a Federal
24 permit that was -- there was 10 permits issued to the
25 10 villages that were determined to have the customary
26 and traditional use, it was up to the local council to
27 disperse those to their community members and it was
28 also justified for that same purpose, if we don't tell
29 these caribou that we need them by catching some then
30 they're not going to know, they're not going to grow.
31 And that was in place for, oh, two to -- oh, I think it
32 started about 1989 or '90 and ran for two or three
33 years, well, guess what happened in 1992, 40,000
34 Mulchatna Caribou came over the range and started and
35 they've been there ever since until -- and they're
36 starting to go on a down swing now but that is seen as
37 a direct result of being able to harvest.

38
39 And it is on record already that we've
40 supported the -- that we did make the recommendation to
41 include those other communities that were -- I guess
42 had nobody there when the census went through and so
43 the -- you know, Georgetown, Napaimute and Telida was
44 the reason for putting those back in. People do use
45 those communities for their fish camp and summer
46 activities. Same way like Tuntutuliak, they have a
47 fish camp at the mouth of Johnson River, it used to be
48 called Tunt Fish Camp.

49
50 So what we have in place for our

1 recommendation, and we recognize that Bethel has a
2 major difficulty and we think that we can work within
3 the parameters of the -- the language that we have, I
4 understand, has some difficulties in being implemented
5 right now, it was essentially to limit it to people
6 with a smokehouse and fish rack, and we put a timeline
7 in place that they had to do it at least for 10 years.
8 I understand now that maybe that's not something that's
9 possible. And this was when it was applied to all
10 communities throughout the river, that we also wanted
11 to see an equitable distribution of that.

12

13 But what is laid out here in the
14 alternatives, one, two and three to the Board, I
15 believe we could work within that parameter.

16

17 The only one that actually would not
18 work there if we want to focus on those that are most
19 dependent on the resource and reflected as a mainstay
20 of livelihood, which a smokehouse and fish rack does,
21 is a drawing permit will not get you there. A drawing
22 permit, you're going to have people that are most used
23 to dealing with paperwork that'll be the ones putting
24 in and filing the application, certainly through the
25 local tribal council and such, we can help as much as
26 we can, but you're not necessarily going to get the
27 same level of participation and people making sure they
28 get their application in. And so you are going to have
29 people that absolutely do not depend on this as a
30 mainstay of livelihood and it's primarily a
31 supplemental to them.

32

33 Without going into more detail of the
34 actual how the permit might work, that's kind of a
35 summation of it.

36

37 CHAIRMAN TOWARAK: Thank you. Maybe at
38 this point we could ask Gene to give us an idea of
39 what's going to take place and what's the next process
40 -- next steps that both the Board and the Staff are
41 going through.

42

43 MR. PELTOLA: Okay. Before you today
44 you have what we deemed through direction from the
45 Council to address the request from Napaskiak in the
46 from of a special action.

47

48 In order to do that, OSM Staff
49 conducted the .804 analysis so the Board can, one,
50 accept it, but understanding that in order to implement

1 the .804 analysis and recommendations associated with
2 it, that limits the fishery to Federally-qualified
3 users only.

4
5 You could choose not to accept it.

6
7 Or you could choose to accept it with
8 modification.

9
10 Now, not integral to part of the .804,
11 but very integral to the management for this coming
12 summer, if the Board chooses to take an action there is
13 an accompanying allocation strategy brought forward by
14 OSM. That strategy, what OSM -- what we tried to do at
15 OSM is to provide a blueprint to the Federal in-season
16 manager, if the Board chose to take an action, to help
17 them achieve the ultimate goal of conservation and
18 provide for continued subsistence use by local
19 residents.

20
21 In-season management would still be
22 vested within in-season management authority. That
23 would be via the Federal in-season manager, if the
24 Board chose to take an action, and continue on if the
25 Board chooses not to take an action in a similar manner
26 which it has for the last several years, for quite a
27 while.

28
29 So there's one thing to consider, is
30 whether you accept the .804 analysis or not.

31
32 And if you look at the back of the
33 analysis, when I talked about that would entail,
34 limitation to Federally-qualified users, you could look
35 on Page 12 of the Kuskokwim River Salmon 14-03 briefing
36 to the Federal Subsistence Board, the OSM conclusion
37 was to support Special Action Request FSA14-03, the
38 regulation should read:

39
40 Unless reopened by the Yukon Delta
41 Refuge manager, Federal public waters
42 and that portion of the Kuskokwim River
43 drainage that are within and adjacent
44 to the exterior boundaries of the Yukon
45 Delta National Refuge are closed to the
46 harvest of chinook salmon except by
47 residents of the Kuskokwim River
48 drainage and the villages of Chefornak,
49 Kipnuk, Kwig, and Kong.

50

1 Those villages listed are from the .804
2 analysis itself. So that'd be the first step.

3
4 Now, if you look at going further on
5 back to the very end, it's titled Page 1, but that's
6 just prior to the Kuskokwim Native Association letter,
7 which Mr. Gillikin talked about, there's the allocation
8 framework, which was presented by Dr. Jenkins. In
9 there, if the Board chose to accept this recommendation
10 for framework, that would entail distribute --
11 allocation alternatives:

12
13 1.
14
15 Distribute a permit that allows the
16 harvest of up to 25 chinook in mid- to
17 late June in each of the 32 villages in
18 the drainage.....

19
20 And so on and so forth.

21
22 So basically what that would entail,
23 one, for a lack of a better term, what OSM described as
24 a harvest for social and cultural opportunities. And
25 where did we get that title from. We got that title
26 from Section .801, paragraph one, and Section .802,
27 paragraph two, it may not totally be specific to, but
28 that's what we looked at for guidance on providing that
29 particular opportunity.

30
31 You can read those two paragraphs if
32 you're further interested.

33
34 And then the important part of the .804
35 to understand is that it does not provide an unlimited
36 harvest opportunity. What it does is -- typically you
37 still have the in-season manager making judgment calls,
38 you still use the similar tools which are available to
39 the in-season manager, being the Bethel test fishery
40 and the models that are utilized by the Alaska
41 Department of Fish and Game, those are the tools that
42 would be utilized to determine if there is a
43 harvestable surplus. If a harvestable surplus is
44 deemed to exist, and then the presentation that Mr.
45 Pappas gave, we wanted to expose the Board to the
46 complexity and difficulty with regard to making those
47 in-season management decisions. Were we asking the
48 Board to necessarily pick to manage at the low, medium
49 or high end, not necessarily. Understanding that in-
50 season management you have to take that suite of

1 options into consideration.

2

3 And so that would be the next step.

4

5 If the Board chooses to adopt, modify
6 or decline.

7

8 MR. HASKETT: So I guess I have a
9 suggestion, a question and a suggestion.

10

11 The suggestion is I think it needs to
12 be up on the board specifically what's being proposed
13 for us, what you just covered, I mean so that the Board
14 can actually see what we're voting on.

15

16 The second one is a question, is, at
17 some point we need to hear from the State, okay, I just
18 want to make sure that we're going to be doing that,
19 because I want to hear from them before we make any
20 next steps.

21

22 And the third suggestion is we need to
23 take a break for five or 10 minutes while you're
24 putting it up there, at least I do, so if that's
25 possible.

26

27 (Laughter)

28

29 CHAIRMAN TOWARAK: Okay. Just based on
30 the color of your eyes we're going to take a five
31 minute break first.

32

33 (Laughter)

34

35 MR. HASKETT: It's been a long time.

36

37 CHAIRMAN TOWARAK: We'll take a five
38 minute break first and then we'll hear from the State.

39

40 (Off record)

41

42 (On record)

43

44 CHAIRMAN TOWARAK: I'd like to
45 reconvene the meeting please. We're going to try to
46 wrap up the Proposal 14-23 [sic].

47

48 MR. REAKOFF: Mr. Chairman.

49

50 CHAIRMAN TOWARAK: Before we go any

1 further on it, I was remiss in asking Jack from the
2 Western Interior RAC to express his guidance to us on
3 this proposal.

4
5 Jack, go ahead.

6
7 MR. REAKOFF: Thank you, Mr. Chair.
8 The Western Interior Council has a significant portion
9 of the Kuskokwim drainage and we have, I think it's
10 like 16 communities that are affected by this.

11
12 We had representation Ray Collins has
13 been on the Kuskokwim River Salmon Working Group, we
14 feel strongly that conservation is needed on the
15 Kuskokwim River. I feel the Board needs to direct the
16 in-season manager to manage for extreme caution in this
17 and in any kind of allocation system and executing any
18 kind of -- if the Board adopts the .804 process, that
19 allocation should not start in the middle of June when
20 we have no clue of how many fish are actually in the
21 river yet. We're not drying these fish. These
22 allocation of 25 fish, this is a taste, these are going
23 to be cut right away and given to the elders, we're not
24 talking about drying season and all that stuff. We
25 need to execute any kind of minor harvest later in the
26 run where we know what's present on the river.

27
28 And so I feel that those should be part
29 of the Board's deliberation on this proposal.

30
31 Thank you, Mr. Chair.

32
33 CHAIRMAN TOWARAK: Thank you. Any
34 questions of Mr. Reakoff.

35
36
37 (No comments)

38
39 CHAIRMAN TOWARAK: Thank you. What's
40 the next -- we want to hear from the State Fish and
41 Game.

42
43 MR. HEPLER: Thank you, Mr. Chairman.
44 Board members and Council members. For the record my
45 name is Kelly Hepler, I'm the assistant commissioner of
46 Department of Fish and Game. And with me today is
47 Travis Ellison, he's the CommFish area manager.

48
49 I know it's been a long number of days
50 for you guys and, you know, I came out of an Upper Cook

1 Inlet Board Meeting so I know what it feels like after
2 a number of days so -- and by the way, Jack, we agree
3 completely with your last comments, those are very good
4 ones, thank you.

5
6 So I did have a number of questions and
7 comments. I've had an opportunity to work closely with
8 Gene, which we certainly appreciate, Gene, your
9 willingness, and also the stories you were telling
10 about your kids, and the greasy hands and the greasy
11 face, they put a real human element to this, you know,
12 and all the time you spent out in Bethel, so thank you
13 for that, and the preparation by your Staff, and, in
14 particular the work that George articulated when he
15 went through the management options, very good. And I
16 know that Director Ragnar and I and others appreciate
17 you guys doing that.

18
19 I know you guys are tired, I just want
20 to spend a few minutes.

21
22 There's many times we sit and talk to
23 the Federal Subsistence Board where we're actually
24 philosophically opposed to things, this isn't one of
25 those situations. We both have very common mandates in
26 this where, you know, we want to provide this
27 sustainable fisheries opportunity for subsistence that
28 we heard from the middle river and others, and we also
29 believe in conservation. And I know last year, I know
30 that the State has taken a lot of criticism because we
31 were too aggressive trying to provide the first
32 opportunity, subsistence, not going after the
33 escapement like we should have. You know, one thing
34 about the State is we've had a lot of years of
35 experience and we're adaptable and we learn from that.
36 This extreme caution, that Jack said, is resounding
37 within our managers. When I get done here, in a few
38 minutes, I'm going to, you know, cover that, as far as
39 what we have done to date.

40
41 I am particularly proud of, I think,
42 what the Department's done working with the users that
43 you recognized earlier, from the Federal Staff, that
44 certainly is the case, Mr. Chairman on our Staff. We
45 have people from the Division of Subsistence, Director
46 Nelson, and you people have worked very closely with
47 people, we appreciate that, out of the Commercial
48 Fisheries Division. The workgroup, I think, is a
49 wonderful relationship, Greg, you certainly have seen
50 that. The Board of Fish has been a very good partner

1 in this, they understand where we are. When they went
2 and asked for the workgroup's suggestion to drop it
3 from 50 fathoms to 25 fathoms nets, those six inch
4 nets, the Board very much jumped on that suggestion,
5 when they're looking for some opportunity. And I
6 recognize that a lot of people don't have dipnets, but
7 the people that do, provide that opportunity for
8 dipnetting for chums and for sockeye, save those king
9 salmon, they certainly set the plate and said that
10 also.

11
12 There's a protection that George
13 mentioned going from the Board now, another one that
14 came out of the workgroup, you know, the concern,
15 actually Gene and I talked about multiple times, about
16 making sure those four inch whitefish nets are actually
17 set net and not directing peop -- potentially people
18 can target those kings, there's no question in my mind
19 that the Board's going to support that, certainly the
20 Staff does, too.

21
22 You know, I think we have all the tools
23 to manage this fishery, we've evidence in the past. I
24 think I recognize, you know, I'm getting a sense
25 certainly where the Board's going to go on this. I
26 have a number of questions about how this is actually
27 going to be implemented and what it means, but on the
28 surface, so far, Mr. Chairman, if the Board does take
29 this action, our EO authority's essentially done, so as
30 an in-season manager our time is done except for the
31 area up stream from the Aniak, so the upper, what, 15,
32 20 percent of the drainage will still have that
33 opportunity. Now, by saying that, I'm not saying we're
34 going to take our eggs and go home, we're not, you
35 know, a responsibility we have is the management of the
36 resource, you know, that's inherent. And so the only
37 piece of information we have primarily right now is the
38 Bethel test fishery and I'm certain Travis and others
39 will be there to help interpret what that means, we'll
40 work with you, but our ability to actually use some of
41 our tools in our tool bag that I think Travis will talk
42 about will be out the window.

43
44 The good news I will bring up to you,
45 and this is maybe the only bright spot in this whole
46 discussion is that, you know, the Governor and the
47 Commissioner have been dedicated to trying to get
48 better information for king salmon across the state,
49 and, in particular in the Kusko and I kind of view what
50 we have is a sundial for that in the Bethel test

1 fishery, it's not the best tool at all, and in some
2 ways it's almost embarrassing where we are with our
3 assessment but that's -- that's going to be changed,
4 we've committed a large number of money to come back
5 in. And so I'm hoping, as we have these discussions in
6 the future, the managers are going to have better
7 information, you know, and I certainly applaud
8 Commissioner Campbell for that kind of dedication and
9 working, you know, a lot with the Commercial Fisheries
10 Division, Travis, working on those.

11
12 But with that, Mr. Chairman, with your
13 indulgence, sir, we'll turn it over to Travis, and just
14 maybe, Travis, you can briefly go over some of the work
15 that's been done, our conservative approach which we'd
16 plan to do and then, you know, how this would look.

17
18 Mr. Chairman.

19
20 MR. ELLISON: Thank you, Mr. Chairman.
21 Kelly. Members of the Board. Once, again, I'm Travis
22 Ellison, I'm the Kuskokwim area management biologist
23 Commercial Fisheries Division.

24
25 Our preseason management plan, which
26 has not been published at this point but we have met
27 several times with the working group, some of the
28 Advisory Councils and some of the RACs to help develop
29 this. And the plan is to -- well, first off, you know,
30 we have time and area authority for our emergency order
31 authority and then within that we have several
32 regulations that give us even more flexibility, such as
33 different gear types. But one thing we've done in the
34 past, which is our plan to do again is to divide the
35 river into five different sections. So Section 1 being
36 the lowest part of the river; Section 2 being where
37 Bethel is -- so Sections 1 and 2 are from Tuluksak down
38 to the mouth of the Kuskokwim River; and then Section 3
39 goes up to about Chuathbaluk. So Section 1, 2 and 3
40 are basically within the Refuge there, and then
41 Sections 4 and 5 are up stream from that.

42
43 Because our assessment at Bethel is
44 above where probably almost half of the harvest occurs
45 it's difficult, you kind of have to predict five days
46 ahead of schedule as to what's actually coming to make
47 your management decisions, and then there's some other
48 troubling factors. So one of the things we've
49 struggled with is, is when to start the closure, you
50 know, when does the king salmon run, obviously run

1 timing's different every year. We've had a lot of
2 discussion with the working group, the working group
3 finally voted on closing May 20th. One of the problems
4 with deciding that date is if we wait to use our in-
5 season assessment, a significant harvest could occur
6 before we even realize the run is showing up at Bethel.
7 So we need to pick a date. Looking at our best
8 estimate from subsistence harvest calendars we're
9 picking May 25th to close Sections 1 and 2, so that
10 would be from Tuluksak down stream based on subsistence
11 harvest calendars, that's less than one percent of
12 harvest occurs before May 25th, from Bethel down. And
13 then Section 3, which includes up to Chuathbaluk would
14 close on June 1st. And those would remain closed until
15 we had some in-season assessment.

16

17 And when I say closed I mean it would
18 be closed to all salmon fishing, we would allow four
19 inch or less mesh size, 60 feet in length and there's,
20 as Kelly mentioned, an emergency petition to give the
21 Board the authority to make that required to be a set
22 gillnet and I think that's something we might utilize,
23 if it is adopted, you know, and as Mr. Pappas had
24 mentioned with four inch it does harvest king salmon,
25 but you need to realize how importance subsistence
26 fishing is out in this area. Many people fish every
27 single day of the summer.

28

29 So, we, as the Department, definitely
30 realize that, respect that, see the need for that.

31

32 We have the potential to maybe restrict
33 the use of four inch during the peak of the king run
34 when we feel that incidental harvest could get too high
35 and could jeopardize escapement goals. So we'd go to
36 either setnets or even using specific times, like maybe
37 9:00 a.m., to 9:00 p.m., through the peak of the king
38 run.

39

40 Another tool we just recently acquired
41 from the Board of Fisheries was the use of dipnets to
42 harvest chum and sockeye salmon while live releasing
43 king salmon. So the plan is to start using dipnet only
44 periods, we'd close all gillnetting, including four
45 inch and that would start to occur somewhere around
46 mid-June. I think by the 18th of June, typically the
47 abundance of chum and sockeye, in the lower river, is
48 high enough to make that an effective enough gear to
49 use. I mean we want people to be successful with it.
50 We don't expect this to replace any gillnet

1 opportunity. We know it's a new gear, many people
2 don't have it, don't even know how to use it but this
3 would be additional opportunity that we could provide
4 otherwise.

5
6 Once we get to around the 20th of June,
7 between the 20th and 24th is around the mid-point of
8 the run for king salmon there, and also at that time
9 the abundance of chum and sockeye salmon greatly
10 exceeds king salmon. Usually by the 24th of June it's
11 about five to one. So at that time we'd consider
12 allowing some short fishing periods with six inch or
13 less mesh size to harvest chum and sockeye salmon. We
14 realize that it will result in incidental harvest of
15 king salmon so we're going to need to use the Bethel
16 test fish to get some assessment of how many king
17 salmon can we afford to catch at that point. We're
18 assuming there's going to be some available, you know,
19 based on the low end of the forecast there should be,
20 you know, maybe 6,000 available to meet the low end of
21 the escapement goal. We don't really want to fish down
22 to the bottom of the escapement goal, we also do want
23 to provide as much opportunity as we can for those chum
24 and sockeye. And some of the tools we have to adjust
25 around what our assessment is, if we think we can only
26 handle maybe a couple thousand kings getting caught in
27 that chum and sockeye fishery, we can restrict gillnets
28 to 25 fathoms and we also have the option to restrict
29 fishing to those that are only 60 years of age or
30 older, and they can be assisted by family members. And
31 that would greatly reduce the harvest power in the
32 lower Kuskokwim River. And, you know, it would make
33 sense to do that for one, maybe two periods there and,
34 you know, the third or fourth week of June depending on
35 run assessment.

36
37 Once we get towards the last week of
38 June, in the lower river, the king salmon run is
39 usually starting to taper off, chum and sockeye peak
40 around the first to the fourth of July, and at that
41 time I think we could allow short openers for everyone
42 with six inch gear and I think they would have a lot of
43 success in capturing chum and sockeye, and there'd be a
44 few king salmon caught. We experienced this in 2012.
45 So we know it works. That six inch gear really is good
46 at saturated with chum and sockeye and, you know, you
47 get a few kings caught.

48
49 So, once you get into July we'd
50 probably start providing more and more, maybe 24/7

1 hours a day, 24 hours a day, seven days a week with six
2 inch gear until almost all the chum -- or all of the
3 king salmon, I mean, are through the lower river. And
4 we'd provide that opportunity to each section based on
5 the run timing.

6

7 So opportuni -- closures start in the
8 lowest section in the lower river and then opportunity
9 starts in the lowest river and that just moves up with
10 the salmon.

11

12 We're not picking a date to close
13 Sections 4 and 5 at this time because we will be able
14 to use some of our in-season information, particularly
15 the Bethel test fishery, to see when those fish show
16 up. By the time they get to Bethel it's another week
17 to 10 days before they even get past Aniak so we can
18 make that call. One of the concerns there is
19 restricting the opportunity to harvest sheefish in
20 early June which occurs quite a bit and a lot of people
21 use nets that are larger than four inch mesh to harvest
22 sheefish and we don't want to restrict that if it's not
23 necessary to save king salmon.

24

25 One other option we will likely use is
26 with hook and line fishing, especially in Sections 4
27 and 5, Section 5, in particular, a lot of families
28 traditionally harvest with hook and line gear up there
29 and as we did in 2012, once we had an assessment that
30 we felt the escapement might be all right, we did
31 provide some opportunity with a bag and possession
32 limit to harvest king salmon, very limited opportunity
33 just to get some king salmon. Particularly important
34 up in the headwaters where they don't get very many
35 chum salmon and almost no sockeye salmon at all. But
36 we would plan to use that in Sections 4 and 5, probably
37 after about the fourth of July, as long as we have
38 assessment that we're likely to meet most of our
39 escapement goals at that point.

40

41 And then, yeah, as far as commercial
42 fishing, that would be delayed until, you know, well
43 past mid-July there. I think we started fishing last
44 year about July 16th with commercial fishery. And then
45 at that point harvest of kings was down to less than
46 200 for the whole season.

47

48 I think that pretty much wraps it up
49 and I can take questions or comments.

50

1 CHAIRMAN TOWARAK: Jack.

2

3 MR. REAKOFF: And so when you initiate
4 expanding harvest opportunity with six inch gear you
5 would still have bank orientation setnet or you would
6 allow drift.

7

8 MR. ELLISON: We don't have the
9 authority to restrict whether or not gillnet is used as
10 a setnet or a driftnet. Currently both methods are
11 legal subsistence gear in the Kuskokwim area. There
12 was just submitted, like yesterday, an emergency
13 petition to the Board of Fish to restrict the use of
14 four inch or less mesh size to target non-salmon
15 species and to give the Department the authority to
16 make that setnet only, for conservation of king salmon.

17

18 MR. REAKOFF: But it's fairly well
19 known that setnet is far less effective on chinook when
20 bank oriented -- I mean bank orientated setnet gear
21 over drift gillnet, especially in choke points and
22 various places like that, and so I would feel that that
23 should be one of the management strategies is to
24 restrict to setnet.

25

26 Thank you, Mr. Chair.

27

28 MR. ELLISON: Mr. Chair.

29

30 CHAIRMAN TOWARAK: Go ahead.

31

32 MR. ELLISON: Restricting to setnet
33 only is allocative and only the Board of Fisheries has
34 that authority.

35

36 CHAIRMAN TOWARAK: Any further
37 questions from the State [sic].

38

39

40 (No comments)

41

42 CHAIRMAN TOWARAK: Thank you, very
43 much. We will continue on then from the InterAgency
44 Staff Committee comments.

45

46

47 (No comments)

48

49 CHAIRMAN TOWARAK: No one -- I guess no
50 one was assigned that. Were there any tribal

1 consultations.

2

3 MR. PELTOLA: Those were presented by
4 Pippa at the beginning.

5

6 CHAIRMAN TOWARAK: Oh, okay. Board
7 discussion with the Council Chairs and the State
8 liaison. Any further discussions.

9

10

11 (No comments)

12

13 CHAIRMAN TOWARAK: Not hearing any --
14 I'm sorry, go ahead.

15

16 MR. ROCZICKA: Thank you, Mr. Chair. I
17 think the people who put this, Napaskiak, when they put
18 this proposal in and a lot of other folks are coming --
19 maybe have it in mind that by accepting this, as far as
20 the restriction to the Federally-qualified users only
21 that it's automatically going to mean that it will open
22 for some opportunity this year and that doesn't appear
23 to be the case. We're looking at, with the forecast
24 that's there, probably that full closure for any
25 directed king fishing throughout this season.

26

27 And Mr. Reakoff's concern about that
28 small, you know, 600 to 800 fish could be provided
29 through the cultural/social permit. I mean that's one
30 percent of the lower end of what may be considered a
31 harvestable surplus, if you will, you know, at 6,000,
32 and that'll only count for about one percent of that,
33 so it's a very minuscule amount and certainly could be
34 made up for, if necessary, later with the -- you know,
35 with what Travis mentioned, as far as even further
36 imitation on the four inch whitefish net gear, I mean
37 we're looking at an incidental take there upwards of
38 3,000, 4,000 if not 5,000 or 6,000, and the remaining
39 -- if it's up to 15,000 that's incidental take may
40 occur later in the drift fishery, so that's small
41 opportunity to give people that ability to express
42 their appreciation to the salmon, I think is pretty
43 well warranted -- justified, maybe, is a better word.

44

45 CHAIRMAN TOWARAK: Go ahead.

46

47 MR. REAKOFF: My question.....

48

49 MR. ROCZICKA: And it is a subsistence
50 use. I realized later I said it's not a -- I should

1 have said it's not to satisfy any subsistence need in
2 any way, shape or form, to provide for amounts
3 necessary or people's needs.

4

5 MR. REAKOFF: My question is, is the
6 Federal in-season manager have the authority to
7 restrict use of six inch gear to the bank, sockeyes and
8 chums run closer to the beach than -- they run almost
9 on the beach, and so it would be more advantageous to
10 avoid chinook in mid-channel with drift gear and my
11 question, legal question is, is the in-season manager
12 have the authority to restrict gear orientation by
13 emergency order or whatever you call it.

14

15 MR. LORD: Mr. Chair. Jack. That's
16 correct. The in-season manager does have that
17 authority to restrict methods and means for
18 conservation purposes, but, of course, it would only be
19 within the Refuge boundaries and adjacent waters.

20

21 MR. REAKOFF: Uh-huh.

22

23 CHAIRMAN TOWARAK: Any other questions
24 or comments.

25

26

27 (No comments)

28

29 CHAIRMAN TOWARAK: If not then the
30 floor is open for Board action. Go ahead.

31

32 MR. LORD: Mr. Chair. Gene, fill in
33 the blanks or correct me if I'm wrong, but I just
34 wanted to make sure that it was clear that if the Board
35 decides to either take no action or vote down this
36 proposal, then that effect is that the Refuge Manager
37 still retains his delegated authority to open, close if
38 there's enough salmon to have windowed openings and to
39 control methods and means. So that still stays in
40 place.

41

42 CHAIRMAN TOWARAK: Mr. Haskett.

43

44 MR. HASKETT: So just again as a point
45 of clarification I had asked for before the break is
46 that we put up kind of a distillation of all the
47 presentations we heard previously and what's actually
48 being recommended from OSM and then we get a chance to
49 look at this, have any additional discussion, then I
50 guess any -- I'm not exactly sure how this would work,

1 but any member of the Board then could go ahead and
2 make a motion based upon wherever we get to. So it
3 wouldn't have to be this motion, this is being
4 presented for Board consideration at this point before
5 we get to that. Is that correct? I think that right?

6

7 MR. PELTOLA: As far as I understand
8 it, yes, Ken may be able to chime in on anything -- on
9 the alternative I should say.

10

11 MR. HASKETT: Okay.

12

13 (Pause)

14

15 CHAIRMAN TOWARAK: The floor is still
16 open for any action by the Board if there's -- go
17 ahead.

18

19 MR. KESSLER: Thank you, Mr. Chairman.
20 Steve Kessler, and I'm going to be substituting for
21 Beth Pendleton for the rest of the Federal Subsistence
22 Board meeting.

23

24 I just have a question about what we're
25 looking at up here on the screen, the action we're
26 being asked to take is what was on the previous screen,
27 and this is -- I don't know if we're being asked to
28 take some sort of -- provide input or -- and how the
29 allocation would occur, I'm a little unclear on that,
30 because there could be other ways of doing that
31 allocation, too, and normally we leave that allocation
32 up to the Federal manager and the Board doesn't get
33 into that.

34

35 So just for some clarity, what we're
36 being asked for.

37

38 CHAIRMAN TOWARAK: Go ahead.

39

40 MR. PELTOLA: Yeah, Gene Peltola, Jr.,
41 ARD, OSM. Yes, Steve, you're correct.

42

43 This is the meat right here of the
44 .804. And the significance of .804 is that we're
45 discussing, between the Department, myself and other
46 individuals is the forecast right now is for a very
47 small harvestable surplus, if there is not an
48 opportunity for harvestable surplus, all this is a moot
49 point, but if the run progresses such that there is
50 deemed to be harvestable surplus available, you have to

1 have this in place in order to attempt to allocate or
2 provide fish to the Federally-qualified users, if the
3 Board chooses to action when you don't meet all their
4 needs. And the second part was that we came forth with
5 an allocation recommendation, you are correct in that
6 you don't have to accept that, Mr. Haskett, the same,
7 correct, you could come up with another or you could
8 leave it to the in-season manager. That's just a
9 recommendation put forth by OSM.

10

11 MR. KESSLER: And just one other point
12 of clarity. It does say special action and so now I'm
13 a little confused to whether that would be the shorter
14 term, you know, less than 60 days, or -- which would be
15 the emergency special action, or the temporary special
16 action or is the Board being asked to decide that.

17

18 MR. PELTOLA: Mr. Chair. Gene Peltola
19 with OSM again.

20

21 Yes, that is also something if the
22 Board chooses to take an action then the question is
23 whether it should be emergency or temporary. A
24 majority of the people that made presentations in our
25 Bethel meetings stipulated that they would like to see
26 an emergency or less than 60 day action. We had one
27 commented presented in those meetings in Bethel, and in
28 addition we held a public hearing in Bethel with just
29 this question alone, and a majority of the people said
30 it should be emergency, less than 60 days, one person
31 stipulated that if the Board chooses to take an action
32 they may want to consider a temporary action because
33 based on the timing, is that, if the Board doesn't take
34 an action and didn't put any temporal, limitations or
35 parameters on it and something was to take effect,
36 example, after you passed it, 60 days may not run
37 through the period which may be required to effectively
38 put and leave conservation measures in place towards
39 the tail end of the run, which may be the most
40 significant part, according to the person who presented
41 it, which may determine whether you're going to make
42 those objectives with regard to escapement of the
43 drainage or not.

44

45 So that was another question that was
46 asked with regard to the Board.

47

48 CHAIRMAN TOWARAK: Go ahead.

49

50 MR. ROCZICKA: Thank you, Mr. Chairman.

1 And, Mr. Kessler, the RAC's recommendation on that was
2 the 60 days and specified the dates of May 15th through
3 July 15th.

4

5 CHAIRMAN TOWARAK: Go ahead.

6

7 MS. KENNER: Mr. Chair, I'd like to --
8 this is Pippa Kenner from OSM, I'd like to also respond
9 to Mr. Kessler.

10

11 CHAIRMAN TOWARAK: Okay.

12

13 MS. KENNER: Mr. Kessler, were you
14 reacting to the -- the language in the proposed
15 regulation where it says unless superseded by a Federal
16 special action, was that what your question was about.

17

18 MR. KESSLER: My question was, it says,
19 support special action request and it doesn't have a
20 date and doesn't say whether it's temporary or
21 emergency. That's all. I mean there's been a lot of
22 discussion around the table on this so I'm just trying
23 to find out what we're being asked to do here. You
24 know are we supposed to -- are we being asked what I
25 see here, temporary special -- or is there anything
26 else we're being asked as a Board to do.

27

28 MR. PELTOLA: Gene Peltola, OSM. And
29 like I mentioned earlier, you know, that's one thing
30 we're looking for direction from the Board is on, is
31 you're to take an action, seeing it as a special
32 action, should it be emergency or temporary.

33

34 CHAIRMAN TOWARAK: Go ahead, Kristin.

35

36 MS. K'EIT: Thank you, Mr. Chair. A
37 question for Gene. Earlier when you discussed the
38 options the Board has about addressing this special
39 action request, you mentioned that one example was if
40 the Board accepts and approves this special action
41 request and the .804 analysis that went along with it,
42 that would mean we're limiting to Federally-qualified
43 users and the Board could also request and I wrote
44 down, data, but I didn't catch all of that, there's
45 additional -- I guess additional actions the Board
46 could request or, I don't know if you had something
47 different.

48

49 MR. PELTOLA: I'm trying to think back
50 to my statement.

1 MS. K'EIT: Okay.

2

3 MR. PELTOLA: If I recall correctly it
4 was -- I made a statement in regard to the temporal
5 aspect of the proposal, and the reason why we did not
6 have anything in place with regard to .804, even though
7 there's a recommendation to put dates in, we had the
8 .804 and we're bringing towards the Regional Advisory
9 Council, through Tribal Consultation, et cetera, and so
10 we didn't want to put any dates in place which may not
11 be appropriate based on breakup, run timing, everything
12 else to artificially limit or potentially extend or
13 shorten the requirement of any action which may be
14 taken by the Board.

15

16 CHAIRMAN TOWARAK: Mr. Haskett.

17

18 MR. HASKETT: So, again, more
19 clarification. It would help me if you were a little
20 more specific on the difference between temporary and
21 emergency. Emergency has, I guess, specific 60 day
22 timeline, which I assume would be the one suggested by
23 the RAC, and then temporary is just what.

24

25 MR. LORD: Mr. Haskett. Ken Lord. A
26 temporarily goes until the end of that regulatory cycle
27 unless -- however, the Board retains the authority if
28 there are changed circumstances to reopen a closure.

29

30 MR. HASKETT: Okay. So additional
31 question then for where the proposal came from, is --
32 are the RACs concerned, are the -- the villages that
33 petitioned us to do this, is there going to be concern
34 if we go temporary as opposed to emergency?

35

36 MR. ROCZICKA: Well, the question in
37 the way you phrased it didn't really come up but it was
38 felt that those 60 days there essentially covers the
39 whole run in anybody's memory for kings and we may have
40 a couple hundred fish very late that are all blushed
41 and swimming skeletons that come in your net at that
42 time but essentially the king run is over by the middle
43 of July.

44

45 CHAIRMAN TOWARAK: When you say, over,
46 does that include the upper villages?

47

48 MR. ROCZICKA: You got them pretty much
49 in all the weirs at that time, they're tapering off,
50 starting to -- starting to taper off up at the weirs at

1 that point also. But they -- the amount of effort up
2 there for removing that at that time, that's also State
3 managed lands anyway so it wouldn't be affected by
4 this.

5
6 CHAIRMAN TOWARAK: Go ahead, Mr.
7 Haskett.

8
9 MR. HASKETT: So, again, just a
10 clarification, so I understand you did it based upon
11 historical memory and the swimming skeletons that come
12 afterwards, but, I'm not picking up on that there would
13 be a major concern if we went temporary instead, to
14 protect ourselves if we go this direction, to make sure
15 we have all options available.

16
17 MR. REAKOFF: Mr. Chairman.

18
19 CHAIRMAN TOWARAK: Let's get Judy first
20 and then Jack.

21
22 MS. CAMINER: I know it's getting late
23 in the day, thank you, Mr. Chair. So what I'm reading
24 from the summary of the RAC recommendations on Page 2
25 of the RAC recommendation, is that the Council did
26 support this special action to continue less than 60
27 days, making it an emergency special action, so I think
28 that answers your question about whether there'd be a
29 concern or not and it's consistent with what Greg said,
30 that 60 days should be plenty.

31
32 CHAIRMAN TOWARAK: Jack, go ahead.

33
34 MR. REAKOFF: I'd like to remind you
35 that the State said that they were going to initiate
36 closure on May 25, and so I would suggest that you
37 would align the emergency action on May 25 to go to
38 July 25, that would be in concurrence with the State.

39
40 CHAIRMAN TOWARAK: Go ahead, Mr.
41 Kessler.

42
43 MR. KESSLER: It seems to me that if
44 the shorter period is all that's needed, we really
45 wouldn't have a basis to have the river closed beyond
46 that shorter period, beyond the 60 days, because it
47 doesn't fit into -- you know, ANILCA, Section .815(3)
48 allows closures for conservation and to protect
49 continued subsistence uses, and after that 60 days that
50 wouldn't be a problem, because we expect these other

1 runs to be in good condition. So it seems to me that
2 the only real basis would be that shorter term, 60 day,
3 closure. Maybe Ken can correct me.

4
5 MR. LORD: Well, I just want to make
6 sure that we're clear, the closure is only to the
7 taking of chinook, so it probably doesn't matter, it's
8 not -- the taking of other species is not a problem.

9
10 CHAIRMAN TOWARAK: Go ahead, Mr.....

11
12 MR. KESSLER: Thank you.

13
14 CHAIRMAN TOWARAK:Haskett.

15
16 MR. HASKETT: I'm sorry if I'm asking
17 too many questions but I really am trying to move us
18 towards where we have something we can actually take an
19 action here.

20
21 So Jack's recommendation to align with
22 the dates that the State had proposed makes sense to
23 me, is that going to be a concern.

24
25 MR. ROCZICKA: No, I think Mr. Kessler
26 hit it pretty much, our same rationale, that at 60 days
27 in the period when the kings are there and that's when
28 the closure occurs, that makes sense as well. But
29 having it any longer was essentially a moot point, just
30 to have something on the books.

31
32 CHAIRMAN TOWARAK: Go ahead.

33
34 MS. K'EIT: Mr. Chair, thank you.

35
36 I think this question is for the State
37 to clarify for me, the Bethel test fishery is above the
38 Bethel harvest area; is that correct?

39
40 MR. ELLISON: Through the Chair, this
41 is Travis Ellison. Approximately half of the Bethel
42 harvest occurs below the test fishery and approximately
43 half is above. And it kind of works out to
44 approximately half of the harvest in the drainage is
45 below the Bethel test fish site.

46
47 CHAIRMAN TOWARAK: Go ahead, Mr.
48 Haskett.

49
50 MR. HASKETT: So if we do 60 day

1 emergency, we wouldn't actually have to specify here
2 what the dates are anyway because the manager could
3 actually determine that and do it congruent with the
4 State anyway, yes.

5
6 MR. LORD: The regulation says the
7 closure -- an emergency closure is effective when
8 directed by the Board, but I suppose the Board could
9 direct the manager to decide when that is, yeah.

10
11 CHAIRMAN TOWARAK: I've got a question
12 for maybe, Gene, or -- we're trying to find a solution
13 for the chinook and it's not going to just be a one
14 year process, are we going to have to go through this
15 for the next five years because assuming that a king
16 salmon's cycle is five years.

17
18 MR. PELTOLA: Mr. Chair. Gene Peltola,
19 OSM. If the Board chooses to take an action based on
20 OSM's recommendation it is in place for the period
21 which you are determining it to be effective. In this
22 case if you put it in for 60 days at the manger's
23 discretion, it would be in place for that period of
24 time. If there was a desire to take a similar action
25 next year it'd take a similar request. But understand
26 that in discussions with the Department that they have
27 initiated discussions -- unless I'm wrong, Kelly could
28 correct me, about how to get to some similar product
29 through the State system. So we have before us a
30 Federal option for this summer, it's only good for this
31 season for the time and duration which the Board
32 directs. Anything next year would have to be addressed
33 at that time, with the understanding that the State is
34 starting to work on something which may address it from
35 the State side, which may meet the needs of the
36 Federally-qualified users in the drainage.

37
38 CHAIRMAN TOWARAK: Go ahead, Mr.
39 Haskett.

40
41 MR. HASKETT: I may be ready to make a
42 motion unless people have a whole lot more questions
43 here.

44
45 CHAIRMAN TOWARAK: Go ahead.

46
47 MR. ROCZICKA: I was given a reminder
48 note here, too, that the working group actually did
49 recommend the dates of May 20th for the start of the
50 emergency closure for the 60 days, and they did pass a

1 motion to that effect, that they wanted the 20th of
2 May, whether that weighs in here or not. But, again, I
3 don't think that that's really a major point, if you
4 can leave it open we could work with the Federal
5 manager on what that date would be.

6

7 CHAIRMAN TOWARAK: The floor is open
8 for action.

9

10 MR. HASKETT: Okay. One more question
11 for the solicitor, so what are the rules for deference
12 to the RAC on an action like this.

13

14 MR. LORD: In terms of the closure
15 itself, that, obviously is the taking of fish and
16 wildlife, and so that deference is required by statute.
17 In terms of who does the taking on the .804, that's not
18 a question we have ever answered.

19

20 MR. HASKETT: All right. And it's not
21 that I didn't want to give deference, I just wanted to
22 understand what the -- how that worked, and what I'm
23 hearing is that you're not going to have a major
24 problem if we actually leave the dates a little more
25 adjustable there.

26

27 So my motion is going to be is that,
28 the way this is laid out here for the Board to take
29 action, is that, we'll support the Special Action
30 Request for FSA14-03 and the regulation will read as
31 it's there, although I'd like to come up with some
32 wording along the lines of what our solicitor said we
33 could do, that gives us the ability to decide when to
34 direct the 60 days to start so that we can work with
35 the State and do that in as efficient and responsible
36 way as possible.

37

38 MS. K'EIT: So the Board delegates to
39 the in-season manager.

40

41 MR. HASKETT: So I mean I think the
42 Board delegates to the in-season manager anyway but I'm
43 just suggesting some language needs to be up here that
44 just gives us the ability to identify the date as
45 needed for when it starts because I don't think it
46 makes sense to start today, if that's the way it works
47 otherwise.

48

49 MS. K'EIT: We could -- Mr. Chair.

50

1 CHAIRMAN TOWARAK: Go ahead.
2
3
4 MS. K'EIT: A suggestion just saying
5 the Board shall delegate to the in-season manager the
6 determination of when the 60 day period will start.....
7
8 MR. HASKETT: Yeah.
9
10 MS. K'EIT:for this temporary
11 special ac -- or emergency special action.
12
13 MR. HASKETT: Yeah, that works.
14
15 MR. CHRISTIANSON: I think the wording
16 is align with the State.
17
18 MR. HASKETT: Well, I wouldn't even put
19 that because that's -- just when it starts. Okay.
20
21 CHAIRMAN TOWARAK: Go ahead, Charlie.
22
23 MR. C. BROWER: You said recommended
24 days, like May 20th or May 25th to start, somewhere
25 around there until July 20th, I mean a 60 day period is
26 added on.
27
28 CHAIRMAN TOWARAK: Go ahead.
29
30 MS. K'EIT: Mr. Chair. Mr. Brower.
31 This would allow the in-season manager to align our
32 dates with what the State determines, so whether the
33 State sticks with May 25th or changes to the 20th or
34 something.....
35
36 MR. HASKETT: It wouldn't require that.
37
38 MR. C. BROWER: So it's up to the
39 manager then.
40
41 MR. HASKETT: Yeah.
42
43 MS. K'EIT: Yeah.
44
45 CHAIRMAN TOWARAK: Go ahead, Mr.
46 Haskett.
47
48 MR. HASKETT: So I believe my motion is
49 actually on the Board now that I would like the Board
50 to take action on.

1 MS. K'EIT: Second.

2

3 CHAIRMAN TOWARAK: You heard the motion
4 and the second. I think we've heard all of the
5 justifications unless there's others that you would
6 like to add.

7

8 Kristin.

9

10 MS. K'EIT: Mr. Chair, thank you. I
11 have not really said anything, I've asked some
12 questions.

13

14 But I do want to thank the OSM Staff
15 and any of the InterAgency Staff Committee that worked
16 on this briefing, this Staff analysis for us, it's been
17 incredibly helpful for me to see a lot of this
18 information, the graphs, the pie charts, the tables, I
19 really appreciate the work that the RAC has done, the
20 Kuskokwim working group and I appreciate the members of
21 tribes and the public and ANCSA Corporations that came
22 in and testified in person and in writing.

23

24 And looking at this incredibly
25 informative Table 2 in the Staff analysis, what more
26 emphatic word could I say but, alarming, that's, you
27 know, a discussion I've had with our Staff is, this is
28 incredibly alarming the last four years, you know, just
29 barely in the hundred thousands for chinook runs and
30 except for two other years out of 38 has the run ever
31 been close to only around 100,000. Incredibly
32 alarming.

33

34 And I also say that after, you know,
35 hearing discussions over the years about a similar very
36 difficult problem on the Yukon, you know, this is
37 completely deja vu, why have we not learned from the
38 past 10, 20 years, and I applaud the users on the
39 Yukon, I applaud users of the moose herds, the caribou
40 herds, as we've heard them voluntarily forego taking
41 resources that they need and, you know, to hear today,
42 even, some in the middle Kuskokwim, central Kuskokwim
43 saying that, you know, they're willing to do that again
44 for this case, of chinook.

45

46 And, you know, I know that in the
47 transcript we can't hear the level of -- I think Jack's
48 word was, annoyance, I think mine is -- I can't put a
49 word to it right now, I'm just incredibly concerned for
50 our Alaskan users on the Kuskokwim and still on the

1 Yukon because I know that hasn't returned, so I'm
2 looking forward to this work that's going to come out
3 of this special action, I will definitely support it.
4 I put a lot of confidence in the in-season manager that
5 will work on processes for this.

6
7 I am concerned about some of the
8 allocation -- or one of the allocation alternatives and
9 just thinking about one here is looking at the 20 year
10 average of the harvest for Bethel, and I look at Table
11 3, and basically the Bethel harvest over -- this is
12 from 2002 to 2012, so for 10 years, the Bethel harvest
13 has remained pretty consistently between 22,000 --
14 basically the high 20,000's, there's one year in 2012
15 where it's a, you know, a third of probably the average
16 at 7,300 but I'm concerned that if one of these
17 allocation options of the Number 3, of allowing the 20
18 year average and looking at, you know, we're thinking
19 maybe we'll get a 94,000 run, that concerns me.

20
21 So I'm not sure if we're going to make
22 a decision today to recommend allocation alternatives
23 or not but I want to share that concern.

24
25 Thank you.

26
27 CHAIRMAN TOWARAK: Thank you. Mr.
28 Haskett.

29
30 MR. HASKETT: I'm sorry I didn't give
31 my rationale before, I will give it now.

32
33 My intent is not to move on to get any
34 more specific on the allocation rationales, I think the
35 best we can do today is adopt this motion and we move
36 forward on this.

37
38 So my rationale is based upon the
39 presentation that was given to us by OSM. It's also
40 based upon, I think, some very powerful testimony from
41 people on the river. It's based upon, actually, the
42 presentation from the State. It's based upon the
43 discussion we had here, that I think this leads us to a
44 place where this is an action that makes sense for us
45 to move forward and address major concerns coming up on
46 the river and hopefully we'll move forward in a very
47 positive way and be in a better place next year because
48 of what we do today.

49
50 CHAIRMAN TOWARAK: Thank you. Any

1 other comments.

2

3

Go ahead, Tony.

4

5

MR. CHRISTIANSON: Again, we listened to some of the Staff say that if there is in-season, a surplus, that there is going to be opportunity to fish, what does that look like, I think that's why there was some allocation suggestions on the thing here. I don't know if we need to help the in-season manager with what that looks like here today or do we just leave it up to them to decide how the .804 communities are going to get a crack at that resource. I would just recommend maybe a cultural or educational permit or something to the in-season manager and deal with it like that, that way the community -- the onus is on the community and the in-season manager and not the OSM Board here because we're not going to be make action on that as the season progresses.

20

21

Mr. Chair, because are they just going to open it up for the 6,000 fish and there's a free for all and Bethel's going to catch them or lower Kuskokwim or -- I mean that's the potential, so if there is a surplus and there's 32 communities eligible, equitability is always on the top of my mind.

27

28

CHAIRMAN TOWARAK: Kristin.

29

30

MS. K'EIT: Thank you, Mr. Chair. One thought that has come up is considering the structure of the Board and, you know, our goal, our intent is this grassroots local user bringing up the issues and the solutions and that process, we really -- I think we really need to have the users involved so, you know, how do we make sure the users are involved with this allocation process. Is it, you know, the RACs, is it also the Kuskokwim Working Group, tribal consultation, ANCSA consultation, I know we're just -- we're only a couple months away from this going into effect.

41

42

So I guess I'm curious on any other thoughts on that and it kind of follows with Tony's comment about allocation.

45

46

CHAIRMAN TOWARAK: Go ahead.

47

48

MR. PELTOLA: Thank you, Mr. Chair.
49 Gene Peltola, OSM.

50

1 Regard to about, I cannot speak on
2 behalf of the Yukon Delta National Wildlife Refuge, I
3 was the manager there for five, almost six years, but
4 from knowing the Staff there and if you look at the
5 history and the efforts which have been expressed by
6 Fish and Wildlife Service employees, Refuges,
7 throughout the State, Yukon Delta Refuge has conducted
8 probably more than 60 or a higher percentage of those
9 consultations and meetings with villages. With that
10 being said, like I said, I can't speak on their behalf,
11 but my guess is that they would be actively involved
12 with the villages who may be affected.

13

14 CHAIRMAN TOWARAK: Mr. Haskett.

15

16 MR. HASKETT: Well, I can speak.....

17

18 (Laughter)

19

20 MR. HASKETT:for the Refuge
21 manager and I can assure you that will, in fact,
22 happen.

23

24 (Laughter)

25

26 CHAIRMAN TOWARAK: There is a motion on
27 the table and are -- is there any further discussions
28 on it.

29

30 MR. CHRISTIANSON: I'll call for the
31 question.

32

33 CHAIRMAN TOWARAK: Question's been
34 called for, we will have a roll call, please.

35

36 MR. PELTOLA: Okay, roll call vote.
37 Fish and Wildlife Service.

38

39 MR. HASKETT: Yes.

40

41 MR. PELTOLA: National Park Service.

42

43 MS. COOPER: Yep.

44

45 MR. PELTOLA: Bureau of Land
46 Management.

47

48 MR. CRIBLEY: Yes.

49

50 MR. PELTOLA: BIA.

1 MS. K'EIT: Yes.
2
3 MR. PELTOLA: Mr. Christianson, public
4 member.
5
6 MR. CHRISTIANSON: Yes.
7
8 MR. PELTOLA: Mr. Brower, public
9 member.
10
11 MR. C. BROWER: Yes.
12
13 MR. PELTOLA: Forest Service.
14
15 MR. KESSLER: Yes.
16
17 MR. PELTOLA: Mr. Chair.
18
19 CHAIRMAN TOWARAK: Yes. The motion
20 passes unanimously.
21
22 We appreciate all the work that
23 everyone's done, I think you eloquently stated all the
24 thank you's to the Staff, and we know that Gene and his
25 Staff have been working, underhanded, especially
26 considering the budget situation that the Federal
27 government has gone through and because of that, I,
28 too, want to express my thanks for the Staff doing such
29 good work on this whole situation, and we hope it is
30 going to be successful.
31
32 We've got -- I'd like to do one thing,
33 if anything, for Ms. Entsminger, I had hoped that we
34 would have enough time to get into multi-region, the
35 crossover proposals, but, you know, look -- I want us
36 to leave at 6:00 o'clock also, and what I'd like to do
37 is give Ms. Entsminger to leave us her thoughts on
38 Proposal 14-49, which I think will be probably one of
39 the first ones that we attack tomorrow morning. And
40 I'd like to jump down to the Regional Council's
41 recommendations on that proposal and leave it in
42 abeyance until tomorrow when we can complete the
43 process.
44
45 So if there's no objections I'm going
46 to ask Ms. Entsminger to take the floor.
47
48 (No objections)
49
50 MS. ENTSMINGER: Well, I might have a

1 better suggestion. Since -- my husband needs to get
2 home, and I can be on teleconference in the morning.
3 I'll just come on teleconference and I'll go through
4 the process with you, if that's okay, I'll be on line.

5
6 CHAIRMAN TOWARAK: Okay, that'll be
7 fine if that's what you prefer. I just.....

8
9 MS. ENTSMINGER: It'll work better I
10 think.

11
12 CHAIRMAN TOWARAK: Okay.

13
14 MS. ENTSMINGER: Uh-huh.

15
16 CHAIRMAN TOWARAK: If that's the case I
17 would like to maybe recess the meeting until tomorrow
18 at 8:30.

19
20 MR. REAKOFF: Mr. Chair.

21
22 CHAIRMAN TOWARAK: Mr. Reakoff.

23
24 MR. REAKOFF: I have to inform you that
25 I also am leaving at 6:10 to catch a plane and so I
26 will not be here tomorrow. If you could visit Proposal
27 14-32 that would be the last of WIRAC's proposals.

28
29 CHAIRMAN TOWARAK: If you want we could
30 give you the same opportunity that Ms. Entsminger had,
31 to leave your comments on that proposal.

32
33 MR. REAKOFF: I could leave the Western
34 Interior Council's position on this proposal. This
35 would add additional two mile edge to the Paradise
36 Controlled Use Area in Unit 21E. And so the Western
37 Interior Council, this was submitted by one of our
38 Council members.

39
40 The issue is aircraft are accessing
41 areas adjacent to the Innoko River and then competing
42 with subsistence users, so it's a user conflict issue
43 basically. Most controlled use areas major drainages
44 are surrounded by controlled use areas and because this
45 controlled use area is bordered by a significant river,
46 it's led to competition with subsistence users and
47 subsistence users would like to see a Federal
48 extension. There's significant -- when we reviewed the
49 proposal, there's significant Federal lands that kind
50 of -- there's BLM and Refuge lands, and so the Western

1 Interior Council supported the proposal, and so I'd
2 leave it in your hands.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN TOWARAK: Thank you. Mr.
7 Wilde, did you have the same situation.

8

9 MR. L. WILDE: Yes. I'll be leaving in
10 the morning at 9:45, so I'd like to be excused
11 tomorrow.

12

13 CHAIRMAN TOWARAK: Okay. Are any of
14 the rest of the proposals that we're going through
15 affect your region.

16

17 MR. L. WILDE: No, I don't believe
18 there are any other proposals that affect my region at
19 this time.

20

21 CHAIRMAN TOWARAK: Okay. Go ahead.

22

23 MR. L. WILDE: Mr. Chair. I was just
24 told now that we do have one crossover proposal with --
25 I don't remember who it is, oh, Bristol Bay.

26

27 MR. PELTOLA: Is Greg going to be here.

28

29 CHAIRMAN TOWARAK: Is Greg going to be
30 here tomorrow.

31

32 MR. L. WILDE: Mr. Chair. I think he's
33 -- yes, he is going to be here tomorrow.

34

35 (Laughter)

36

37 CHAIRMAN TOWARAK: Okay. We will have
38 him sit in your chair as we're going through the
39 proposals.

40

41 MR. L. WILDE: Thank you.

42

43 CHAIRMAN TOWARAK: Mitch.

44

45 MR. SIMEONOFF: Thank you, Mr.
46 Chairman. The proposals that Kodiak/Aleutians were
47 involved with were put on the consensus agenda and I
48 also have a flight to catch at 9:56 in the morning.
49 So.....

50

1 CHAIRMAN TOWARAK: I think I'll be a
2 Chairman of one of the Regional RACs, too, but, yeah,
3 okay, we -- we understand your situation.

4
5 MR. SIMEONOFF: Thank you, Mr.
6 Chairman.

7
8 MS. CAMINER: Just a question, Mr.
9 Chair. So which proposal will we -- or what is the
10 agenda for tomorrow, please.

11
12 (Pause)

13
14 CHAIRMAN TOWARAK: Yeah, we have
15 information on the Stikine River, we also have a -- oh,
16 the rest of the multi-region crossover proposals that
17 we're going to do first -- I'd also -- then we -- we'll
18 have to do the ETJ discussion and the Forest Service
19 will be on the -- on the teleconference, also for the
20 Stikine River discussion. We're also going to have a
21 discussion on the Secretarial appointments and there's
22 a couple of issues on that and we have some other minor
23 -- or other business to take care of, including an
24 executive session and another discussion on the
25 government shutdown and how it's affected our
26 operations.

27
28 So those -- that will be the agenda, in
29 general, tomorrow.

30
31 MS. CAMINER: Mr. Chair. The first on
32 the agenda will be continuation of these proposals,
33 though.

34
35 CHAIRMAN TOWARAK: Yes, we're going to
36 finish the multi-region crossover and then have ETJ
37 after that.

38
39 MS. CAMINER: Thank you.

40
41 MR. SMITH: Mr. Chairman. I've got a
42 flight tomorrow, too, and the only proposal we've got
43 left is crossover Proposal WP14-24/25. And we
44 supported it with -- with -- we supported the OSM
45 recommendation on that.

46
47 CHAIRMAN TOWARAK: I was just told that
48 No. 25 is not -- No. 24 is not going to be considered
49 because of our actions on 23.

50

1 Okay, if there are no further questions
2 I'm going to recess this meeting until -- go ahead.

3

4 MR. ADAMS: Before you do that, thank
5 you, Mr. Chairman. As you may know I excused myself,
6 you know, about 5:00 o'clock yesterday. I didn't think
7 I was going to be able to go very much beyond that. I
8 just got awfully sick. But I went to my room and I got
9 a good night's rest and so I'm doing pretty well today.

10

11 However, I'm wondering, you know, if
12 there is anything that I might have missed, if there
13 was any more discussion about Saxman and Ketchikan, you
14 know, that I might have missed after I had left and, if
15 so, I'd like to kind of maybe get an update. Probably
16 not, but I'm just wondering if there was anything that
17 was talked about, those two -- about that issue.

18

19

20 (No comments)

21

22 MR. ADAMS: I guess not, huh.

23

24 CHAIRMAN TOWARAK: Yeah, our
25 recollection was that there was not any further
26 discussions on Saxman.

27

28 MR. ADAMS: Okay, thank you, Mr.
29 Chairman.

30

31 CHAIRMAN TOWARAK: Okay. We will
32 recess until 8:30 tomorrow morning.

33

34 (Off record)

35

36 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

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

DATED at Anchorage, Alaska, this 27th day of April 2014.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/14