

1 FEDERAL SUBSISTENCE BOARD
2
3 PUBLIC REGULATORY MEETING
4

5
6 VOLUME I
7

8 EGAN CENTER
9 ANCHORAGE, ALASKA

10
11 January 17, 2012
12 8:30 o'clock a.m.
13

14 MEMBERS PRESENT:

15
16 Tim Towarak, (Telephonic)
17 Bud Cribley, Bureau of Land Management, Acting Chair
18 Geoff Haskett, U.S. Fish and Wildlife Service
19 Sue Masica, National Park Service
20 Beth Pendleton, U.S. Forest Service
21 Gene Virden, Bureau of Indian Affairs

22
23
24 Bertrand Adams - Southeast RAC
25 Rosemary Ahtuanguaruak - North Slope RAC
26 Sue Entsminger - Eastern Interior RAC
27 Victor Karmun - Northwest Arctic RAC
28 Ralph Lohse - Southcentral RAC
29 Jack Reakoff - Western Interior RAC
30 Mitch Simeonoff - Kodiak/Aleutians RAC
31 Lester Wilde - Yukon Kuskokwim RAC
32 Richard Wilson - Bristol Bay RAC

33
34
35 Keith Goltz, Solicitor's Office
36 Ken Lord, Solicitor's Office
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38
39
40 Doug Vincent-Lang, State of Alaska Representative

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P R O C E E D I N G S

(Anchorage, Alaska - 1/17/2012)

(On record)

ACTING CHAIR CRIBLEY: If we get everybody settled in, we'll go ahead and start the meeting.

(Pause)

ACTING CHAIR CRIBLEY: Why don't we go ahead and get the Federal Subsistence Board meeting started. My name is Bud Cribley and I'm the state director for the Bureau of Land Management here in Alaska and on the Subsistence Board. Tim Towarak, who is the Board Chairman, was not able to get out and into Anchorage this morning, so I will be sitting in for him until he's able to make it. He is on the phone. Tim, are you there and can you hear us? Tim, are you there?

CHAIRMAN TOWARAK: Yes, I am.

ACTING CHAIR CRIBLEY: Okay. Can you hear us okay?

CHAIRMAN TOWARAK: I can hear you okay. I thought that I was on listen mode only, but I'm on.

ACTING CHAIR CRIBLEY: Okay. Thank you. Being new to this role as Acting Chair, I will be deferring to Pete as far as what the processes and procedures are here. But having called the meeting to order I suppose the first order of business is introductions. Does that include Board members and all of the RAC chairmen or RAC representatives?

MR. PROBASCO: That's correct, Mr. Chair, as well as the State.

ACTING CHAIR CRIBLEY: Okay. Why don't we go ahead and have the Board members introduce themselves.

Beth, do you want to start.

MS. PENDLETON: Thank you and good morning. My name is Beth Pendleton. I'm the Regional Forester for the U.S. Forest Service located in Juneau.

1 MS. MASICA: Good morning. My name is
2 Sue Masica. I'm the Regional Director for the National
3 Park Service and I'm based here in Anchorage.
4
5 MR. PROBASCO: I'm not on the Board, but
6 my name is Pete Probasco and I'm the Assistant Regional
7 Director for the Office of Subsistence Management.
8
9 ACTING CHAIR CRIBLEY: Again I'm Bud
10 Cribley. I'm with Bureau of Land Management, State
11 Director here in Alaska and on the Board.
12
13 MR. GOLTZ: I'm Keith Goltz representing
14 the Solicitor's Office.
15
16 MR. HASKETT: Good morning. Geoff
17 Haskett. I'm Regional Director of U.S. Fish and Wildlife
18 Service.
19
20 MR. VIRDEN: Good morning. Gene Virden,
21 Regional Director, Bureau of Indian Affairs.
22
23 ACTING CHAIR CRIBLEY: Why don't we go
24 around and have the RAC representatives introduce
25 themselves. We'll start with Rosemary.
26
27 MS. AHTUANGARUAK: I'm Rosemary
28 Ahtuanguaruak representing the North Slope.
29
30 MS. ENTSMINGER: Sue Entsminger, Eastern
31 Interior.
32
33 MR. REAKOFF: Jack Reakoff, Western
34 Interior, from Wiseman.
35
36 MR. WILSON: Richard Wilson, Bristol Bay
37 RAC, filling in for Molly Chythlook this morning.
38
39 Thank you.
40
41 MR. SIMEONOFF: Speridon Simeonoff,
42 Kodiak/Aleutian RAC.
43
44 MR. LOHSE: Ralph Lohse, Southcentral.
45
46 MR. ADAMS: (In Tlingit)
47
48 Good morning, honorable people. My name
49 is Bert Adams, Southeast Regional Advisory Council from
50 Yakutat.

1 Thank you.
2
3 ACTING CHAIR CRIBLEY: Thank you. And
4 our State representatives.
5
6 MR. VINCENT-LANG: Good morning. My name
7 is Doug Vincent-Lang, special assistant to Commissioner
8 Campbell. I'm here on behalf of Craig Fleener.
9
10 ACTING CHAIR CRIBLEY: Thank you.
11
12 MR. MITCHELL: Good morning. I'm Mike
13 Mitchell with the State of Alaska, Department of Law.
14
15 MS. YUHAS: Jennifer Yuhas, State Federal
16 Subsistence Liaison Team leader.
17
18 ACTING CHAIR CRIBLEY: Thank you.
19 Anything else -- anyone else. I think we got them all.
20 Now what do we do?
21
22 MR. PROBASCO: At this time, Mr. Chair,
23 we would review our agendas and request any additions
24 and/or corrections. I know both myself and Ms. Masica
25 have some corrections as it affects the consent.....
26
27 UNIDENTIFIED VOICE: Excuse me. You're
28 not being heard back here.
29
30 MR. PROBASCO: Okay. Thank you. As far
31 as the additions or corrections to the agenda -- can you
32 hear me okay now? Both Ms. Masica and I have corrections
33 as it affects the consent agenda items.
34
35 Mr. Chair.
36
37 ACTING CHAIR CRIBLEY: Okay. What would
38 -- Sue, do I ask what those corrections are?
39
40 MS. MASICA: I don't really have a
41 correction, Mr. Chairman. I do have a statement regarding
42 two of the ones that are on the consent agenda. It would
43 be the appropriate time to make that statement once we
44 talk about the consent agenda.
45
46 ACTING CHAIR CRIBLEY: Okay.
47
48 MR. PROBASCO: Mr. Chair. For the
49 consent agenda, with the consent by the State, we're
50 adding three proposals to the consent agenda. Those are

1 12-22b, 12-49 and 12-69. Those three will be added to
2 the consent agenda.

3

4 Mr. Chair.

5

6 ACTING CHAIR CRIBLEY: Thank you.

7

8 Sue.

9

10 MS. MASICA: Mr. Chairman. There are two
11 items on the consent agenda that I just wanted to cover.
12 We debated about asking to have them removed from the
13 consent agenda to the regular agenda, but rather than
14 doing that I just thought if I could use this opportunity
15 to make a brief statement. Two Proposals, 12-77 and 12-
16 80, there's some concerns that the Park Service wanted to
17 express regarding wolves. These proposals both affect
18 areas within PS units.

19

20 Proposal 77 in Unit 12, which is largely
21 Wrangell-St. Elias National Park and Preserve, would open
22 the trapping season one month later by changing the
23 opening date from the existing October 1 to November 1.
24 Proposal 80, which affects the Yukon/Charlie National
25 Preserve in Unit 25, suggests opening the trapping season
26 one month earlier by moving the date from the existing
27 November 1 to October 1. I note the majority of Federal
28 trapping seasons open November 1 and I believe in this
29 case the resources would be more appropriately managed by
30 opening trapping seasons on that date.

31

32 Within the Park Service, superintendents,
33 biologists and subsistence managers have discussed the
34 wolf proposals before the Board this cycle and concluded
35 that the traditional opening date of November 1 is more
36 consistent with direction from ANILCA and the Park
37 Service. So we had those concerns about those two
38 proposals, but rather than taking them up individually I
39 just wanted to make that statement now.

40

41 Thank you, Mr. Chairman.

42

43 ACTING CHAIR CRIBLEY: Okay. Thank you.

44

45 MR. PROBASCO: Thank you, Mr. Chair. For
46 the Board, when we get to the end of our meeting, which
47 I'm projecting will be Friday, I would like to just put
48 this on your radar screen that we will be discussing a
49 possible workshop retreat for the Board. We will also be
50 discussing our Juneau meeting in March where we will deal

1 with the request of extraterritorial jurisdiction from
2 Kootznoowoo. Also in this meeting at that time with the
3 help of Ms. Yuhas we'll talk about the MOU future as far
4 as meetings and working out potential dates for the
5 signatories to get together.

6

7 Thank you, Mr. Chair.

8

9 ACTING CHAIR CRIBLEY: Thank you. Is
10 there anything else or do any of the other Board members
11 have anything to bring up as far as corrections or
12 additions to the agenda.

13

14 (No comments)

15

16 ACTING CHAIR CRIBLEY: With that, I guess
17 we're prepared.....

18

19 MR. SIMEONOFF: Mr. Chairman.

20

21 ACTING CHAIR CRIBLEY: Yes, sir.

22

23 MR. SIMEONOFF: Speridon Simeonoff. I
24 was following along. With the agenda items, I was
25 wondering if we could move our multi-region crossover
26 Proposal 12-22a, move it up to just after 12:29.

27

28 ACTING CHAIR CRIBLEY: Go ahead.

29

30 MR. PROBASCO: Thank you, Mr. Chair.
31 Thank you, Mr. Simeonoff. It would be appropriate to
32 take Proposal WP12-22a and move it after we complete the
33 Southcentral discussion and prior to the Southeast since
34 that proposal only affects the Kodiak Aleutians and
35 Southcentral. So we would move 12-22a before we get into
36 Southeast.

37

38 Mr. Chair.

39

40 ACTING CHAIR CRIBLEY: Okay. Thank you.

41 Yes, ma'am.

42

43 MS. ENTSMINGER: I have a question on
44 Eastern Interior. You're doing a C&T after a season
45 request and to me it makes more sense to do a C&T first.
46 So that would be 68 done before 65 and 66.

47

48 ACTING CHAIR CRIBLEY: Go ahead.

49

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

1 Thank you, Ms. Entsminger. That is correct. We would
2 like to move 12-68 before we discuss 65/66.

3

4 ACTING CHAIR CRIBLEY: Are there any
5 other items.

6

7 (No comments)

8

9 ACTING CHAIR CRIBLEY: Okay. With that
10 why don't we -- are we prepared to move forward to our
11 next item on the agenda. Okay. That item is information
12 sharing. So what do we want -- okay. Beth.

13

14 MS. PENDLETON: Thank you, Mr. Chair. I
15 would like to introduce Dawn Collinsworth. She's sitting
16 just behind me. Dawn is with our Office of General
17 Counsel in Juneau, Alaska and she's here in Mr. Jim
18 Ustasiewski's place who's not able to be here this week,
19 so I wanted to welcome Dawn.

20

21 ACTING CHAIR CRIBLEY: Beth. I mean Sue.
22 Excuse me.

23

24 MS. MASICA: Mr. Chairman. I don't have
25 anything. Thank you.

26

27 ACTING CHAIR CRIBLEY: Do any other of
28 the Board members have any information sharing?

29

30 MR. ADAMS: Mr. Chairman.

31

32 ACTING CHAIR CRIBLEY: Yes, sir.

33

34 MR. ADAMS: I have something that I would
35 like to share if it would be appropriate at this time.

36

37 ACTING CHAIR CRIBLEY: Okay.

38

39 MR. ADAMS: My name is Bert Adams. My
40 Tlingit name is Kadashan. I just want to kind of
41 foreshadow what might happen to me in the future. I'm
42 not sure if I'm going to be in this business very long.
43 I'd say I'd be here for the spring meeting, the fall
44 meeting and maybe a little bit beyond. But my wife is
45 experiencing a lot of health problems and I hate to be
46 departed from her particularly this time of the year, so
47 we'll evaluate that and see what happens in the future.
48 I really enjoyed being in this business and representing
49 Southeast Alaska.

50

1 So what I'd like to do if I might, Mr.
2 Chairman, is share with you a couple paragraphs that's
3 going to be included in the book that I might have coming
4 out here in the next few months or so. Because what this
5 concept really emphasizes I hope reaches to the core of
6 many of the things we are doing here today and every day
7 in fact. So, if it's appropriate, Mr. Chairman, I'm
8 going to go ahead and share a couple, three paragraphs
9 from it because it is the core of what the whole book is
10 about.

11
12 The title of the article I'm going to
13 share with you is entitled "The Laws of Nature and
14 Nature's God." When I was a very young man, I subscribed
15 to a book club that enabled me to obtain writings and
16 thoughts of great men from the past. One of these men
17 was Cicero, who was a Roman philosopher and political
18 writer. He believed that there were ideologies that all
19 mankind must abide by. They are called the natural laws.
20 Cicero explained that natural law was the Creator's order
21 of things, that it is true law and that true law was
22 right reason in agreement with nature. True law was
23 right reason in agreement with nature.

24
25 He also said that it is immoral to try to
26 alter it, to repeal it or abolish it and he stated that
27 we cannot be freed of its obligation by senate or people.
28 He also revealed that it is one eternal and unchangeable
29 law that will be valid for all nations at all times.

30
31 One of my favorite modern day political
32 thinkers and writers is a guy by the name of W. Cleon
33 Skousen. Skousen advanced this natural law idea further.
34 He agreed with Cicero that God's law is indeed right
35 reason. However, he said, when perfectly understood is
36 wisdom and when applied to government it translates to
37 justice.

38
39 I subscribe to these thoughts and know
40 that the founders also believed in the natural laws as
41 well. It is stated in the first paragraph of the
42 Declaration of Independence where it addresses the fact
43 that we should abide by the laws of nature and nature's
44 God.

45
46 UNIDENTIFIED VOICE: Excuse me, Mr.
47 Chair. Can you have your Board members speak into the
48 mike, please. People over here can't hear what he's
49 saying. I doubt very much anybody else could.

50

1 (Adjusting microphone)
2
3 MR. ADAMS: How's that?
4
5 UNIDENTIFIED VOICE: There you go. Now
6 you're talking.
7
8 MR. ADAMS: Boy, you want me to start all
9 over?
10
11 UNIDENTIFIED VOICE: It's up to the
12 Chair.
13
14 ACTING CHAIR CRIBLEY: Why don't you go
15 ahead.
16
17 MR. ADAMS: Okay. I apologize. I
18 started off with When I was a very young man, I
19 subscribed to a book club that enabled me to obtain
20 writings and thoughts of great men from the past. One of
21 these men was Cicero, who was a Roman philosopher and
22 political writer. He believed that there were ideologies
23 that all mankind must abide by. They are called the
24 natural laws.
25 Cicero explained that natural law was the Creator's order
26 of things, that it is true law and that true law was
27 right reason in agreement with nature.
28
29 He also said that it is immoral to try to
30 alter it, to repeal it or abolish it and he stated that
31 we cannot be freed of its obligation by senate or people.
32 He also revealed that it is one eternal and unchangeable
33 law that will be valid for all nations at all times.
34
35 One of my favorite modern day political
36 thinkers and writers is W. Cleon Skousen. Skousen
37 advanced this natural law idea further. He agreed with
38 Cicero that God's law is indeed right reason. However,
39 he said, when perfectly understood is wisdom and when
40 applied to government it translates to justice.
41
42 I subscribe to these thoughts and know
43 that the founders also believed in the natural laws as
44 well. It is stated in the first paragraph of the
45 Declaration of Independence where it addresses the fact
46 that we should abide by the laws of nature and nature's
47 God. It would be well to recognize that the natural laws
48 have been with us since the recorded history of mankind
49 and that we all have to abide by these fundamental laws
50 if we want to succeed in our lives. Great nations that

1 have come and gone rose to their grandeur by abiding by
2 the laws of nature and fell when they drifted from them.

3

4 The pilgrims realized that the Native
5 Americans lived within the laws of nature and when they
6 came to our lands and spent their first winter with them
7 they helped the newcomers to survive their first winter
8 and were introduced to living within the circle of the
9 natural laws.

10

11 So this is the theme and the premise of
12 the book that I supposedly will have coming out here, you
13 know, in the next few months or so. I have the
14 manuscript right here. I'm going to be turning it over
15 to the person who's going to edit it for me and find
16 printers and do some of that leg work for me.

17

18 But I just wanted to share that with you,
19 ladies and gentlemen, because I truly believe that we
20 have drifted away from living with nature. When we start
21 learning and living and abiding by the laws of nature,
22 then things are going to start falling into place for us
23 again.

24

25 One of the things that I made, statements
26 I made in some of my other articles is that when we start
27 drifting away from the laws of nature, then bad things
28 begin to happen and we'll see a lot of our resources
29 begin to disappear and it's not until we begin aligning
30 ourselves, you know, with the laws of nature will things
31 begin to happen in a positive way for us.

32

33 I just wanted to share this with you and
34 hopefully it will give us all food for thought as we go
35 through the process today and even use it in everyday
36 life.

37

38 Gunalcheesh and thank you very much.

39

40 ACTING CHAIR CRIBLEY: Thank you very
41 much for sharing that with us. Anybody else have
42 anything they would like to share with us at this time.
43 Yes.

44

45 MR. VINCENT-LANG: If I could give some
46 opening remarks, that would be great.

47

48 ACTING CHAIR CRIBLEY: Okay.

49

50 MR. VINCENT-LANG: The State would like

1 to thank the Board for the opportunity to participate in
2 this meeting as well as the various meetings that led up
3 to this Board meeting. Our liaison team will represent
4 the State comments at this meeting. I'm sure you're
5 familiar with the Assistant Attorney General, Mike
6 Mitchell, from the Department of Law. Jennifer Yuhas,
7 our subsistence liaison team leader, and George Pappas,
8 one of our subsistence coordinators.

9

10 They have spent the last year
11 coordinating and preparing comments with State and
12 Federal Staff and are fully able to represent the State
13 at this meeting. We request, as usual, for our written
14 comments to be entered into the official record. This
15 will allow our Staff to provide a more concise verbal
16 testimony on the proposals that you're deliberating.

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OFFICIAL STATE COMMENTS NOT AVAILABLE AT
TIME OF TRANSCRIPT PUBLICATION

MR. VINCENT-LANG: Let me briefly address
a few comments up front. First, thank you to the efforts
for the GMU 2 working group and the brown bear claw
handicraft working group for their time and efforts on
these deferred proposals. We acknowledge that something
is lost when we have to work towards consensus, but
believe that in both these instances we have arrived at
a solution that allows all parties to move forward.

I know our Staff has enjoyed traveling to
the RAC meetings and have learned quite a bit from the
local users this past year. We will carry this
information into the Board of Game process as they
deliberate on subsistence proposals that are facing them.
As a general statement, the Department finds it is
important to reiterate the need for consistency of
application by the Board, especially for customary and
traditional use findings. Our Staff will cover this in
more detail as you deliberate the appropriate proposals.

Finally, the Department's primary goals
in this process again are the sustainability of the
resource and the opportunity for Alaska's subsistence
resources.

That concludes my remarks.

Thank you, Mr. Chair.

1 ACTING CHAIR CRIBLEY: Thank you. Yes,
2 sir.

3
4 MR. WILSON: Mr. Chair. Mr. Wilson,
5 Bristol Bay. Back there we have a situation here and I
6 thought -- we just got in last night and I don't know
7 where to put this in here, but it's just food for
8 thought. We have a caribou season that is open right now
9 in our area. In Unit 9B and 9C, I don't know how many of
10 you have been into Naknek Drainage, anybody, Bristol Bay.
11 Okay, got a few.

12
13 We have a situation there where there's
14 a special harvest area between the Naknek River and south
15 and we have the North Peninsula Caribou Herd that comes
16 up from the south and uses the Naknek River as kind of
17 like a barrier. They generally don't cross it. We have
18 the Mulchatna Herd that comes down from the north and it
19 moves in from the north to the Naknek. So here we are at
20 Naknek, a community of about 1,700, South Naknek, King
21 Salmon and Naknek.

22
23 The regulations allow us to take two
24 caribou from Unit 9B, which is up to the Alagnak River.
25 From the Alagnak River to the Naknek is about 15 miles.
26 There's a corridor there about 15 miles that is closed
27 and it's under the special harvest for Tier II.

28
29 MR. ADAMS: Mr. Chair. I'd like to call
30 for a point of order, please.

31
32 ACTING CHAIR CRIBLEY: Yes.

33
34 MR. ADAMS: I think the topic that the
35 gentleman is talking about would be appropriate under
36 item number 4 when the Board has discussions with the
37 Council.

38
39 ACTING CHAIR CRIBLEY: Okay. Well, Pete
40 was mentioning to me that we were kind of moving into
41 that section of the agenda.

42
43 MR. ADAMS: Thank you.

44
45 ACTING CHAIR CRIBLEY: Do you want
46 to.....

47
48 MR. PROBASCO: Mr. Chair. What I would
49 do is ask if there is any more information sharing and
50 then just turn the mic back over to Mr. Wilson.

1 ACTING CHAIR CRIBLEY: Is there any other
2 items of information sharing before we proceed?

3
4 MR. PROBASCO: I do have one. Just a
5 reminder. If you plan on testifying before the Federal
6 Board, please go to the front desk and fill out a
7 testimony card.

8
9 Thank you.

10
11 ACTING CHAIR CRIBLEY: Okay. With that,
12 why don't we officially move into the next agenda item as
13 far as Board discussion of Council topics and Regional
14 Advisory Council chairs or their designees. Go ahead.

15
16 MR. WILSON: Mr. Chair. I apologize.
17 This is my first sitting. I'm sitting in for Molly
18 Chythlook. I've been on the Bristol Bay Board. This is
19 my third season there and I'm growing into it, okay. I'm
20 not too formal.

21
22 ACTING CHAIR CRIBLEY: Well, we share a
23 common theme right now also.

24
25 MR. WILSON: We're only human, right?
26 We're all human here and we all understand what goes on.

27
28 ACTING CHAIR CRIBLEY: Yes, sir. Go
29 ahead.

30
31 MR. WILSON: If it's appropriate now,
32 then I will continue.

33
34 ACTING CHAIR CRIBLEY: Yes, please.

35
36 MR. WILSON: So the situation I was
37 telling you about is that we have -- it's closed right
38 now and they'll open it. From what I understand, the
39 State has put a timeline on the opening, which is January
40 20th. That's the earliest that they could even consider
41 opening this section. This section is from the Alagnak
42 to the Naknek, the remainder of 9C.

43
44 All the caribou from the Mulchatna Herd
45 generally comes across the Alagnak into this special
46 harvest area and that's where they generally winter. We
47 drive by them every day going into Levelock and different
48 communities. They're untouchable at the moment. But if
49 you crossed over the Alagnak, the same caribou you can
50 shoot two after the end of January. Right now you're

1 allowed to do one over there.

2

3 My point being is that we've been asking
4 the Department there in King Salmon to consider an
5 opening here soon because the cold winters bring these
6 two together. It also brings the Mulchatna Herd to us.
7 Once it warms up they move north and they're unable to
8 get as easily as they are now. The community, as we all
9 know out there, it gets harder and harder for fuel and
10 different things, getting out on this herd. So we've
11 been asking them to consider an opening, but they're
12 saying that because there's a possibility of the North
13 Peninsula Herd crossing the Naknek and mixing that
14 they're not going to give us one here shortly.

15

16 So these are some of the things that
17 we're facing out there with the Department.
18 Historically, these two herds don't mix, you know, and if
19 there's a chance anybody here throughout the week can get
20 with me and I've got connections back there we can make
21 and try to help this out. But I just raise a concern
22 here that there is a concern back there. People would
23 like to process some of this caribou. Thanks.

24

25 ACTING CHAIR CRIBLEY: Thank you. Any of
26 the other RAC Chairmen have comments.

27

28 Ralph.

29

30 MR. LOHSE: Thank you, Mr. Chair. Just
31 a short one and I know this has been a concern in our RAC
32 and we all know some of the things that have happened on
33 the Kenai Peninsula. We just really really want to be
34 real careful with special actions, especially special
35 actions that impact low resource use subsistence hunts
36 when there are still other forces, other predators, other
37 impacts on the same animals and there still is enough
38 animals to have any kind of a sport hunt. We'd like to
39 have it recognized that there is a subsistence priority
40 and before you take special actions make sure that -- you
41 know, it's such a small impact usually on the subsistence
42 part, make sure that you can allow other impacts if you
43 don't take special actions on the subsistence side. I
44 know you guys have gone through that and it's been an
45 issue.

46

47 I'll just leave it right there.

48

49 ACTING CHAIR CRIBLEY: Thank you. Mr.

50 Adams.

1 MR. ADAMS: Gunalcheesh, Mr. Chairman.
2 I'm going to have to kind of delve into my memory here
3 because I don't have anything written for me as far as
4 some of the things from the Southeast Regional Advisory
5 Council that I've been addressing, so I have to just kind
6 of go back into my memory here.

7
8 In our annual reports we've always
9 mentioned a few things, you know, that we thought was
10 important, so I'll just maybe address those for now.
11 Saxman is a real big issue for us. We felt that it was
12 inappropriate for the Board to combine Saxman and
13 Ketchikan together and then designate that whole area as
14 non-rural. Our feeling was that due process was not
15 taken to consider Saxman on its own. Our feeling is that
16 we need to separate Saxman from Ketchikan, thereby Saxman
17 will automatically receive its rural status. I know
18 that's going to be addressed during this meeting
19 sometime, so it would be interesting to see where the
20 Board is going to go to for this. I really do believe
21 that Saxman should retain its rural status and be
22 separated from Ketchikan.

23
24 With that, I also think Ketchikan also
25 might have a pretty good chance of receiving its rural
26 status because if you look into some of the surveys and
27 studies that have been done down there, Ketchikan indeed
28 does have the characteristics of being a subsistence
29 community. With that, I'll move on.

30
31 Makhnati Island is another issue that
32 Sitka has been trying to have closed off down there. I
33 don't know where we're at on that. I don't know what
34 Sitka's position is on it today, but that's something our
35 Regional Advisory Council has been really adamant on,
36 supporting Sitka in that effort.

37
38 The ability for Regional Advisory
39 Councils to do requests for considerations is kind of --
40 I was approached by your legal staff here, I think maybe
41 a meeting or so, informing me that maybe the Council can
42 help communities who want to submit RFRs with their
43 resources and so forth. It really didn't satisfy me
44 because I really do think -- this is my own personal
45 opinion. I think the Council has accepted that as an
46 okay thing, but my position hasn't changed. I think we
47 are closer to the communities that have problems and if
48 they have a reason to submit a request for a
49 consideration, that we should do it on their behalf and
50 use all of our resources and so forth.

1 Anyhow, I think we're satisfied with that
2 effort and hopefully I won't have to bring it up anymore.
3 We're always concerned about the funding for subsistence.
4 We know it's been reduced in the Forest Service quite
5 considerably and so we think that for subsistence
6 purposes we need all of the funds and resources to do
7 what we as Regional Councils are supposed to do for our
8 constituents in Southeast and I'm sure all of the other
9 RACs feel the same way. I kind of feel the same way
10 about special actions that Ralph addressed here a little
11 while ago.
12 Angoon's extraterritorial issue is going to be
13 interesting when we meet in Juneau. I think it's in
14 March to go over that issue and I'm really looking
15 forward to that.

16
17 Other than that, Mr. Chairman, thank you
18 for this opportunity to share these thoughts with you.
19 I might have left a couple things out, but that's okay as
20 long as I've addressed these particular issues that I
21 thought appropriate at this time.

22
23 Thank you.

24
25 Gunalcheesh.

26
27 ACTING CHAIR CRIBLEY: Thank you.
28 Rosemary.

29
30 MS. AHTUANGARUAK: I took some time to
31 call and talk to our villages. There's still a lot of
32 concern across the North Slope for our seals and the
33 issue waiting for the reports that are coming, so that's
34 really important that we get that information and help to
35 distribute it well and get the communication.

36
37 We do have concern from Anaktuvuk Pass.
38 There's a lot of changes that are going on. There's been
39 concerns related to the caribou migration coming from
40 north. They had a previous effort to get a no-fly zone
41 in 2004-2006. They would like to get some consideration
42 for that. All of the villages on the North Slope are
43 supportive of Anaktuvuk Pass and their efforts to protect
44 that migration for them.

45
46 Atqasuk is very aware of that concern and
47 Nuiqsut are very aware of those concerns and are very
48 supportive. Nuiqsut allowed
49 AKP to attend the Western Arctic Caribou Herd working
50 group, which was a concern because we have two villages

1 that are very affected and only one could attend and the
2 choice was to allow Anaktuvuk Pass to participate with
3 that meeting so that they could share the concerns. But
4 the North Slope villages are all understanding this issue
5 and are supportive of that concern.

6
7 The other villages did not have specific
8 concerns. They are very supportive of the proposal
9 that's on for Kaktovik in the Sheep Creek and Red Creek.

10
11 Thank you.

12
13 ACTING CHAIR CRIBLEY: Thank you.

14
15 Sue.

16
17 MS. ENTSMINGER: Thank you, Mr. Chair.
18 I'm like a broken record sometimes. I found myself
19 walking into the Board of Game meeting last night and
20 someone said how are you doing, Sue and I said, man,
21 there's so many meetings I don't have a life anymore. I'm
22 concerned for Alaska and its future and I think a lot of
23 people are in our region. People have the Yukon River
24 Panel, YRDFA, the State Board of Game, State Board of
25 Fish and then your local Advisory Committees for the
26 State and then your RAC meetings and pretty soon as a
27 volunteer you get used up. I just wish there was a way
28 that we could simplify things for the volunteers a little
29 better.

30
31 As a Chair, you end up going to way more
32 meetings than you think you have the time and it's just
33 something to think about because I think regulations --
34 a lot of times you look to your Federal reg book and you
35 look at your State reg book and you wonder, okay, where
36 am I going to be able to hunt here and who owns this
37 land. A lot of people get very confused with it unless
38 it's solid State land and nothing else, unless it's
39 Federal land and nothing else. It's a big issue in this
40 state and I think the managers ought to be looking at
41 that.

42
43 Thank you.

44
45 ACTING CHAIR CRIBLEY: Thank you.

46
47 Jack.

48
49 MR. REAKOFF: Thank you, Mr. Chair. I
50 have a couple three points here I'd like to bring out at

1 this time. I appreciate being reappointed to the Western
2 Interior Council by the Secretary of Interior's Office.
3 I'm also on the Gates of the Arctic Subsistence Resource
4 Commission and Koyukuk River Advisory Committee. All
5 these groups work together towards the health of the
6 resource and the best use of that resource.

7
8 Bert brought out living with nature. I
9 feel that the cycles the RACs meet at are out of sync
10 with nature and with the users who revolve around the
11 seasonal realms. When we had tribal consultation, I took
12 time off from sheep hunting this fall, September 27th I
13 was in progress, we were trying to come up with a sheep.
14 I had to take time out to do a teleconference and we only
15 had two participants on the teleconference from the 26
16 communities or however many we have in the Western
17 Interior. People were out moose hunting still, cleaning
18 up camp, still fishing.

19
20 I feel the RAC meeting window needs to be
21 moved back one month so the tribes and the people who are
22 participating in subsistence can actually look at -- you
23 know, October, it starts freezing up. People would have
24 time to look at the proposals, start talking about
25 proposals and then make valid comments. I think there
26 needs to be a paradigm shift.

27
28 With the Federal Subsistence Board
29 meeting in January it's, A, brutally cold. I had 60
30 below zero at my house three days ago. I left home at 47
31 below zero. It's hard enough to leave your family if
32 you've got constant power -- where I live you have to
33 maintain heat and things break and this is not a good
34 time for meetings. I would really like to see this
35 Federal Subsistence Board meeting, game meetings -- we
36 were having game meetings for the Federal Subsistence
37 Board in late April, early May. I don't see why we can't
38 have that still.

39
40 I feel that those would facilitate the
41 Advisory Committees and the Subsistence Resource
42 Commissions also in having -- the
43 Koyukuk River Advisory still hasn't met yet and I would
44 like them to look at a few of these Federal proposals and
45 they're not going to see these because we won't meet
46 until the 30th of January.

47
48 That's one issue, is moving the
49 regulatory cycle in sync with nature. Nature is driving
50 how people hunt and participate in subsistence. So we

1 need to re-evaluate how the Federal program is working in
2 the meeting cycles.

3

4 One issue from near home is the Dall
5 sheep population. Mr. Cribley came to Wiseman. We had
6 a meeting with BLM. Western Interior Regional Council is
7 very concerned about expansion of guiding opportunities
8 in the Dalton Highway Corridor on BLM lands. We already
9 have road access with literally hundreds and hundreds of
10 hunters coming. Game Management Units in the southern
11 part of Alaska have gone to the drawing permits, Unit 12,
12 13 and 14, which is shifting pressure towards the Brooks
13 Range. Of course, everybody wants to drive up and walk
14 off the road. We already have a lot of walk-in hunters.

15

16

17 Putting guides on top of that is
18 exacerbating the problem and the Subsistence Resource
19 Commission was apprised by the Bureau of Land Management
20 that they wanted to start issuing three-year permits. I
21 said wait a minute. We don't have any survey data. We
22 have no idea what the sheep population is doing. It's
23 been several years since population has been done.

24

25 I'm very concerned about the lack of
26 enforcement. This year I could not find -- we have
27 7/8ths legal for subsistence. I couldn't find a 7/8ths
28 sheep hardly. There's a lot of sublegal sheep that are
29 being killed by people who are inexperienced and so we
30 have a lot of people doing bad things that are
31 inadvertently or however, but there's not enough
32 enforcement. We have one enforcement trooper stationed
33 in Coldfoot. He has a 78,000 square mile area and he
34 cannot keep track of all this hunting pressure.

35

36 The Western Interior Regional Council has
37 submitted a special action request. In the interim, we
38 don't have a proposal to adjust the dall sheep season for
39 subsistence, but we submitted a special action request
40 that you'll review at some future point for half curl and
41 larger rams because it's become almost impossible to get
42 a 7/8ths sheep. I hunted 23 days. I could hardly find
43 any sheep. We've got a real big management problem and
44 I'm very concerned about enforcement, guiding
45 opportunities being grossly expanded and the subsistence
46 priority not being met. People are not being able to
47 meet subsistence needs.

48

49 Harvest data is very lacking in that
50 area. Alaska Pipeline Project has got State funding to

1 do Subsistence Division's household survey for Wiseman
2 and the communities, but we had very poor documentation
3 of subsistence use. So I wanted to highlight this issue
4 of the special action request before the Board on the
5 dall sheep issue in the Brooks Range in general. It's
6 becoming a very large item and I could see this hunting
7 pressure expanding within the next few years as southern
8 populations of sheep are not responding to recovery
9 either.

10

11 I'm looking further to a productive
12 meeting and appreciate all the time and effort that the
13 Board members and the Staff do to facilitate this
14 meeting.

15

16 Thank you, Mr. Chair.

17

18 ACTING CHAIR CRIBLEY: Thank you.

19

20 Mr. Adams.

21

22 MR. ADAMS: Thank you, Mr. Chairman. I
23 just thought of another thing I thought worth mentioning
24 at this time. It has to do with tribal consultation. I
25 think this is really an important part of the process of
26 really getting down to the grassroots of subsistence
27 issues because where else than in our small communities
28 do people have a greater understanding about the
29 resources in their area. It really should come from the
30 tribal governments. I applaud the Federal government for
31 making it possible for tribes to be involved in
32 subsistence issues.

33

34 However, when I was with the Yakutat
35 Tlingit Tribe, I served as the chairman of that entity
36 for about 12 years, I was always interested in
37 subsistence issues, but when you have a \$1,200 budget to
38 work off, that isn't very much for a tribe, you know, to
39 address the many issues that their environment has to
40 deal with, so I really think that, you know, to keep the
41 tribal consultation process alive there needs to be more
42 resources for them to work off of.

43

44 So I just wanted to bring that up and I
45 really applaud Central Council, I see Carrie Sykes over
46 here, who has been working very hard in trying to keep
47 the villages in Southeast Alaska involved and informed
48 about how they can participate in the process. Anyhow,
49 it's really important and I think we need to keep that
50 alive as possible. Carrie, my compliments to you for

1 working so hard on this issue.

2

3 Thank you.

4

5 ACTING CHAIR CRIBLEY: Thank you.

6

7 Ralph.

8

9 MR. LOHSE: I'm just going to throw one
10 thing in as I sit here and listen to what Bert was saying
11 earlier on himself and a few things like that. As we
12 look for people to fill these seats and to serve as
13 volunteers like Sue was talking about, I really think we
14 need to work hard at looking at I'll say the next
15 generation or maybe the next two generations down the
16 line, but we really need to look -- if this is going to
17 go and continue and to be important, we really need to
18 look how do we pull the young people into this. I'm
19 talking about people who are young enough that they're
20 using the resource, they have access to elders, they can
21 get information on the resource so they have elders input
22 also.

23

24 I really think that we really need to
25 work -- I think in our recruiting process we really need
26 to emphasize trying to get some young blood into the
27 process. I look around and I see quite a few of us that
28 probably are going to be bowing out or retiring. We've
29 been here a long time. I think this is -- I don't know
30 how long it's been, but this might be my 19th or 20th
31 year and that's not going to continue. So if we don't
32 find some way to draw the young people into it, I can't
33 see any hope for the process in the future.

34

35 Thank you.

36

37 ACTING CHAIR CRIBLEY: Thank you.

38

39 Rosemary.

40

41 MS. AHTUANGARUAK: I'd just like to add
42 that one thing I've been working on is that I know that
43 I need to be mentoring in my next Rosemary to be coming
44 and participating in this process. I know that we don't
45 have a good process to do that, but it is very vital for
46 our multi-generational use and approach to build in the
47 institutional knowledge in this process. If we don't
48 build in a mentoring program, it's an issue that's vacant
49 and it's very necessary.

50

1 I also wanted to support Jack in his
2 communications. We also have tremendous concerns on the
3 Dalton Highway. A lot of the discussions that went on
4 last year brought in increased activities. Some of the
5 efforts for the scenic byways was not well discussed and
6 with the radios and some of the communications that were
7 put out were not truthful, so the amount of increased
8 activity on the Dalton tremendously increased last year.

9
10

11 I remember one of our elders saying that
12 there were seven vehicles going by on the North Slope
13 through the Brooks Range with snowmachine trailers behind
14 them the day that the hearing was going on. They say
15 that this kind of stuff is not promoted but yet the
16 communications that were going on the radio by some of
17 the leadership of this state was promoting that kind of
18 activity, which was not truthful. So that's very
19 concerning.

20

21 We also have had tremendous amounts of
22 impacts with increased activity on the Dalton Highway
23 with the expansion with ice roads and all those kinds of
24 things, but then you've got the increased users and the
25 increased fly-in hunters, so there's a lot that needs to
26 be assessed and communicated as these changes are
27 occurring.

28

29 ACTING CHAIR CRIBLEY: Thank you. Any
30 other of the Chairs have any comments while we have this
31 opportunity or they have the floor.

32

33 (No comments)

34

35 ACTING CHAIR CRIBLEY: Are we ready to
36 move to the next item or what would you like to do? What
37 would we like to do.

38

39 MR. PROBASCO: Thank you, Mr. Chair. If
40 the Board will indulge me, this next opportunity is for
41 the public to comment on non-agenda items, but we do have
42 some public members that are only available to attend
43 today's meeting and they would actually like to testify
44 on issues coming up before the Board. One is the Saxman
45 or nonrural issue and others are other proposals. They
46 only have today, so if the Board would indulge those
47 people, that would be greatly appreciated.

48

49 ACTING CHAIR CRIBLEY: I think we can
50 accommodate that. Do you want to go ahead and move into

1 the public comment period now then.

2

3 MR. PROBASCO: Or do you want to take a
4 break.

5

6 ACTING CHAIR CRIBLEY: Or do we want to
7 take a break. Is there coffee? Why don't we go ahead
8 and take a quick break. How long do we take a break?

9

10 MR. PROBASCO: Ten minutes.

11

12 ACTING CHAIR CRIBLEY: About 10 minutes.
13 Well, why don't we go ahead and take a 10-minute break
14 and then we'll get started on the public comment period.

15

16 Thank you very much.

17

18 (Off record)

19

20 (On record)

21

22 ACTING CHAIR CRIBLEY: Calling the
23 meeting back to order, we're on the agenda item public
24 comment period for non-agenda items. We'll go ahead and
25 Pete will kind of manage that and call folks forward to
26 provide their comments. Just a reminder to everybody who
27 will be commenting we've got a very full agenda, so if
28 you could keep your comments concise and to the point and
29 we will go ahead and not have any time restrictions on
30 the comments at this moment. As long as we can be
31 disciplined we'll move through this and give everybody an
32 opportunity to provide their input to the Board and the
33 RAC Chairs and we appreciate that.

34

35 Pete, who do we have?

36

37 MR. PROBASCO: Thank you, Mr. Chair. If
38 I may, is there anybody online that wants to testify.

39

40 (No comments)

41

42 MR. PROBASCO: Hearing none. Keep in
43 mind, public, that this is also the opportunity for those
44 of you that can only be here today to testify on agenda
45 items, so we will adjust our agenda for that. Our first
46 person up is Rosita Worl and Senator Albert Kookesh is
47 with her as well.

48

49 ACTING CHAIR CRIBLEY: If you could go
50 ahead and introduce yourselves.

1 MS. WORL: Yes. Thank you, Mr. Chair.
2 My name is Rosita Worl and, if I may, may I begin?

3
4 ACTING CHAIR CRIBLEY: Yes, please.

5
6 MS. WORL: Thank you for the opportunity
7 to address you today. I am here today to respectfully
8 request the Federal Subsistence Board to reconsider its
9 final rule to reclassify the Native Village of Saxman as
10 nonrural and to urge you to determine that Saxman is
11 rural.

12
13 I would like to summarize the basic
14 points I have made in a prepared statement. I will
15 forward the statement to your office and request that it
16 be entered into the formal record. Currently I serve on
17 the Alaska Federation of Natives board of directors and
18 I chair the Federal Policy Committee, which includes
19 oversight of subsistence. I served as chair of the AFN
20 Subsistence Committee for well over 10 years. I'm also
21 vice chair of the Sealaska Corporation board of directors
22 and president of the Sealaska Heritage Institute, whose
23 mission is to perpetuate and enhance the Tlingit, Haida
24 and Tsimshian cultures. Saxman is one of our tribal
25 communities.

26
27 In addition, I am an anthropologist and
28 received my Ph.D from Harvard University. I have studied
29 and written about subsistence economies and cultures
30 throughout the state of Alaska and in the Canadian arctic
31 for some 30 years. It is with all due respect that I
32 state that the Federal Subsistence Board used arbitrarily
33 and scientifically unsound factors in its 2006 assessment
34 of Saxman. It led to the erroneous conclusion that
35 Saxman is not socially, politically and economically
36 distinct from its neighbor Ketchikan and that the people
37 living in Saxman are not rural.

38
39 You have been previously provided
40 material by the Organized Village of Saxman and the city
41 of Saxman entitled RFR 07-06. It includes excellent
42 papers by Drs. Robert J. Wolfe and Daniel Monteith, who
43 are recognized scholars of Alaska Native subsistence
44 cultures and economies. This material contains objective
45 evidence and arguments that Saxman exists as a socially,
46 political and economically distinct community that is
47 dependant on fishing and hunting as part of its
48 traditional mixed subsistence cash economy.

49
50 Dr. Wolfe also provided scientific

1 analysis of the two factors that were used by the Federal
2 Subsistence Board as the basis of classifying Saxman with
3 Ketchikan. His analysis concluded that the true factors,
4 Saxman's students attending high school in Ketchikan and
5 Saxman residents commuting to work in Ketchikan are not
6 sufficient indicators to classify Saxman with Ketchikan.
7
8

9 The U.S. Fish and Wildlife Service
10 additionally commissioned Drs. Wolfe and Fisher to
11 develop measures to determine rural and urban status in
12 Alaska for the Federal Subsistence Board. They
13 identified two scientifically sound and rigorous
14 criteria, including population density and country food
15 productions as indicators to distinguish between rural
16 and urban communities. They applied these indicators in
17 their study of 193 communities and tested the rural or
18 nonrural status of these communities. Their findings led
19 them to conclude that Saxman was rural.
20

21 In a separate study, Dr. Wolfe identified
22 three basic characteristics of rural subsistence
23 economies. Those characteristics include high harvest
24 levels, reliance on kin group for production and exchange
25 and traditional knowledge and resource tenure. The
26 subsistence harvest levels for the community of Saxman
27 are over 200 pounds per capita. This number stands in
28 stark contrast to the 35 to 90 pounds of wild food per
29 person per year in Ketchikan.
30

31 The basic socioeconomic unit in Native
32 subsistence societies are some form of an extended family
33 unit. Native subsistence economies are not individually
34 based. According to the 2010 census, over 67 percent of
35 the 411 residents of Saxman are Alaska Natives or
36 Tlingit. The social organization is represented by Eagle
37 and Raven moieties and the moieties are further
38 subdivided into clans. In Saxman, the clans include the
39 Kiks.adi, the Neix.adi and the Teikweidi.
40

41 The Tlingit population of Saxman today
42 continues its ancient subsistence production and
43 distribution practices. Of the Saxman households, 97.3%
44 used wildlife resources, 79.5% harvested wild resources
45 with 52 identified active or super harvesters, 69.9% gave
46 away or shared wildlife resources, and 91.8% received
47 wild resources.
48

49 The third characteristic of a subsistence
50 economy, traditional knowledge and resource tenure are

1 transferred through clans which traditionally owned land.
2 Clan names and place names are also recognized as
3 property in the Tlingit society. In a study soon to be
4 published by the Sealaska Heritage Institute, over 963
5 place names have been documented as Tantakwan and
6 Sanyakwan sites.

7
8 The Saxman Tlingits have continued to use
9 many of their traditional areas and ancient sites they
10 formerly owned. They have transferred this traditional
11 knowledge and intellectual property and resource tenure
12 through thousands of years. Congress found in its
13 enactment of ANILCA that subsistence use is essential to
14 the cultural identity of Alaska Natives. Congress did
15 not apply this characteristic to rural non-Natives. Thus
16 it is also important to consider the cultural dimensions
17 of Saxman subsistence in your deliberations and
18 determination.

19
20 In brief, I would like to note that the
21 cultural dimensions of subsistence in Saxman are most
22 evident through their ceremonial consumption and
23 distribution of subsistence foods and goods. Clan
24 members accumulate a supply of subsistence food resources
25 that are consumed and distributed through a series of
26 memorial ceremonies held after the death of a clan
27 member. The final ceremony is held generally a year
28 after the death of a clan member.

29
30 A significant cultural dimension also
31 calls for the transfer of favorite subsistence foods of
32 deceased relatives who inhabit the spirit world through
33 fire or consumption of subsistence food by guests who are
34 members of the opposite moiety from the host clan.
35 Through this ceremony and practice the living are
36 reunited with their ancestors. This is a core cultural
37 element of the Tlingit, which is known as Haa Shagoon.
38 This cultural value has ensured the cultural survival of
39 the Tlingit people.

40
41 The sharing and collective consumption of
42 subsistence foods is a distinctive aspect of Tlingit
43 culture. It serves to unify community members and
44 perpetuate the distinctive culture and identity of the
45 Saxman Tlingit.

46
47 Based on the data provided to the Federal
48 Subsistence Board in RFR 07-06 and my testimony, the
49 Federal Subsistence Board should act in the following:
50 First, to reverse its final rule to change the

1 determination of Saxman from rural to nonrural. Second,
2 to dismiss the two factors, the attendance of Saxman
3 students in the Ketchikan high school and the employment
4 of Saxman residents in Ketchikan as insufficient factors
5 to conclude that Saxman residents are not rural
6 residents.

7
8 To designate Saxman as rural and
9 recognize a determination of long-term customary and
10 traditional use of subsistence resources by the community
11 of Saxman that is characterized by the beliefs and
12 customs that have been transmitted from generation to
13 generation.

14
15 To accept the U.S. Fish and Wildlife
16 Service 2003 study for the Federal Subsistence Board that
17 found that population density and country food
18 productions are the scientifically sound and rigorous
19 measures to determine between urban and rural status in
20 Alaska.

21
22 To recognize that the subsistence
23 maintains three basic characteristics of rural Alaska
24 subsistence economies; high harvest levels, reliance on
25 kin groups for production and exchange, and traditional
26 knowledge and resource tenure.

27
28 I would further ask that the Subsistence
29 Board find that subsistence use is essential to the
30 cultural existence of Saxman. I would further urge you to
31 find that Saxman maintains a traditional social cohesive
32 autonomy and persists as a bounded Tlingit community with
33 traditional social and interrelationships and
34 interactions and cultural practices that are distinct
35 from that of Ketchikan.

36
37 I would further ask that you find that
38 despite its close proximity to Ketchikan Saxman exists as
39 a social enclave distinct from Ketchikan and that Saxman
40 continues to be socially, politically and economically
41 distinct from Ketchikan and that subsistence continues to
42 be a dominant aspect of the community.

43
44 I would ask you also to act in compliance
45 with the United Nations declaration on the rights of
46 indigenous people to which the United States is a
47 signatory and its provisions recognizing indigenous
48 people's right to secure in the enjoyment of their own
49 means of subsistence and development and to engage freely
50 in all of their traditional and other economic

1 activities.

2

3 I would further ask you to act in
4 compliance with the presidential executive order 12898 on
5 environmental justice concerning subsistence consumption
6 of fish and wildlife.

7

8 I believe that the Federal Subsistence
9 Board would be acting in accordance with ANILCA and
10 policies of this country in reversing its decisions and
11 designating Saxman as rural. The Federal Subsistence
12 Board would also be acting morally and ethically to
13 ensure the cultural survival of Alaska's first peoples.

14

15 Gunalcheesh.

16

17 MR. KOOKESH: Thank you very much. My
18 name is Albert Kookesh. I'm here as the co-chairman of
19 the Alaska Federation of Natives today. I want to do two
20 things really quick. I want to explain that I have an
21 undergraduate degree from Alaska Methodist University,
22 which no longer exists. It's Alaska Pacific University
23 now. And I have a law degree from the University of
24 Washington, having received my juris doctorate in 1976.

25

26

27 I say that because I want to start off by
28 explaining to you that many of you may have heard that I
29 received a citation a couple of years ago for subsistence
30 fishing in Angoon. I challenged that because of my legal
31 background and for those of you that don't know and maybe
32 not have followed it, because it worked this way. The
33 first day of the citation I was on the front page of
34 every newspaper in the state. When I won the first case
35 and the judge dismissed the case, it was on the last page
36 of every newspaper in the state. I won another appeal
37 since then and the state has appealed its final time and
38 I've won twice in state courts.

39

40 I'm saying this to you because I
41 challenged that in Angoon consciously and with open eyes
42 because I knew that we could win that. That's the kind
43 of issue that's important to me. All my life I've been a
44 subsistence person. I still live in my village. For all
45 of the things I do in the state I still live in my
46 village. I still subsist and it's important to me.

47

48 I mentioned that I'm the co-chairman of
49 the Alaska Federation of Natives. I want to take a
50 minute to thank you for your time and the work that you

1 do as a member of the Subsistence Board. I also want to
2 take the time to thank the RAC members that are here. I
3 really appreciate the effort that goes into time and
4 energy that you spend to give advice and information to
5 the members of the Federal Subsistence Board.

6
7 Alaska Federation of Natives as an entity
8 represents 125,000 Alaska Natives in the state. I'm here
9 today to tell you that twice in recent years the Alaska
10 Federation of Natives Board has gone on record supporting
11 the Saxman designation as rural. I also want to tell you
12 that AFN reserves its right to support any village like
13 Saxman or other villages similarly situated who want to
14 challenge this designation legally. That AFN reserves
15 its right to support those villages financially and
16 legally in any course they would like to take.

17
18 I also want to tell you that I was at the
19 AFN convention when Ken Salazar, the Secretary of
20 Interior, stood up before all of us in the convention and
21 said subsistence is broken in Alaska. Subsistence is
22 broken in Alaska. After months of deliberation, after
23 months of hearings, after months of work, the end result
24 was that they decided to add two seats to the Federal
25 Subsistence Board. That doesn't seem to those of us at
26 AFN that this fixed subsistence in Alaska. We have still
27 to see those two Board members be seated, whoever they
28 are.

29
30 So we're a little bit concerned about the
31 position that we all are in now. You have to remember
32 the position of the Alaska Native people in the state and
33 the rural people in the state. When we look at the
34 protections we have, there is no protection in the state
35 constitution for subsistence as a way of life. There is
36 no protection for rural or Native people for subsistence
37 in the state constitution.

38
39 I was part of the group that for over 10
40 years fought to get a constitutional amendment in
41 Alaska's constitution that would have given subsistence
42 a priority. We were never able to do that even though
43 our polls showed that over 70 percent of the people in
44 the state would vote for a constitutional amendment that
45 would have given that preference.

46
47 So the only protection we have as rural
48 and Native people of the state is Title VIII of ANILCA.
49 You are the Board that stands between us and anybody else
50 that tries to get rid of subsistence. The burden on your

1 shoulder has to be heavy. When you see Native people
2 come to you and rural people come to you, understand that
3 we're coming because you're the only protection we have
4 left, is Title VIII of ANILCA.

5
6 The Alaska Native community is here for
7 two reasons. One, to tell you that if there is any work
8 we have to do to protect rural communities, we will do
9 it. Secondly, we want to tell you that we've heard for
10 many years that we have to have cooperative management in
11 Alaska. As Alaska Native people, I want to tell you
12 this. We've tried to do cooperative management, but we
13 found out that we cooperate and other people manage and
14 that has to stop.

15
16 Thank you very much for taking the time
17 to listen to us today. We really appreciate the time and
18 we hope that you take into account the words that were
19 given to you from the Native community that we represent.

20
21 ACTING CHAIR CRIBLEY: Are there any
22 questions from the Board.

23
24 (No comments)

25
26 ACTING CHAIR CRIBLEY: Okay. Who is our
27 next speaker?

28
29 MR. ADAMS: Mr. Chairman.

30
31 ACTING CHAIR CRIBLEY: Yes.

32
33 MR. ADAMS: If I might, please. I just
34 want to thank Rosita and Albert for coming up here. You
35 know, since the beginning of this process we've been
36 working with Saxman -- the RAC has been working with
37 Saxman, you know, to obtain their rural preference and
38 I've seen Lee over there almost single-handedly work on
39 this issue and we've stood behind him all of the way.
40 But it's good and I'm sure it's comforting to Lee and I
41 know it's comforting to me to see you two people up here
42 talking on behalf of Saxman. Like I said earlier, I
43 think Ketchikan has a pretty good chance of getting their
44 rural determination as well, but we'll see what happens.

45
46 Gunalcheesh, Albert and Rosita.

47
48 MR. KOOKESH: Let me just make one
49 comment. It's interesting when you talk about rural and
50 nonrural. If Anchorage was in a California setting or in

1 a New York setting, Anchorage would be considered a rural
2 community.

3

4 Thank you.

5

6 ACTING CHAIR CRIBLEY: Thank you very
7 much. I appreciate that. Also, I believe, Geoff has a
8 -- don't run off yet. Geoff has a statement.

9

10 MR. HASKETT: I don't have a question,
11 just a comment. I just wanted to actually thank you both
12 for what you shared with us today. I want to just assure
13 you this Board is taking this very very seriously and
14 we're looking forward to the discussion this afternoon.
15 So thank you very much for coming.

16

17 MR. KOOKESH: We came in all due respect
18 and hopefully we can work this out.

19

20 Appreciate it.

21

22 Thank you.

23

24 ACTING CHAIR CRIBLEY: Thank you. Okay.

25

26 Pete.

27

28 MR. PROBASCO: Thank you, Mr. Chair. The
29 next person to speak is Ms. Merle Hawkins. While Ms.
30 Hawkins is coming up, I'll announce who's next and it
31 will be Ms. Carrie Sykes.

32

33 MS. HAWKINS: Good morning. Merle
34 Hawkins, Ketchikan Indian Community. I live in
35 Ketchikan, Alaska. It's a privilege to be here
36 representing my tribe and my people. I'm here to talk
37 about Saxman. I've been involved with subsistence and
38 protection of that. Ketchikan Indian Community Tribe
39 supports Saxman and would like to see that the Federal
40 Subsistence Board reverses their decision. If they can't
41 do that, to at least have a stay so they can keep their
42 status.

43

44 Ketchikan also went for rural status and
45 could never understand the decision because we're almost
46 identical to Kodiak in population and I think the
47 criteria that this Board uses for making this decision is
48 warped and does not fit. I've been told by my elder,
49 Esther Shay is Tlingit, that this land is ours and it
50 always will be even though the Forest Service holds it in

1 trust for us. I really believe that in my heart.

2

3 When I look at all the sacrifices our
4 people have made, it's pretty hard because I'm from the
5 Haida. I can trace my ancestry back to all the villages
6 we came from, but migration has always been a part of our
7 Tlingit and Haida culture. Clans moved around. There
8 was intermarriage, there was trade. They could use some
9 of our culture as part of the criteria, it would make a
10 lot more sense. As a minority group of people having to
11 live by criteria that doesn't fit our lifestyle is pretty
12 challenging. They could use the traditional ecological
13 knowledge.

14

15 The other thing I would like to talk
16 about is the RACs as having deference. I've been on the
17 Southeast RAC since, I don't know, maybe '06, '07 and
18 it's been the most frustrating thing being on this board
19 because the two lifestyles don't seem to fit. I live in
20 Ketchikan, but I live on seafood. I eat fish every day
21 and I trade with people because I can't go fishing, so I
22 harvest berries and vegetables from the land and I trade
23 with people so I'm able to get the food that is needed
24 for my good health and also help the elders and
25 transportation and other things. So it's like the clash
26 of cultures come together when you're trying to get what
27 is needed. When I look at our Haida language is gone.
28 So what I see is political genocide because it just --
29 I'm not able to get the food that I need for my health
30 and my elders.

31

32 So, for Saxman, I just support them in
33 keeping their rural status and I hope that you can
34 reconsider that. So I plan to be here for the three days
35 to see what happens and also the two members of the Board
36 support that and I hope one of those will be from
37 Southeast Alaska.

38

39 Thank you.

40

41 ACTING CHAIR CRIBLEY: Thank you. Could
42 you wait just a second. Does anybody have any questions
43 of Ms. Hawkins.

44

45 (No comments)

46

47 ACTING CHAIR CRIBLEY: Okay. Bert.

48

49 MR. ADAMS: Just a matter of information.
50 Merle has been a stalwart supporter of Saxman and the RAC

1 recognizes that.

2

3 Gunalcheesh, Merle.

4

5 Thank you very much.

6

7 ACTING CHAIR CRIBLEY: Thank you very
8 much.

9

10 Pete.

11

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

13 Also Merle serves as one of our RAC members as well.

14 Next is Ms. Carrie Sykes and after her will be Mr. Sam

15 Thomas. Mr. Sam Thomas.

16

17 MS. SYKES: Good morning. My name is
18 Carrie Sykes and I am the manager for the Business and
19 Economic Development Department of Tlingit-Haida Central
20 Council. Previous to this position I was the subsistence
21 coordinator, so I've been before this Board and before
22 the RAC a number of times. I have always supported
23 Saxman. Central Council is a strong supporter of them
24 having their rural designation.

25

26 I've spoken to other Federal
27 representatives also. I've talked with Larry EchoHawk
28 about this. We see Pat and Garrett(ph) when they were
29 here for their visit to Alaska. When I talked to them,
30 I informed them that I grew up in Ketchikan and I know
31 these people in Saxman. I always remembered that they
32 did a lot of subsistence food preparation. You could go
33 down the street and you could see their smokehouses
34 going, so I know this has always been critical to them
35 too. In a community like Saxman, a lot of times they'll
36 have a skiff before they have a boat because it's
37 important. Access to their subsistence food is critical.

38

39 The traditional and customary harvest is
40 a priority. It's not just food. It's a way of life.
41 It's a culture. So it's really important and it's also
42 important for the Native economies. It's used for
43 traditional and customary trade. It's shared with other
44 family members outside the state, so it's not -- it's
45 just more important than I think people realize. Unless
46 you understand subsistence you can't really understand
47 how important it is. It is absolutely food security and
48 a huge part of our culture and who we are.

49

50 So in all my discussions before the RAC

1 and the Federal Subsistence Board and with the different
2 Federal agencies I've always maintained that the Saxman
3 urban destination was a really bad decision and I really
4 think that it needs to be revisited. So I urge you to
5 really strongly consider reversing that decision and/or
6 having a stay until you can look at how those decisions
7 are made about rural and nonrural designations.

8
9 The subsistence preference that's in
10 ANILCA for rural residents is not adequate. We need to
11 have a different system. Although I live in an urban
12 community, I live in Juneau, I was raised by my
13 grandmother and we put up subsistence food year round.
14 When the food came in, we would stop everything and we
15 would work on that food because we needed it to survive.
16 Now that I live in Juneau I don't have a preference and
17 it's very difficult to get Native food.

18
19 You know, I've stated this to many
20 people, many Federal agencies, I like my subsistence food
21 just as much as the next Native that lives in a rural
22 community. So it's just really not adequate that we
23 don't have the same kind of rights. I know that there's
24 a lot of people that live in the urban areas and they
25 don't have the opportunity to get those subsistence foods
26 and it's causing a break in our culture. There are
27 children that are not allowed the opportunity to know how
28 to work on fish and put it away. I know adult people who
29 don't know how to filet a fish, so it really is causing
30 a break in the culture and it's serious. We need to
31 figure out what to do.

32
33 Our culture is a big attraction in
34 Alaska. People come to Alaska to see the Natives. This
35 break in culture causes a lot of other social problems
36 from not being able to practice who we are and what we've
37 done since time immemorial. So it's really very serious
38 and I can't stress enough that it's not just food, it's
39 our way of life.

40
41 The other thing I wanted to say too is,
42 you know, I really feel strongly and support what Albert
43 Kookesh said. You know, it's been almost three years
44 since the announcement by Salazar that subsistence was
45 broken in Alaska and, you know, at that time the Native
46 people were very excited. They thought something was
47 going to be done. I have to let this Board know that
48 I've spoken to many tribal members and there is a lot of
49 frustration that nothing significant has happened.

50

1 Central Council worked with over 100
2 Native people in our working group to provide comments to
3 the Department of the Interior about the Federal
4 Subsistence Management Program and what we've seen as
5 problems. We wrote two letters that totaled almost 50
6 pages. I worked with Bob Loescher at the ANB Grand Camp
7 Subsistence Committee and we had a significant number of
8 comments that were put together. You know, it's really
9 just disappointing that we have not seen anything happen.
10

11 I was really excited about the two new
12 public seats and from Central Council we had nominations
13 for two very strong candidates who know a lot about
14 subsistence and I really hoped that they were going to be
15 here and be seated today. I've been talking with Pat
16 Pourchot about this quite a bit and I was excited that
17 they would be here when major decisions were being
18 brought before this Board. So I was really disappointed
19 that they could not be here. I would hope that that
20 would happen very soon so that the Native people will
21 have a voice at this table. I think it's really
22 important. These decisions affect us and our culture and
23 we need to have a stronger voice and so I really urge
24 that those two public seats be filled so that we could
25 start trying to get our voices heard and try to make a
26 difference on the decisions.
27

28 So, in closing, I just really would like
29 to urge you to reverse the Saxman decision and/or have a
30 stay on that decision and I also wanted to mention that
31 I support the things that Bert Adams was saying about the
32 RAC not getting due deference. I think that's really
33 critical. The Southeast RAC did support Saxman's
34 position to remain a rural community. I think that's
35 very important that they do get that due deference. I
36 think they should have the authority to be able to submit
37 requests for reconsideration.
38

39 One last comment is also that it's been
40 mentioned that it's confusing to the Native people with
41 two jurisdictions and I really have found in dealing with
42 tribal members that that is absolutely true. People do
43 not know how to interact with the two programs and I
44 think that there needs to be training and resources to
45 tribes so they can be more effective in dealing with the
46 people who are making regulations that affect their
47 lifestyle.
48

49 So there's lots of issues, but I really
50 think that if we could get more education, more resources

1 at the tribal level, get two seats at the table, that we
2 could make a difference and there could be better
3 decisions. Anyway, I just really urge you to reconsider
4 Saxman.

5
6 Thank you.

7
8 ACTING CHAIR CRIBLEY: Thank you. Do we
9 have any questions or comments from the Board or RAC
10 members.

11
12 Geoff.

13
14 MR. HASKETT: Just a suggestion. I think
15 we've heard two different discussions now and
16 presentations on the concern about not having the two new
17 Board members and I want to recognize that Pat Pourchot,
18 who is the Secretary's representative on this is here and
19 might ask that he could give a short presentation on the
20 status of that so it maybe answers some of the questions
21 people have.

22
23 ACTING CHAIR CRIBLEY: Okay.

24
25 MS. SYKES: Yes, I think that would be a
26 good idea.

27
28 ACTING CHAIR CRIBLEY: Are there any
29 other questions. Yes.

30
31 MR. ADAMS: Just a short thank you to
32 Carrie for the great job she is doing in Southeast
33 Alaska. You know, we were really worried about people
34 getting involved and tribal governments getting involved
35 and there is the young lady that is making it happen for
36 us. Gunalcheesh, Carrie.

37
38 MS. SYKES: (In Tlingit).

39
40 ACTING CHAIR CRIBLEY: Any other
41 questions.

42
43 (No comments)

44
45 ACTING CHAIR CRIBLEY: Thank you very
46 much. I appreciate that.

47
48 MS. SYKES: Thank you for the opportunity
49 to speak.

50

1 ACTING CHAIR CRIBLEY: Yes. Why don't we
2 go ahead and recognize Pat Pourchot. Ask him to come up
3 and give us an update on where we're at with filling
4 those two Board positions. Pat, if you could just go
5 ahead and introduce yourself and tell us what your
6 position is and inform us, we'd appreciate that.

7
8 MR. POURCHOT: Thank you very much, Mr.
9 Chairman. Members of the Board. My name is Pat
10 Pourchot. I'm special assistant to the Secretary of
11 Interior for Alaska Affairs located here in Anchorage.
12 I share Ms. Sykes concern and others regarding the
13 appointment of two public members to the Board.

14
15 It's somewhat embarrassing to me
16 personally and I'm going to be apologetic for a process
17 that we all in the Department of Interior own, but we did
18 have over three dozen applicants for the two public
19 members. A number of organizations, such as Central
20 Council, endorsed various candidates. There was
21 background checks and interviews conducted and a package
22 for potential signing by the Secretary has subsequently
23 winded its way through the Department of Interior and,
24 much to some of our disappointment, has been lodged in
25 some legal issues way beyond the appointment of various
26 individuals or not, but more in terms of the whole Board,
27 and public members serving on the Board. Our counsel,
28 Mr. Goltz and others, have been engaged in discussions
29 with others in our Solicitor's Office.

30
31 Hopefully we can get through this and
32 resolve this. As I say, my fondest hope would be that we
33 could seat two additional public members on the Board in
34 the near future. Certainly it was the hope that the two
35 members would be here today at this meeting. That did
36 not happen. I guess a new goal, a new target would be to
37 have two new public members seated for the March meeting
38 of the Board.

39
40 I might add, Mr. Chair, that as the
41 regulations that were approved here in the Federal
42 Register and comment process call for this as an
43 appointment by the Secretary of Interior with the
44 concurrence of the Secretary of Agriculture and I would
45 say that this problem does not lie in any way with the
46 Department of Agriculture. It's within the Department of
47 Interior.

48
49 ACTING CHAIR CRIBLEY: I guess I would
50 make the one statement, as based on the comments we're

1 getting here and the concern by the public, making sure
2 that the Secretary recognizes the importance of this and
3 the problems that the delays are occurring. I feel
4 confident that you're relaying that information to him,
5 but from this Board meeting I would take that opportunity
6 to reinforce that with him, that it is an important issue
7 for everybody in Alaska.

8

9 MR. POURCHOT: Mr. Chairman. Excellent
10 point. I will add that to my communications.

11

12 Thank you very much.

13

14 ACTING CHAIR CRIBLEY: Does anybody have
15 any questions. Yes.

16

17 MR. GOLTZ: On this one you can
18 definitely blame the lawyers. It's held up in our office
19 in Washington, D.C. Part of the problem is communicating
20 the nature of this Board to people who have no idea what
21 the Yukon is like. They're looking at the Potomac and
22 they draw one set of conclusions. It's an education
23 process. It's one of the defects of Federal management
24 I'm afraid. But it's clearly the lawyers that are
25 hanging this up and nobody else.

26

27 ACTING CHAIR CRIBLEY: Any other
28 questions for Pat. Geoff.

29

30 MR. HASKETT: Just I think a major point
31 to take away from this though is that two names have been
32 forwarded, which I'm not sure everybody knew that and
33 that the intent was to actually have them sitting here
34 with us today. I think it's important to know that
35 that's what we hoped was going to occur. Just echoing
36 what Pat Pourchot said, that we're hoping by the next
37 Board meeting in March that the two individuals will be
38 seated. So the expectation is that we all very much hope
39 that will happen.

40

41 ACTING CHAIR CRIBLEY: Okay. Thank you,
42 Pat.

43

44 Pete.

45

46 MR. PROBASCO: Thank you, Mr. Chair. Our
47 next person is Mr. Sam Thomas. After Sam Thomas will be
48 Mr. Norman -- excuse me, Arriola?

49

50 MR. ARRIOLA: Arriola.

1 MR. PROBASCO: Arriola. Thank you.

2

3 MR. THOMAS: Good morning, Mr. Chairman.
4 Members of the committee. My name is Sam Thomas. I'm
5 the tribal president for the Craig Tribal Association on
6 beautiful Prince of Wales Island. I'm here to speak on
7 a couple issues this morning.

8

9 One is Southeast sea otter issue. I'm
10 going to reiterate kind of some were at the Bureau of
11 Indian Affairs providers conference back in December and
12 I spoke on the issue and some weren't that are sitting at
13 the table. We've come to the conclusion in Southeast
14 Alaska the introduction of the sea otters from the late
15 '60s, early '70s with no management plan has caused a
16 real impediment on tribal government's, tribal members'
17 ability to go out and do what they normally do in a way
18 of life, an existence. Some of the U.S. Fish and
19 Wildlife's terminology and what this body is charged with
20 is subsistence in your terminology.

21

22 There are substantial evidence out there
23 from '99 to 2005, 2006 McDowell Groups, studies that have
24 come forward to identify not only the impacts on the
25 harvest levels for commercial uses, but it starts with
26 our ability to go out and subsist. Those numbers from
27 the clams, the gooey ducks, the king crab, dungeness
28 crab, sea urchins, the abalone, are no longer in
29 existence in our area. You see the impacts from rural
30 Alaska up here. People going from the rural to the hubs
31 and there's a reason for that and you're going to start
32 seeing that down in our area because if you've ever
33 shopped in Craig or Klawock area, it's not very cheap to
34 shop there, so they are going to go to a cheaper resource
35 or cheaper way of living because the jobs in the area
36 don't provide for that.

37

38 In the U.S. Fish and Wildlife's letter
39 that I got on Friday the 13th it identifies that they
40 want to do more studies. We have enough studies out
41 there that's identified for evidence that we need to move
42 forward with some kind of a management of this marine
43 mammal that is basically escalating at an ungodly number.
44 It's probably the population of 13,000-plus and it
45 increases anywhere from 13-21 percent. It depends on
46 when the juveniles start reproducing in any given year.

47

48 My request to you folks today is to take
49 a look at it because -- and I'm sure that maybe Bert and
50 them have looked at it at the regional level within our

1 area. I think it needs to be elevated.

2

3 There's one more topic I'd like to take
4 up that a gentleman from Kasaan has asked me to address
5 is the mammals that people use in their regalia. It
6 seems to be, I think, on your guys' agenda in a couple
7 different ways. Whether they call it sealing or
8 registering mammal parts to either use on their regalia
9 or for sale and if they have to get -- tribal members
10 utilize mammals to their fullest ability and whether they
11 use it on their regalia or another ceremonial type
12 things, we don't feel that we should be having to go out
13 and get additional permits. We get licenses just like
14 anybody else out there that goes out and does any given
15 hunt.

16

17 You've seen in the -- I'm not sure if
18 you've seen it, but the Department of Justice took over
19 kind of regulation of the eagle feathers, so we're kind
20 of -- pretty soon if we go out and want to exercise our
21 traditional way of life, we're going to have to leave our
22 house with a pocketful of permits. That shouldn't be the
23 way we have to go and exist in society.

24

25 So I'd just caution you guys when you
26 guys go through your proposals to look at that. As
27 identified earlier by Senator Kookesh, you guys have a
28 responsibility to us. You guys are here for a reason.

29

30 I guess that's all I have today,
31 Mr. Chairman.

32

33 ACTING CHAIR CRIBLEY: Thank you. Does
34 anybody have any questions.

35

36 MR. ADAMS: I have a comment, Mr.
37 Chairman.

38

39 ACTING CHAIR CRIBLEY: Yes.

40

41 MR. ADAMS: Just to let you know, sir,
42 that the SERAC has been pretty concerned about the sea
43 otter situation and we have been doing our best to try to
44 look at it working with the Fish and Wildlife Service.
45 Doug Burn was working with us on it and then he left, so
46 I don't know whether that position has been filled or
47 not. Hopefully we'll be able to come up with some kind
48 of a management plan that will address a lot of our
49 concerns and issues. So I just wanted you to know that
50 we're trying to be on top of it.

1 Thank you.

2

3 MR. THOMAS: My suggestion is just like
4 when they had a problem with the eagles. Open a bounty
5 up on them until they get to a manageable level and then
6 shut them off and then manage them. You don't have a
7 management plan now, so it's not going to hurt.

8

9 ACTING CHAIR CRIBLEY: Any other
10 questions. Okay, thank you very much. Oh, I'm sorry.

11

12 MR. VINCENT-LANG: I want you to know the
13 State of Alaska is also very concerned about sea otters
14 in Southeast Alaska and we're looking at ways to map --
15 trying to work with the Service to try to manage them
16 more in an ecosystem context rather than just as sea
17 otters that have to reach some level because we agree
18 they're causing a lot of effects on a wide variety of
19 both subsistence uses and State managed fisheries.

20

21 ACTING CHAIR CRIBLEY: Geoff.

22

23 MR. HASKETT: I don't have specific
24 answers for you today, but I do understand this is a
25 major concern and we are working on it. Bert mentioned
26 that Doug Burn has left and we have not filled that
27 position yet, but we're still working on it. I think
28 Bert, at the last meeting, very kindly recognized that we
29 are trying to work on this. I know there are some legal
30 concerns and we can't just open up a bounty, but we also
31 recognize we need to do something different than we have
32 in the past. So my promise is we're going to continue to
33 work on it and hopefully we'll get there sooner instead
34 of latter.

35

36 ACTING CHAIR CRIBLEY: Yes.

37

38 MR. LOHSE: Mr. Chair. If you would like
39 to see the impact of sea otters on a resource, just go to
40 Cordova.

41

42 ACTING CHAIR CRIBLEY: Any other.....

43

44 MR. ADAMS: Then come to Yakutat.

45

46 (Laughter)

47

48 ACTING CHAIR CRIBLEY: Any other
49 questions.

50

1 (No comments)

2

3 ACTING CHAIR CRIBLEY: Thank you, Mr.
4 Thomas.

5

6 MR. THOMAS: Thanks.

7

8 MR. PROBASCO: Mr. Norman Arriola. And
9 I apologize for mispronouncing your name.

10

11 MR. ARRIOLA: Good morning. For the
12 record, my name is Norman Arriola. I reside at 3225
13 Timberline Court, Ketchikan, Alaska. I've been a
14 lifelong resident, 65.5 years. I enjoy living here.
15 There's several items I'll just touch on briefly, but the
16 one I wanted to address today was the dungeness crab
17 fishery that's been authorized year round in District 1
18 and 2 areas.

19

20 It becomes a concern because technically
21 what happens when they harvest year round during the
22 summer months they're in their molting stage. Let me
23 give you an example. I had a very close relative that
24 passed away a couple years ago and I had the opportunity
25 of purchasing some crab from one of the -- I don't know
26 where the guy was from. I haven't seen him to this day.
27 But when I bought the crab I paid \$6 per crab. That \$300
28 for 50 crab, which I bought. I went home and cooked them
29 and I saw that there was a lot of crab there I had to
30 clean, so I called a couple of our relatives that were
31 going to our loved one that had passed on and we started
32 cleaning them. Hardly any meat in them because they were
33 in their molting stage. They're barely legal size. I
34 don't know who monitors that, if it's the State Fish and
35 Game or who. I think in consideration of these crab, if
36 they continue the year round harvest, they're going to
37 wipe it out.

38

39 Back in '69 to April 28th of '75 I logged
40 out of Thorne Bay and across Thorne Bay, mouth of the
41 Thorne River there, you cross the bay, Union Bay, it used
42 to be a good crabbing area, but that's been wiped out.

43

44 As far as Saxman rural status goes, we as
45 a Native community support Saxman in retaining their
46 rural status. They have -- their boundaries are one mile
47 radius. By resolution, Ketchikan Indian Community
48 supports their retaining their rural status. I would
49 hope that this Board would take in consideration and have
50 them retain that status.

1 You heard about the sea otter. That's a
2 big issue in Southeast. The last couple years now
3 Ketchikan has put on a Seafood Fest up at the Ted Ferry
4 Civic Center where local restaurants participate. They
5 cook all the seafood up. It costs \$30 a ticket. They
6 use that as a fundraiser for -- I don't know what they
7 use the money for. Anyway, the concern about the sea
8 otter raiding the oyster beds. A comment from one of the
9 oyster farmers that out of all those that are doing the
10 oyster farms they lost about \$675,000 in one season.
11 That's a lot of money. It takes time for these oyster
12 beds to grow.

13
14 I can't recall which gentleman made the
15 comment about working getting some kind of a management
16 plan in place so that our traditional hunters without
17 being harassed by the Feds hunt these sea otters. They
18 talk about significantly altered. We have a couple
19 tribal members, one that was convicted and another one
20 that's pending in Federal court for sea otter hunting.
21 A lot of those pelts that our hunters gather are utilized
22 for making some of our regalia. It's beautiful regalia.

23
24
25 So there's a lot of concern about how --
26 you know, you heard Senator Kookesh state that you're our
27 last resort. You're our stand behind. But I see a lot
28 of overregulating as far as Federal regulations go. The
29 State of Alaska is governed by two entities as far as our
30 way of life goes and I'm talking about subsistence. I
31 use the term our way of life because since time
32 immemorial our ancestors lived and survived off the land
33 and the ocean without any regulations. They knew how
34 much to gather to get through the winter months. This
35 past summer the major spawning stream for the sockeye
36 salmon was shut down because there was very little return
37 and it's my understanding the sockeye salmon run was
38 late.

39
40 We have a lot of fishing boats that come
41 from the Lower 48, as far away as California, Oregon and
42 Washington. A lot of these packers that come from
43 Washington state, I don't know who regulates them, but I
44 know for a fact that these packers, when they're up here
45 for five months out of the year, they have their big
46 refrigerators on their boats and they vacuum pack and put
47 up a lot of halibut, a lot of red snapper, a lot of king
48 salmon and sockeye. What do they do with it? They take
49 it down south and sell it. I don't have the proof, but
50 it wouldn't surprise me if they did.

1
2 A couple summers ago I was down on the
3 dock. We have anywhere from four to five cruise ships
4 that come into Ketchikan heading either north or heading
5 south and there was this big, tall, slim Texan -- I
6 called him a cowboy, but he had a 10-gallon hat, nice
7 fancy shoes -- big cowboy boots, 18-inch buckle, mirror
8 sunglasses on. I walked up and I said, good morning, are
9 you the new sheriff in town. He's about 6'4" and I'm
10 only 5'4". He was sitting there puffing away on a foot-
11 long cigar. I said what cruise ship are you on, sir. He
12 said I'm not. I said how'd you get here. He said we fly
13 up -- he said about 14 of us that fly up here every
14 summer for the past 12 years and we fish all summer long.
15 It wouldn't surprise me if these guys are millionaires
16 because what they do with that thousands and thousands of
17 pounds of fish that they ship out on Alaska Airlines or
18 on the Alaska Marine Highway, they sell all this fish in
19 their restaurants.

20
21 Well, we, as subsistence gatherers, we're
22 allowed 15 sockeye. You cannot feed a family off of 15
23 sockeye. The Yukon River was shut down for three weeks
24 last year and I talked to three young ladies that I had
25 met back in Washington, D.C. when we met with Obama top
26 administration and addressing issues as we're addressing
27 today. Their comment to Congressman Young was that due
28 to the fact that the salmon run was late up the Yukon, it
29 was shut down for three weeks, they were only able to
30 gather 25 percent of their winter food.

31
32 We have a lot of sports fishermen in
33 Ketchikan and they're allowed to -- I know their limits
34 are cut down and they're starting to complain and so are
35 those other resorts where they bring these guys in and
36 fish all summer long and send the salmon out of state.

37
38 I know you guys are trying to do the best
39 you can, but in closing I'd like to say thank you for
40 allowing us that came before you to speak today and hear
41 our concerns on how we as Native people survive off this
42 beautiful land that God created. He made caretakers out
43 of us and we've got to do the best we can to take care of
44 it. Not only land, but also the ocean.

45
46 With that, again, reconsider Saxman's
47 rural status. Like I said, KIC by resolution do stand
48 beside them and support them in retaining that. Like I
49 said, their boundaries on Ketchikan is one mile radius.
50 That's the only land. It's an island that's 35 miles

1 wide, 50 miles long, year round population during the
2 heyday of the timber industry we had probably close to
3 21,000. Now we're down to 13,000 or less.

4
5 With that I want to thank you again and
6 look forward to hearing more of what your decision is,
7 whether it be on the land or ocean, on the concerns that
8 we as Native people have.

9
10 Thank you.

11
12 Any questions.

13
14 (No comments)

15
16 MR. ARRIOLA: Hearing none, thank you.

17
18 ACTING CHAIR CRIBLEY: Thank you.

19
20 MR. PROBASCO: Mr. Chairman. Let me ask
21 if there's anyone on line that would like to testify.

22
23 (No comments)

24
25 MR. PROBASCO: Mr. Chairman. The next
26 slate of people to testify have identified actual
27 proposal numbers and I'm not sure if there's confusion.
28 If I read your name and you plan on staying for the
29 meeting, then your opportunity to testify will be when
30 that proposal is called, but if you have to leave today,
31 then the Chairman will allow your testimony.

32
33 The first person I have down to address
34 Proposal 12-66 is Larry Sinyon. Larry, are you just here
35 for today?

36
37 MR. SINYON: No, I can wait.

38
39 MR. PROBASCO: Okay. Thank you. Mr.
40 Wilson Justin, 12-32.

41
42 MR. JUSTIN: I can wait.

43
44 MR. PROBASCO: Ms. Gloria Stickwan. Are
45 you going to be here for the meeting, Gloria?

46
47 MS. STICKWAN: Yes.

48
49 MR. PROBASCO: Thank you. And Ms. Linda
50 Tyone, are you here just for today or are you here for

1 the meeting?

2

3

MS. TYONE: Whole meeting.

4

5

6

MR. PROBASCO: Thank you. Mr. Chair,
that concludes the people that have signed up for public
testimony at this time.

7

8

9

10

ACTING CHAIR CRIBLEY: Thank you. With
that we'll move on down through the agenda. Next item on
the agenda is Fisheries Resource Monitoring Plan.

11

12

13

14

MR. PROBASCO: Thank you, Mr. Chair. At
this time we will ask Dr. Steve Fried to come up and make
the presentation on this Fisheries Monitoring Plan.

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For example, you could look at Northern
Region on Page 26 that lists some of the priority needs
for that particular one. Every single region had a few
priority information needs listed in the call to give

1 people an idea of the sort of information needs we're
2 looking at. Many of the projects that are considered for
3 2012 funding specifically address these priority
4 information needs identified in the request. There are
5 also some that address other needs that people brought
6 forward.

7
8 In response to the request for proposals,
9 there were 60 proposals that were received in January
10 2011 that would cost 5.69 million to fund these. These
11 were evaluated by the Office of Subsistence Management.
12 They were then reviewed by the Technical Review Committee
13 and there were four ranking factors used. Strategic
14 priority, technical scientific merit, investigator
15 ability and resources, and partnership capacity building.
16 If you turn to Pages 22 to 23 if you're interested in a
17 more detailed description of these four factors.

18
19 Of the 60 proposals, 39 of these were
20 recommended for development of more detailed
21 investigation plans by the Technical Review Committee in
22 March 2011. Of the 39 investigation plans requested,
23 there were seven that were withdrawn before further
24 consideration by the investigators. So that left 32
25 potential projects that were received for further funding
26 and reconsideration in May 2012. These are listed in
27 Tables 1 and 2 on Pages 12 and 13.

28
29 Of these 32 proposed projects, 22 involve
30 stock, status and trends. They're biological projects.
31 10 are either harvest monitoring or traditional
32 ecological knowledge projects. After reviewing these,
33 the Technical Review Committee recommends funding 29 of
34 the 32 proposed projects. You can see Table 3 on Page 14
35 for a list of these.

36
37 If these were funded, most of the funds
38 would go to either Alaska Native organizations, about
39 28 percent of the funds, and State agencies, about 47
40 percent of the funds, and the remainder would go to other
41 non-government organizations, 11 percent of the funds.
42 These would include like universities or private
43 contracting firms and also Federal agencies would receive
44 about 14 percent of the funds.

45
46 Recommendations made by the Regional
47 Advisory Councils and the InterAgency Staff Committee
48 agreed with those made by the Technical Review Committee.
49 You can see on Page 11 the consensus recommendations.
50 So, therefore, there are no non-consensus agenda projects

1 this year for the 2012 plan. The consensus agenda
2 includes 29 projects recommended for funding as well as
3 three projects that are not recommended for funding. You
4 can find more details on the proposed projects as well as
5 the justification with the funding recommendations in
6 each regional overview. I mentioned the one for the
7 Northern Region begins on Page 26 and it goes right
8 through Pages 152.

9
10 So the Board can either adopt the draft
11 2012 Monitoring Plan recommended by the Technical Review
12 Committee, the InterAgency Staff Committee and the
13 Regional Advisory Councils or they could adopt a modified
14 version of their choosing if they don't agree with these
15 selections. If you have any questions on specific
16 projects or any other aspect of the Monitoring Program,
17 I'll do my best to answer them.

18
19 Thank you for your time.

20
21 If there's any questions, as I mentioned,
22 I'm here to answer them.

23
24 MR. PROBASCO: Thank you, Mr. Chair. Dr.
25 Fried, would you direct the Board to the summary of those
26 29 projects, what page that's on, so they can focus if
27 they so like on the consensus projects.

28
29 MR. FRIED: There's a list of those
30 projects on Page 11 that shows the consensus
31 recommendation to fund and then the three that were a
32 consensus recommendation do not fund. That's a listing.
33 There's more information on Pages -- these are all
34 summaries, but basically Table 1 on Page 12, which show
35 the number of proposed projects in each region and what
36 were recommended by the TRC, the Councils and the ISC,
37 which the recommendations were all the same. There's
38 total money amounts for each region on Table 2 on Page
39 13.

40
41 Basically beginning on Page 14 and going
42 through Page 20 is a region-by-region breakdown, which
43 gives the title of each proposal, the funding
44 recommendation, the requested budget for each year
45 beginning in 2012 going out through 2015 for each of
46 those. That's basically the quick summaries. Within the
47 document there's some more detailed information that
48 backs up all that information.

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

1 if the Board wanted to go with the consensus from the
2 RACs, TRC and the ISC, then they would focus on Page 11,
3 is that correct?

4

5 MR. FRIED: That's correct.

6

7 ACTING CHAIR CRIBLEY: Are there any
8 questions from the Board or any of the RACs?

9

10 MS. PENDLETON: Mine is really just a
11 comment. I understood as I was meeting with Staff in
12 Juneau last week and looking over the work that really I
13 wanted to commend the RACs, the ISC, as well as the
14 Technical Review Committee. This is a substantial piece
15 of work to get to where the recommendations are and the
16 fact that you got to a consensus I know is no small feat,
17 so I just wanted to acknowledge all of the parties that
18 have been involved and am supportive of where the
19 entities have come out within your recommendation.

20

21 Thank you.

22

23 MR. VINCENT-LANG: Okay. We have no
24 trouble with that list of research projects. I just
25 might add that although the State may oftentimes or
26 sometimes disagree with an analysis of subsistence
27 priorities, we do not disagree on the need for sound
28 science to inform those decisions and we think this is a
29 good set of research projects to inform good decision
30 making.

31

32 ACTING CHAIR CRIBLEY: Thank you, Doug.

33

34 Geoff.

35

36 MR. HASKETT: Just before the motion, I
37 like to take every opportunity I can to go ahead and be
38 in the same place as the State, so I appreciate what you
39 just said and we agree completely. So thanks, Doug.

40

41 ACTING CHAIR CRIBLEY: Do we have a
42 motion. Yes, Geoff.

43

44 MR. HASKETT: I'd like to go ahead and
45 make the motion to adopt the recommendations of all 10
46 Regional Councils regarding the 2012 Fisheries Resources
47 Monitoring Plan. I'd like to note that every RAC is in
48 favor of it, the State's in favor of it. I don't think
49 we often have anything that's offered up where we have
50 that much agreement, so I'm very happy and make the

1 recommendation to adopt this.
2
3 MS. MASICA: Second.
4
5 ACTING CHAIR CRIBLEY: We have a second.
6 Does that mean the motion is adopted?
7
8 MR. PROBASCO: No. Now discussion.
9
10 ACTING CHAIR CRIBLEY: Okay. Do we have
11 discussion.
12
13 (No comments)
14
15 ACTING CHAIR CRIBLEY: Okay. With no
16 further discussion we'll call for the question.
17
18 MR. PROBASCO: Thank you, Mr. Chair.
19 We'll go through our voting order. Recognize, Board
20 members, that this order will change as we go to each
21 voting item. So first up today will be Ms. Pendleton.
22
23
24 MS. PENDLETON: Yes.
25
26 MR. PROBASCO: Ms. Masica.
27
28 MS. MASICA: Yes.
29
30 MR. PROBASCO: Mr. Cribley.
31
32 ACTING CHAIR CRIBLEY: Yes.
33
34 MR. PROBASCO: Mr. Towarak.
35
36 CHAIRMAN TOWARAK: Yes.
37
38 MR. PROBASCO: Thank you, Tim. Mr.
39 Haskett.
40
41 MR. HASKETT: Yes.
42
43 MR. PROBASCO: Mr. Virden.
44
45 MR. VIRDEN: Yes.
46
47 MR. PROBASCO: Mr. Chair, motion carries,
48 6/0.
49
50 ACTING CHAIR CRIBLEY: Thank you. With

1 conclusion of that agenda item, we'll move to our next
2 agenda item, which is tribal consultation protocol status
3 report.

4

5 MR. PROBASCO: Mr. Chair. To assist in
6 this we have Ms. Della Trumble on line. She was one of
7 the co-chairs along with Ms. Crystal Leonetti.

8

9 MS. LEONETTI: Thank you. I'm Crystal
10 Leonetti. I'm the Alaska Native Affairs specialist for
11 U.S. Fish and Wildlife Service and I'm also the co-chair
12 of this work group to formulate a tribal consultation
13 policy for the Federal Subsistence Management Program.
14 Della, can I hear your voice, do you want to introduce
15 yourself.

16

17 MR. TRUMBLE: Mr. Chair and Board,
18 Federal Board, I'm Della Trumble (indiscernible) on
19 behalf of the tribal consultation (indiscernible).

20

21 MS. LEONETTI: Thanks, Della. You're
22 cutting out just a little bit. So what Della and I
23 decided through text messaging this morning because our
24 flights didn't run yesterday is that I would go through
25 this presentation and she would add anything as we go
26 through the presentation that she felt like adding.

27

28 As an introduction, the workgroup
29 realizes the significance of this change, the change
30 being the addition of tribal consultation to the Federal
31 Subsistence Management Program. The group also
32 understands the differences in perspectives that are out
33 there. We heard things such as there doesn't need to be
34 a tribal consultation policy for the Federal Subsistence
35 Board and we heard an elder say he's been waiting for
36 this moment for 20 years.

37

38 So all the workgroup members have come to
39 the table with a strong sense of mission. They have
40 really put their minds to the test and have a very
41 positive outlook for strengthening the Federal tribal
42 relationship through this policy.

43

44 I'd like to introduce the work group
45 members and I'd like to ask if they're in the room to
46 please stand up when I say your name. So there's Della
47 Trumble, who is on the phone, the co-chair, and she's
48 from King Cove. John W. Andrew from the Organized
49 Village of Kwethluk, Lillian Petershoare, the Native
50 liaison for U.S. Forest Service. Rosemary Ahtuanguaruk

1 from Barrow and Nuiqsut, Jean Gamache from National Park
2 Service. She's the Native liaison. Nancy Swanton from
3 National Park Service. Shana Larson from the Native
4 Village of Chickaloon. Richard Peterson from the
5 Organized Village of Kasaan. Pete Probasco and, as an
6 alternate, Andrea Medeiros from the Office of Subsistence
7 Management. Brenda Takeshorse, the Native liaison at
8 Bureau of Land Management. George Carlson Yaska, Jr.
9 from Huslia and Fairbanks. Bobby Andrew from the Native
10 Village of Ekwok. And Glenn Chen and an alternate Pat
11 Petrivelli from BIA.

12
13 So thank you to all the work group
14 members for all the hard work you've done so far and the
15 work we're still going to do. It's been fun and we have
16 more fun to come. Instead of going through the policy in
17 detail, I'd like to give an overview. What I'm going to
18 do is cover the steps taken to develop this draft policy,
19 go over some general concepts of this draft policy, what
20 the themes are generally of this policy, suggested
21 changes since this draft has been printed. The next
22 steps and timeline for the next steps and then questions
23 for Board members from the workgroup.

24
25 By the way, there are handouts of this
26 draft policy outside on the front table for the general
27 audience and I've also provided my talking points to the
28 Board and the RAC Chairs.

29
30 So first of all the steps taken to draft
31 this policy. In May 2011 the Federal Subsistence Board
32 working session, the Board assigned a task of writing a
33 protocol to the workgroup. The workgroup was assembled
34 with seven tribal and seven Federal members. In June of
35 2011, the workgroup met in Anchorage for two days,
36 drafted an internal protocol to be used for the fall
37 cycle of Regional Advisory Council meetings. A tribal
38 co-chair was named. That's Della Trumble.

39
40 In July, the Board at its work session
41 adopted two interim protocols, one for tribes and one for
42 ANCSA corporations to be used during the fall cycle of
43 Regional Advisory Council meetings for the wildlife
44 proposals. On July 26th, separate letters were sent to
45 tribes and to ANCSA corporations from the Chair of the
46 Federal Subsistence Board regarding consultation on the
47 2012-2014 wildlife proposals and on the development of a
48 long-term consultation protocol.

49
50 Then in August to October 2011 12

1 consultation teleconferences were held to consult on the
2 2012-2014 wildlife proposals. Although this was a first-
3 time process, we're positive that there will be more
4 attendance in the future and we'll be doing more outreach
5 to increase awareness of this type of opportunity. It
6 was a wonderful learning experience for both the tribes
7 and the ANCSA corporations and for Federal Staff. What
8 we learned during these teleconferences helped us draft
9 this policy.

10
11 On September 30th another letter was sent
12 to all tribes inviting them to an in-person consultation
13 in December with a new draft version of the protocol
14 attached to the letter. On October 20th a consultation
15 with ANCSA corporations and tribes was held during the
16 Alaska Federation of Natives annual convention here in
17 Anchorage. It was well attended and we gained more
18 valuable insight at this meeting.

19
20 On December 1st a consultation with
21 tribes was held during the annual BIA tribal service
22 providers conference in Anchorage. It was attended by at
23 least 300 people, at least in my estimate, and we learned
24 substantially more. The following week, on December 6th
25 through 8th, the workgroup met in Anchorage to consider
26 all of the verbal and written direction that we received
27 from tribes and ANCSA corporations.

28
29 Some general concepts of this draft
30 policy. Number one, the policy should be simple, general
31 and broad. This reflects the Department of Interior
32 policy. Since it does not prescribe a process on how to
33 consult we changed the name of it from protocol to
34 policy. Secondly, there's no need to regurgitate the
35 Department level policy since we need to follow those
36 anyway. What we attempted with this new policy format
37 was to utilize the DOI and USDA policies as the base and
38 focus this policy on Federal subsistence management and
39 its unique nature.

40
41 Thirdly, keeping this policy simple,
42 general and broad allows the Board and tribes to remain
43 flexible and adapt to what makes sense for meaningful
44 consultation based on the scope and issues being
45 consulted about.

46
47 Fourth, the DOI is drafting a
48 supplemental consultation policy for ANCSA corporations.
49 The workgroup is mirroring this format knowing that the
50 DOI has had department level solicitors in agreement that

1 this is the approach that makes sense. So we've
2 developed a draft supplemental policy for consultation
3 with ANCSA corporations.

4
5 Some things of this draft policy. Number
6 one, training. What we learned through the series of 12
7 teleconferences prior to RAC meetings and at the
8 consultations in Anchorage is that there's a lack of
9 opportunity for training, mainly for tribes and ANCSA
10 corporations to learn about how to navigate the Federal
11 subsistence management process. As a result, there's a
12 section in this new draft policy called training and it
13 will eventually have two sections, one for training both
14 the Board and Federal Staff on subsistence use and Alaska
15 Native culture, and also training for tribes and ANCSA
16 corporations on the Federal subsistence management
17 processes. Appendix C is a list of possible venues to
18 provide those types of training.

19
20 Another theme is adaptability and that
21 this would be a living document that would be reviewed at
22 a regular interval by the Board to ensure that it's
23 being effective and that this policy is adaptable to many
24 situations.

25
26 A third theme is that it's simple and
27 broad and general in scope. This is not a how-to
28 document, however we've heard concerns that there does
29 need to be a how-to consult document. So one of the
30 questions to the Board is how would the individual
31 agencies like to be involved with development of an
32 implementation guideline for this policy and the
33 workgroup would anticipate that when this policy is
34 adopted as final by the Board that's when an
35 implementation guideline would then be written.

36
37 I would like to read the first paragraph
38 of the preamble on the draft policy as well as the goals
39 for you. The Federal Subsistence Board recognizes the
40 indigenous tribes of Alaska are spiritually and
41 culturally connected to the land, the wildlife and the
42 waters. These strong ancestral ties to the land,
43 wildlife and waters are intertwined with indigenous
44 ceremonies, such as songs, dances and potlatches. The
45 customary and traditional way of life has sustained the
46 health, life, safety and cultures of Alaska Native
47 peoples since time immemorial. To effectively manage the
48 Federal subsistence program the Board will collaborate
49 and partner with tribes to protect and provide
50 opportunities for continued subsistence uses on public

1 lands.

2

3

4 Also the goals, which start on Page 2.
5 The goals of this policy with respect to the Federal
6 subsistence management program are to, number one, create
7 and maintain effective relationships with Federally
8 recognized tribes. Number two, establish meaningful and
9 timely opportunities for government-to-government
10 consultation. Number three, be responsive to a request
11 from Federally recognized tribes to engage in
12 consultation. Number four, work with Federally
13 recognized tribes to improve communication, outreach and
14 education. Number five, acknowledge, respect and use
15 traditional ecological knowledge. Number six, recognize
16 the importance of coordination, consultation and follow
17 up between the Federal Subsistence Board and tribes.
18 Number seven, integrate tribal input effectively into the
19 decision-making process for subsistence management on
20 public lands and waters while maintaining deference to
21 the Federal Subsistence Regional Advisory Councils.

21

22

23 So what are the next steps. First, we
24 hope to receive further direction from the Board today at
25 this meeting. Second, the workgroup will send the draft
26 policy to the Regional Advisory Councils for discussion
27 at their meetings in February and March. Then a letter
28 from the Board to the tribes and corporations will go out
29 in mid February asking for feedback on the new draft
30 policy. The workgroup and the Staff Committee will meet
31 in April via teleconference or videoconference to
32 incorporate any changes from the RAC discussions or
33 written feedback from tribes and ANCSA corporations.
34 Then we'll meet with any available Board members to
35 discuss the new draft prior to the May meeting, including
36 in-depth discussion about the implementation guidelines
37 that I touched on earlier. Then adopt the policy at the
38 May Federal Subsistence Board meeting, then write the
39 implementation guidelines with input from the top level
40 of agencies.

40

41

42 Before I go into questions for the Board,
43 if I could ask if Della has any further comments and/or
44 Rosemary, who is at the table with us. Della?

44

45

46 MS. TRUMBLE: I think it's important to
47 mention that this document that we've been focusing on it
48 has been definitely a work in progress and I envision --
49 I think all of us envision that it will continue to be
50 so, but it also took into consideration, I think, the
51 public testimony of both the ANCSA corporations and the

1 tribal ones at the BIA conference in December. I
2 believe, I think, also it was recommended that we
3 continue this possibly at the BIA level each year.

4

5 Thank you.

6

7 MS. AHTUANGARUAK: I learned an awful lot
8 from participating in this process. I really want to
9 thank all the people that came and provided the
10 testimony. It was very informative and it gave a good
11 feeling for the historical process of the considerations
12 that were brought to the discussions. The process of the
13 working group provided a lot of information of
14 understanding within the agencies, the process of our
15 concerns and presenting the issues that we were there.
16 So I'm very thankful that this process occurred and I'm
17 very thankful for everyone that was involved in the
18 process.

19

20 MS. LEONETTI: Thank you, Rosemary. And
21 I do have questions for the Board and hopefully it will
22 provide more direction for the workgroup to continue its
23 work. One is do you feel this policy is going in the
24 right direction. In other words, a switch from protocol
25 to policy. If not, why not? Is there anything else that
26 the workgroup needs to consider as we go forward with our
27 work?

28

29 ACTING CHAIR CRIBLEY: Does anybody else
30 have any feedback?

31

32 Go ahead, Sue.

33

34 MS. MASICA: Mr. Chairman. In response
35 to Crystal's question, I do support the approach in terms
36 of going to a broader statement of objectives and the way
37 it's currently drafted and then the how-to would be an
38 implementation to be sorted out. I think I've shared on
39 previous occasions we all certainly know with the budget
40 constraints that everybody is faced with there's not
41 going to be a huge influx of resources into OSM to help
42 with this, so it's really going to be incumbent upon all
43 of the agencies to be a participant in the tribal
44 consultation process wherein they're sort of as a part of
45 the Federal Subsistence Board process.

46

47 So I think having those further
48 conversations will be really important to make sure we're
49 doing consultation well and effectively. I think we've
50 had mixed capacity for people to engage and that's

1 something as we're moving forward that I think we all
2 want to keep in mind. We want to invite that engagement,
3 but we need to do so in a way that recognizes, as has
4 been referenced earlier in the process in terms of the
5 demands that many people have and that includes the
6 tribes.

7

8 There were a couple of comments that I
9 had specific to the draft that's in front of us that
10 before it goes out for broader distribution that I would
11 like to recommend get made, but I'll hold until we get to
12 that point.

13

14 ACTING CHAIR CRIBLEY: Yes.

15

16 MS. PENDLETON: I do want to give the
17 working group my appreciation for the effort. I do think
18 the policy is going in the right direction, Crystal and
19 working group. I do continue to feel a sense of urgency
20 around the guidelines or the implementation plan for how
21 we get to an approval policy and then have a little bit
22 more structure relative to our processes and so that
23 we're ensuring that we are doing due diligence and
24 ensuring that these critical consultations are occurring
25 associated with our regulatory cycle, the work with the
26 RACs, etc. So I do continue to feel a bit of an urgency
27 and maybe some more specifics to the working group around
28 the development of those guidelines would be needed.

29

30 Thank you.

31

32 ACTING CHAIR CRIBLEY: Any other comments
33 or questions. Geoff.

34

35 MR. HASKETT: I also wanted to let the
36 working group know that I think they've tackled a very
37 difficult assignment in terms of how to make this happen.
38 We had some listening sessions that the BIA had recently
39 that many of the Board members were at and there were
40 lots and lots of concerns about how this will be done and
41 I think every time we step into this, you know, how are
42 we going to do the best way of consulting. No one
43 disagrees it needs to be done, but of course the devil is
44 in the details and making sure we're able to address all
45 the concerns.

46

47 So I'd like to especially thank both
48 Della and Crystal for keeping this going for the entire
49 group. I think I recognize the best concerns. I think
50 the group recognizes that too. I don't think we can sort

1 that out here today, but I have a lot of faith in the
2 workgroup coming back to us very quickly with some
3 hopefully solutions on how to move this forward as
4 quickly as possible.

5

6 ACTING CHAIR CRIBLEY: Yes.

7

8 MR. VIRDEN: Yes, I'd like to also thank
9 the workgroup and all the work they've done. Just trying
10 to get together is sometimes quite a challenge when
11 you're spread out. I've been in King Cove and kind of
12 difficult to get in and out of there at times. I agree
13 with everything that the other Board members have said.
14 I can't think of anything that if I were on the workgroup
15 I would have done differently. Of course, the end
16 product is important and I'll be very interested in
17 seeing that.

18

19 Thank you.

20

21 ACTING CHAIR CRIBLEY: I'm the only one
22 left. I would like to also reinforce what all the other
23 Board members had said as far as appreciation for the
24 work that has been done in trying to formulate this
25 policy and move us forward on this particular issue.
26 It's very sensitive and it's extremely important to the
27 continued work of the Subsistence Board and also
28 fulfilling the trust responsibilities of the Secretary.
29 I know both Secretaries hold that in very high regard as
30 a high priority and we're going to do everything we can
31 to follow through and meet those expectations and
32 obligations.

33

34 One of the questions that I had, Crystal,
35 for you as far as the coordination that you're going to
36 be doing with the RACs on the policy itself as you send
37 that out, are you also at that time going to be
38 discussing ideas or getting from them ideas on the
39 implementation plan itself? The policy is understandably
40 important, but the key to this is how we, at least from
41 my perspective and the concern that I've got and I think
42 has already been expressed by everybody in the room, is
43 the continued obligation that we're putting on rural
44 users of subsistence resources of participating in these
45 processes and trying to determine how we can meet these
46 obligations without creating additional obligations and
47 burdens on those users to provide that consultation and
48 input into this process.

49

50 I was just wondering if you were going to

1 get into that detail with them, but it seems like an
2 opportunity while you have them and you are having these
3 discussions to get those ideas when you come back to the
4 Board to talk about not only the feedback you receive
5 from the advisory councils but also ideas on that
6 implementation.

7

8

9 MS. LEONETTI: Thank you. And thanks
10 everyone for your positive feedback. I appreciate that.
11 Before I answer your question, Mr. Cribley, thank you to
12 BIA especially and Glenn Chen for funding the travel for
13 workgroup members to come in to Anchorage and meet in
14 person. That's been really helpful. So thanks to BIA
15 for that.

16

17 Getting back to your question, Mr.
18 Cribley. We can certainly ask some pointed questions
19 like that to Regional Advisory Council members based on
20 that valuable input that you just gave. The
21 implementation guidelines haven't really been developed.
22 There's a straw draft out there. What you see in your
23 packet is just a general description of what
24 implementation guidelines might include. As far as the
25 burden, we recognize this is definitely more work for all
26 the agencies, for OSM or whoever might take on the burden
27 on the Federal side. The feedback that we've heard from
28 tribes in ANCSA corporations is they welcome this burden
29 and whether they meet in person or by telephone they want
30 very much the opportunity to be involved with government-
31 to-government consultation.

32

33 It is at the forefront of all of our
34 minds on the workgroup when we talk about both the work
35 load on the Federal side and on the tribal side. So,
36 yeah, those are serious considerations and we are
37 hopefully going to balance that.

38

39 ACTING CHAIR CRIBLEY: Well, I don't know
40 how the rest of the Board members feel about that, but it
41 just seems like an opportunity as you are in contact with
42 the RACs to maybe ask some of those questions if they
43 have any ideas on that that might help with that overall
44 perspective of the work load that is involved with the
45 entire subsistence program.

46

47 Beth. Oh, I'm sorry. Sue.

48

49 MS. MASICA: Crystal, Pete pointed out to
50 me that Page 2 of the handout had some of those suggested

1 changes, so I think you're looking for an affirmation
2 from the Board that those would be included in the draft
3 that would go out further, is that correct?

4

5 MS. LEONETTI: Yeah. I somehow skipped
6 over that part. I can go through that real quick. The
7 first suggested changes since this was printed, if you go
8 to Page 3, under consultation, number one, communication.
9 The second sentence under consultation, communication
10 between the Federal agencies and tribes will occur in a
11 timely manner to maximize opportunities to influence the
12 Board's decisions, including delegations such as in-
13 season management decisions.

14

15 We want to make this sentence more
16 clearly stated so that it's not assuming that the Board
17 will consult for every emergency action because it's not
18 always possible. But we'll communicate prior to every
19 emergency action. So communication is the key here, not
20 formal government-to-government consultation. So that
21 needs to be more clearly stated. Also it's been
22 suggested to change the word in that sentence from
23 influence to read provide input to. That's the first
24 one.

25

26 The second one is under number three on
27 that same page, topics for consultation. So the first
28 bullet prior to the words emergency and temporary
29 actions, add the words procedures regarding. That was
30 the second recommended change. The third one is on Page
31 4 under accountability and reporting. The recommendation
32 is to delete the sentence that says evaluation measures
33 will be developed in collaboration with tribes and
34 reviewed annually. The fourth suggestion is to develop
35 two sections, one for training for Federal Staff and the
36 Board and another section for providing opportunities for
37 training for tribes and ANCSA corporations. Those are
38 the suggested changes since this draft has been printed.

39

40 MS. MASICA: There were two others,
41 Crystal, that I don't know that I have better words for
42 you, but I would just point out that maybe as the RACs
43 are discussing and you all are working with them that I
44 would -- that struck me. One was in the definitions, the
45 very first item is action with tribal implications and
46 that lists a series of things and those use slightly
47 different words than are used on Page 3 under number 3,
48 which is topics for consultation. To lessen any
49 confusion, my suggestion would be that they try to match
50 up as much as is possible.

1 Then the other one that struck me was on
2 Page 4 in the accountability and reporting section. It
3 talks about the Board providing an oral and written
4 summary to tribes. I think just clarifying that that
5 would be through the Board meeting process so that
6 expectations are clear about what that means. That might
7 be something that what that looks like will benefit from
8 further discussion, but I think before we finalize this
9 making sure we're clear about what that's going to look
10 like would be beneficial.

11
12 Thank you.

13
14 MS. LEONETTI: Okay. Thanks.

15
16 ACTING CHAIR CRIBLEY: Any other comments
17 or questions. Anybody on the phone have any comments or
18 questions.

19
20 MR. TOWARAK: Yeah, Bud. This is Tim
21 Towarak in Unalakleet. I also appreciate all the work
22 that the tribal consultation committee has been doing all
23 these months and I look forward to continue working with
24 you to carrying out the plan to educate the tribes on the
25 process. I like what I see. I think once people find
26 out about this and learn a little bit more about it, I
27 think there's a lot of confusion right now about what
28 tribal consultation really means to the tribes, but once
29 they find out what it is, I think we will see some good
30 exchange of information with the actual users of
31 subsistence. Thanks.

32
33 ACTING CHAIR CRIBLEY: Thank you, Tim.
34 Geoff, do you have a comment.

35
36 MR. HASKETT: I want to thank the Board
37 for not trying to go into wordsmithing here. That was
38 not going to work obviously. I think what we're doing
39 here, unless someone says differently, is we're given a
40 charge, the group that was being presented for the most
41 part really does work and we have full trust in them to
42 go forward and work that out and come back before we give
43 final approval and I think that's a good way to move
44 forward.

45
46 ACTING CHAIR CRIBLEY: Pete.

47
48 MR. PROBASCO: Thank you, Mr. Chair.
49 Crystal, help me here, but what I heard, back to Della
50 and Crystal, is that look at the suggested changes that

1 Crystal presented as well as what Ms. Masica stated and
2 work from there?

3

4 Mr. Chair.

5

6 ACTING CHAIR CRIBLEY: Does the Board
7 members agree with that?

8

9 (Board nods affirmatively)

10

11 ACTING CHAIR CRIBLEY: I think we have
12 consensus on Pete's summary of that. I guess we
13 encourage Crystal and Della to go forth and do good stuff
14 and continue to have fun, of course.

15

16 MS. LEONETTI: We will. Thank you. I
17 just want to encourage also the audience here and tribes
18 and corporations to continue to provide us with direction
19 and feedback as we not only go through this meeting this
20 week but at any time. Contact me or Della or any of the
21 workgroup members.

22

23 Thank you.

24

25 ACTING CHAIR CRIBLEY: Thank you, very
26 much. I guess, too, the audience and everybody, this is
27 a time of challenges but also of opportunities. This is
28 critical and this is everyone's opportunity to
29 participate.

30

31 We have a very broad inclusive group
32 that's working on this and to encourage everybody to take
33 advantage of that and communicate with them and get your
34 thoughts heard. I know this group and the intent and the
35 direction we're going and it is their desire to take that
36 information, because we want to do this as well as we
37 possibly can and try to do it right the first time as
38 opposed to how we normally do business in the government.
39 So we'll try a new model.

40

41 Thank you very much and good luck.

42

43 I think we're at a break point right now.
44 Pete, how long do we get to have for lunch or when would
45 you suggest that we come back?

46

47 MR. PROBASCO: Thank you, Mr. Chair. We
48 do have a time certain for tribal consultation on
49 wildlife regulatory proposals to start at 1:00. That
50 doesn't preclude you from starting at 1:15. So that's

1 what I would suggest.

2

3 ACTING CHAIR CRIBLEY: Okay. Why don't
4 we go ahead and break for lunch and come back at 1:15.

5

6 Thank you.

7

8 MR. PROBASCO: Tim, we will call back on
9 this line at 1:15. Okay, Tim.

10

11 MR. TOWARAK: All right. The weather is
12 looking better, so I'll probably get into Anchorage this
13 afternoon. So I might cut out when I have to check in.

14

15 MR. PROBASCO: Okay. Sounds good.

16

17 Thank you, Della.

18

19 MS. TRUMBLE: Thank you, Board.

20

21 (Off record)

22

23 (On record)

24

25 ACTING CHAIR CRIBLEY: Why don't we go
26 ahead and get started for the afternoon session here
27 today. The next item that we have on our agenda is
28 tribal consultation on wildlife regulatory proposals.
29 Pete, do we have anybody who's prepared to make a
30 presentation.

31

32 MR. PROBASCO: Mr. Chair. If you will,
33 let me just read the names I have. I believe they want
34 to testify on behalf of themselves, but let me just make
35 sure. If you are here representing a tribal government
36 and want to testify at this time on the wildlife
37 proposals, please go fill out a white card at the front
38 desk.

39

40 Linda Tyone, are you here?

41

42 (No response)

43

44 Okay. Larry Sinyon. Larry.

45

46 (No response)

47

48 I believe they're all going to be there.

49 Wilson Justin.

50

1 (No response)

2

3 Gloria Stickwan.

4

5 (No response)

6

7 I believe they're all here to testify
8 when we get to the individual proposals, Mr. Chair. At
9 this time I have no one else signed up for tribal
10 consultation on wildlife proposals.

11

12 ACTING CHAIR CRIBLEY: Okay. With that
13 I guess we move to the next agenda item, which opens up
14 the public comment period on consensus agenda items. Do
15 we have anybody who is presenting on that.

16

17 MR. PROBASCO: Mr. Chair. If you will
18 refer to Page 5 and going to Page 6, you will see those
19 proposals as well as the ones I mentioned verbally this
20 morning that are on the consensus agenda. We provide the
21 opportunity for the public to testify on any of these
22 proposals. The Board will not take final action on these
23 consensus agenda proposals until the end of the meeting,
24 so each morning we'll give an opportunity for public to
25 testify if they so desire. At this time, Mr. Chair, I
26 have no one signed up to testify on these proposals.

27

28 Mr. Chair, if I may. Wilson Justin, are
29 you going to testify on behalf of tribal entity or
30 yourself?

31

32 MR. JUSTIN: (Indiscernible).

33

34 MR. PROBASCO: Please do.

35

36 MR. JUSTIN: Thank you, Mr. Chairman. I
37 apologize, I was out of the room when my name was first
38 called. I am Wilson Justin here to testify on behalf of
39 Cheesh'na Tribal Council on several proposals that are
40 before this Board. I don't know that there's any reason
41 to give an extended dialogue in this particular session.
42 I think for the most part a lot of the preliminary
43 activities have gone over the proposals fairly
44 extensively. The Office of Subsistence Management has
45 reviewed the proposal, have offered comments.

46

47 So, in general, I'll just say that our
48 primary concern with these proposals, especially the
49 proposal that has to do with the crossover to Eastern
50 Interior on Chisana Caribou, our primary concern amongst

1 all of our proposals, including the caribou hunt, which
2 is WP68-104, I believe, and then the C&T determination
3 under WP66 for Chistochina in Unit 12, and then WP23, I
4 believe, is the sheep proposal.

5
6 Our primary concern in all of these
7 proposals is that we review these proposals not in a
8 context of regulatory hunting and taking of game. We
9 want the Cheesh'na proposals to be reviewed as a proposal
10 by a tribal government on behalf of beneficiaries to re-
11 establish the beneficiary's presence. We are descendants
12 of the people who used this area. Our primary concern is
13 that this Board reviews our proposals as re-establishment
14 of the rights and privileges of Cheesh'na tribal members
15 within the game unit management boundaries that are
16 described in each of these proposals.

17
18 Separate from that, under the sheep
19 proposal, where we have elders who want to hunt sheep
20 earlier than usual and later than usual, we would like to
21 add that any time you have a proposal for elders to hunt
22 there are certain conditions that you have to be very
23 cognizant of. Number one, elders really can't get out
24 there for any length of time, so the opportunity, the
25 window of opportunity is extremely narrow and limited and
26 it has to be very consistent with the weather pattern.
27 Elders really have to be cautious about very mundane
28 things like footing. Even walking up an icy trail could
29 be something that could be a serious detriment.

30
31 So our proposal both extends and also
32 opens the season earlier. We know as a matter of
33 practical reality that no elder is going to go out there
34 for 40 or 50 days. We're only thinking elders will come
35 out at the most two or three days at a time. Whenever
36 they find the weather pattern most consistent with the
37 kind of time they need to be spending out there. So
38 we're not asking for a really long season for elders.
39 We're asking that elders be given the kind of
40 consideration that their age should be given and that
41 they themselves should select the opportunity to be out
42 there, not this Board or the regulations.

43
44 Having said that, I believe I'll stop there. We have
45 other considerations that are beyond the scope of what we
46 are here. Those are issues that are related to criteria
47 that's -- the eight criteria and things like that. I
48 just wanted to speak to the proposals today.

49
50 Thank you.

1 ACTING CHAIR CRIBLEY: Anyone from the
2 Board have any statements or questions.
3
4 MR. PROBASCO: Mr. Chair. If I may,
5 Wilson, the sheep proposal I believe you're speaking, you
6 said 23. I think you meant 32.
7
8 MR. JUSTIN: 32. Thank you.
9
10 ACTING CHAIR CRIBLEY: Again, does any of
11 the Board or RAC members have any questions or
12 statements.
13
14 (No comments)
15
16 ACTING CHAIR CRIBLEY: Thank you.
17
18 MR. JUSTIN: Thank you.
19
20 MR. PROBASCO: Mr. Chair. We have Mr.
21 Elmer Marshall representing Tazlina village.
22
23 MR. MARSHALL: Good afternoon, Board
24 members and other associated members. I want to talk on
25 Proposal WP24, which is considering hunting of what they
26 call the Mentasta Herd. I've hunted in this area for
27 60-some years and I've never heard of a Mentasta Herd.
28 I know there's a herd in the Wrangells that used to be
29 there they call the woodland caribou way up in the upper
30 range in Unit 11 and they don't intermingle with the
31 Nelchina Herd. The herd that you're considering talking
32 about as the Mentasta Herd is the Nelchina Herd. They
33 migrate from Eureka to Paxson, Paxson to Chistochina,
34 they go up through Mentasta Pass, they go over to Tetlin,
35 Northway and then into Fortymile country, weather
36 permitting. My recommendation is to treat the local
37 residents as Federal hunters as you do in the other
38 Federal lands on that one.
39
40 And then on your other proposal I want to
41 talk about extending the season on Unit 13 caribou. The
42 reason why I'd like to do that is because you don't know
43 when the caribou is going to migrate through there. It
44 could come early, it could come late, so if you could
45 extend that season it would be beneficial to the local
46 people for access because they come along the highway
47 when they migrate through.
48
49 As it is now, there's a bunch of local
50 people there that could harvest those -- I'm talking

1 about 24 again. This Mentasta area, they have to get
2 their Federal permit and then they have to go up on the
3 Richardson Highway, up that area to hunt, and that's a
4 long distance to travel just to get a caribou. When
5 they're right there in the backyard they're migrating
6 through there and they could go on the Federal lands to
7 hunt.

8

9 That's all I have. Any questions.

10

11 ACTING CHAIR CRIBLEY: Any Board members
12 have any questions or statements.

13

14 (No comments)

15

16 ACTING CHAIR CRIBLEY: Any of the RAC
17 Chairs.

18

19 (No comments)

20

21 ACTING CHAIR CRIBLEY: Okay, thank you
22 very much.

23

24 MR. MARSHALL: Thank you.

25

26 MR. PROBASCO: Mr. Chair. At this time
27 that's all the people I have signed up for testimony on
28 behalf of tribal -- Gloria, do you want -- okay, I was
29 mistaken. Ms. Stickwan would like to speak on behalf of
30 her organization.

31

32 MS. STICKWAN: My name is Gloria Stickwan
33 and I wanted to speak on the proposals as they come up if
34 that's okay. So we're going to talk about Proposal 24 or
35 the statewide proposals first?

36 MR. PROBASCO: Ms. Stickwan, Gloria,
37 right now we're just taking testimony from tribal
38 governments.

39

40 MS. STICKWAN: Oh, I'm not with the
41 tribal government. I'm sorry.

42

43 MR. PROBASCO: I'm sorry I confused you.
44 I do have you down for numerous proposals to testify on
45 your behalf, so that will be coming up.

46

47 MS. STICKWAN: Okay. Thank you. Sorry.

48

49 ACTING CHAIR CRIBLEY: Thank you.

50

1 MR. PROBASCO: Mr. Chair. That's it as
2 far as tribal consultation on wildlife proposals.

3

4 MR. JUSTIN: One more.

5

6 MR. PROBASCO: Larry, I called your name
7 earlier. You weren't here, so come on up, please.

8

9 MR. SINYON: My name is Larry Sinyon.
10 I'm from Chistochina. I'm board president for Cheesh'na
11 Tribal Council. We're a traditional government.
12 Chistochina is on Tok Cutoff on Mile 33 in the Copper
13 River region. Cheesh'na is a signatory on memorandums of
14 agreements with Wrangell/St. Elias National Park and the
15 BLM in Glennallen. We signed it under the umbrella of
16 government-to-government executive order of the President
17 of the United States.

18

19 My family history. My grandfather, J.P.
20 Sinyon is from Cantwell and my mother and her family are
21 from the Nabesna area, Chistochina, around through there.
22 We all have been hunting for -- I hunted all my life in
23 Units 11, 12 13, around in Copper Basin area mostly. My
24 dad hunted, he guided through that area. He worked for a
25 number of guiding outfits in that area back in the '60s,
26 '70s and late part of '50s. I was three years old when
27 this Alaska Territory became a state.

28

29 The proposals, there's three of them on
30 there that we support and we put before you guys, WP12-
31 66, -68 and -32. That's about all I have. My mom is also
32 from up in that area. I have another copy of this
33 testimony.

34

35 ACTING CHAIR CRIBLEY: Any other Board
36 members or RAC members have questions or statements.

37

38 MR. PROBASCO: Mr. Chair. Mr. Sinyon, if
39 you want the Board members to have a copy of your
40 testimony, give it to the people out front and they'll
41 make copies of it and give it to the Board members.

42

43 MS. SINYON: Okay. That's all I have.
44 Thank you.

45

46 ACTING CHAIR CRIBLEY: Thank you.

47

48 MS. PENDLETON: Mr. Chair. When there's
49 an opportunity, we have a group of students from Sitka
50 who are here this week to participate and observe and

1 learn from the proceedings of the Board meeting and would
2 like to introduce them when it's appropriate.

3

4 ACTING CHAIR CRIBLEY: Ms. Pendleton,
5 that would be fine. We could do that right now if you'd
6 like.

7

8 MS. PENDLETON: Jack Lorrigan from the
9 Forest Service is going to come up and introduce the
10 students. They can stand in place if that works easier,
11 Jack, for you. At least you're on the mic, but it would
12 be great if they'd come up and join you.

13

14 MR. LORRIGAN: Mr. Chairman. Members of
15 the Board. Thank you very much. My name is Jack
16 Lorrigan. I'm the subsistence biologist with the Sitka
17 and Hoonah Ranger Districts. In the spirit of what Mr.
18 Ralph Lohse and Bert Adams said earlier about recruiting
19 youth into these programs, that's what this grant that
20 Ms. Straley and I worked on. She was successful in
21 getting some money. That's why these people are here
22 before you today. They're here to observe your
23 proceedings and hopefully we'll inspire some of them to
24 go on to higher education and get some education under
25 their belt and hopefully enter Federal ranks and become
26 part of the management process. Hopefully ideally to
27 have that happen in their own home country, their own
28 backyard.

29

30 I'll let Jan say a few words and I'll
31 have them introduce themselves.

32

33 Thank you.

34

35 MS. STRALEY: Thank you. Thank you for
36 letting the class sit in on your proceedings. This was
37 a grant and an idea that Jack and I developed together to
38 try to see how we could promote our resources and people
39 in our own communities to become stewards of the
40 resources that they use for their subsistence lifestyle.
41 It's a grant from the USDA, the Alaska Native and Native
42 Hawaiian Serving Institutions. So if you see our
43 congressional delegation, thank them for this opportunity
44 and I'll let the students speak for themselves.

45

46 MS. LITTLEFIELD: My name is Cassandra
47 Littlefield. I grew up in Sitka.

48

49 MS. BACTAD: My name is Tiana Bactad and
50 I grew up in Aleknagik.

1 MR. YOUNG: My name is James Young and I
2 grew up in Sitka.
3
4 MR. FRAKER: My name is Marc Fraker. I
5 grew up in Yakutat, but live in Sitka.
6
7 MR. LEE: My name is Billy and I grew up
8 in Kwethluk.
9
10 MR. LORRIGAN: Thank you for your time,
11 Mr. Chairman as well as the Board.
12
13 ACTING CHAIR CRIBLEY: Thank you very
14 much.
15
16 (Applause)
17
18 MR. PROBASCO: Mr. Chairman. Let me try
19 this once more and then I think we can move on. Is Linda
20 Tyone here.
21
22 MR. ADAMS: Mr. Chairman. May I make a
23 comment about these young people if I could.
24
25 ACTING CHAIR CRIBLEY: Sure, Bert.
26
27 MR. ADAMS: I'm really happy to see young
28 people come to these meetings. We try to encourage that
29 even in our Regional Advisory Councils. But I just want
30 the people from Sitka -- I suppose some of you are from
31 Mt. Edgecumbe, right? Okay. I graduated from Mt.
32 Edgecumbe by the way. I was born in Sitka and my father
33 -- let me just say is a (in Tlingit) and also (in
34 Tlingit) which means my father is from Sitka and he's
35 from the (in Tlingit) tribe and my grandfather is a
36 Kiks.adi from Sitka as well. So in the book that I was
37 writing, sharing paragraphs with you this morning, is
38 designed particularly for the young people so that they
39 can be inspired to get more involved in the issues that
40 are before us today.
41
42 I just wanted to express my appreciation
43 to Jack and -- Mr. Fraker, I haven't seen you in a long
44 while. Anyhow, I'm sure happy to see you all here and
45 say gunalcheesh to them.
46
47 Thank you.
48
49 MS. AHTUANGARUAK: Mr. Chair.
50

1 ACTING CHAIR CRIBLEY: Yes.

2

3 MS. AHTUANGARUAK: I also wanted to
4 recognize the students and I wish that I had the
5 foresight of understanding that I needed to be prepared
6 as strongly as I am today to participate. Your knowledge
7 that you're getting today will lead your communities in
8 the changes that are coming and the discussions we're
9 having are affecting our daily lives and I wish that the
10 education that I've received over the years was given to
11 me at a much earlier basis and might have saved some of
12 our traditional and cultural uses in Nuiqsut. So I'm
13 glad that you're here and participating in learning about
14 the process. Please feel free to continue to participate
15 and share concerns as these discussions will affect your
16 lives.

17

18 Thank you.

19

20 ACTING CHAIR CRIBLEY: Anyone else have
21 a statement they'd like to make.

22

23 (No comments)

24

25 ACTING CHAIR CRIBLEY: Okay.

26

27 MR. PROBASCO: Thank you, Mr. Chair. We
28 do have Ms. Linda Tyone here. She's representing Ahtna,
29 Incorporated.

30

31 MS. TYONE: Thank you. My name is Linda
32 Tyone. I'm here on behalf of Ahtna, Inc. I'm from
33 Gakona Village. That's where my mom was from and my dad
34 was from Gulkana Village up along the Copper River. I'm
35 here to testify and comment on Proposal 12-24, to open
36 the caribou hunt in Unit 11 with the season of August 1st
37 to September 30th.

38

39 This hunt would give the opportunity for
40 Mentasta and Cheesh'na village the opportunity to harvest
41 a caribou. Right now they have to travel in Unit 13 to
42 harvest a caribou. If they're lucky to hunt under a
43 state hunt, usually they close before they get up in that
44 area. So this would give them an opportunity to get a
45 caribou.

46

47 I'd like to also comment on the 12-68 and
48 that's to grant C&T rights for the village of Cheesh'na.
49 I think this should have been done a long time ago. I
50 don't know why it wasn't. All the other villages nearby

1 was granted the C&T. I think this issue can be corrected
2 here. They hunted there for generations. We have
3 relatives in all the villages there, so it's only right
4 that they be granted the C&T determination in Unit 12.

5
6 We also submitted comments on numerous
7 proposals and you have a copy of that. I'd like you to
8 consider our comments in your decisions on the proposals
9 before.

10
11 I'd like to also comment on the nonrural
12 and rural determination. I think the village of Saxman
13 should be considered again. This issue has been going on
14 for a long time and I think it should be dealt with and
15 they should be given back their rural determination. A
16 lot of the people testified that they need this and it
17 would help for them to -- it's hard times right now and
18 prices of gas and everything going up and for them having
19 a nonrural determination it's just another hardship on
20 Native people who depend on it.

21
22 It's going to set a precedent for other
23 villages that come up in the future, so I think if it's
24 taken care of now it will be better for the future.

25
26 ACTING CHAIR CRIBLEY: Thank you. Any
27 Board members have any questions or statements they'd
28 like to make.

29
30 (No comments)

31
32 ACTING CHAIR CRIBLEY: Any RAC Chairs.

33
34 (No comments)

35
36 ACTING CHAIR CRIBLEY: Okay. Thank you
37 very much.

38
39 MS. TYONE: Thank you.

40
41 MS. AHTUANGARUAK: Mr. Chair.

42
43 ACTING CHAIR CRIBLEY: Yes.

44
45 MS. AHTUANGARUAK: Moments ago I received
46 a call from Fenton Rexford from Kaktovik. Can we see if
47 he was able to get on the line. He asked for the call-in
48 number.

49
50 MR. PROBASCO: Fenton, this is Pete. Are

1 you on? Fenton, are you on?

2

3 (No response)

4

5 MS. AHTUANGARUAK: We do have a blizzard
6 going on up there. Many of the public facilities have
7 closed. They do have concerns about this proposal and
8 their traditional and customary hunting has gone into the
9 -- for the Proposal WP12-76 on the sheep. It's the Red
10 Sheep and Cane Creek drainages. The community has had
11 long-term traditional and customary harvest in that area.

12

13 They've expressed concerns at meetings
14 and support this proposal because of increased changes to
15 the area with increased activities with fly-in hunters
16 and other hunters coming in off the Dalton Highway. It
17 is affecting their hunt. They travel a great distance
18 from Kaktovik to go down into this area for hunting when
19 it's very cold. The sheep will be more on that side for
20 them to attempt to harvest. The conflict with other
21 users when they're traveling such a great distance when
22 they have easier access coming from other areas into this
23 area, by the time they get to where they can try to
24 harvest, there's other hunters that are affecting their
25 ability to harvest. They are very concerned that this
26 has been very important.

27

28 One of my uncles gave me my first taste
29 of sheep from that area when I went out to Barter Island
30 in the '80s. He went out there specifically to harvest
31 for the Christmas feasting and there was also a funeral
32 that happened right at the same time. This sheep harvest
33 was very important for that traditional usage and they
34 would like to see this harvesting continue without the
35 conflicts of the other users.

36

37 MR. PROBASCO: Thank you, Mr. Chair. To
38 draw your attention, we just got a written correspondence
39 that would fall under tribal consultation from the Sitka
40 Tribe of Alaska. They have specific proposals on
41 WP12-02, WP12-06, WP12-11, WP12-20 and everybody has a
42 hard copy here. I will ask our coordinator for Southeast
43 when we get to those specific proposals to just note and
44 provide their comments specific to those proposals.

45

46 Mr. Chair.

47

48 ACTING CHAIR CRIBLEY: Thank you. Do we
49 have anybody else who would like to make comments under
50 the item here of tribal consultation. We have

1 opportunity and we have time.

2

3 (No comments)

4

5 ACTING CHAIR CRIBLEY: If not, we will
6 move to our next agenda item. I guess we will move into
7 the 2012-2014 proposals. Pete.

8

9 MR. PROBASCO: Thank you, Mr. Chair. I
10 made the announcement for the consensus agenda. Just
11 real quick. Every morning we'll provide an opportunity
12 for the public if they so desire to comment on consensus
13 agenda items. Anybody within the public or agencies can
14 request a proposal to be taken off the consensus agenda
15 item and then it's up to the Board to act on that.

16

17 At this time, Mr. Chair, we'll start
18 Board deliberation action on non-consensus agenda items.
19 The order of the proposals will be found on Page 3. We
20 will start with the statewide proposals. Specific WP12-
21 01 dealing with brown bear handicrafts and I've asked Ms.
22 Helen Armstrong to be the lead on this. Jennifer, do we
23 have anybody from the State on this one.

24

25 MS. YUHAS: Thank you, Pete. Larry Van
26 Daele has not arrived yet.

27

28 MR. PROBASCO: He's probably having the
29 same weather. Larry is in Kodiak. So we'll proceed with
30 Ms. Armstrong and then fill in the best we can.

31

32 MS. H. ARMSTRONG: Thank you, Mr. Chair.
33 Members of the Board. My name is Helen Armstrong. I'm
34 the chief of anthropology at OSM.

35

36 Proposal WP12-01 starts in your books on
37 Page 174, the executive summary, and then the analysis
38 starts on Page 176. This proposal was submitted by the
39 Brown Bear Claw Handicraft Working Group and it requests
40 that prior to selling a handicraft incorporating a brown
41 bear claw(s), the hide or claw(s) not attached to a hide,
42 must be sealed by an authorized Alaska Department of Fish
43 and Game representative and that a copy of
44 the ADF&G sealing certificate would then accompany the
45 handicraft when sold.

46

47 The proposal is a compromise reached by
48 the members of the Brown Bear Claw Handicraft Working
49 Group and it addresses concerns that were raised by the
50 State of Alaska in deferred Proposal WP10-02, which is

1 the next proposal, with Federal regulations that allow
2 the sale of handicrafts that include brown bear claws
3 from bears that are taken under Federal subsistence
4 regulations.

5
6 The Brown Bear Claw Handicraft Working
7 Group was started when we had the deferral of the
8 previous WP10-02 proposal and it was composed of
9 representatives of nine of the ten Councils. One of the
10 Councils asked not to participate. It's against their
11 cultural beliefs to talk about brown bears. Was also
12 made up of Staff from ADF&G. Larry Van Daele and I co-
13 chaired the working group and Staff of Federal agencies.
14 We also had law enforcement staff. We had a cast of
15 thousands in the group. No, I'm just kidding, but we had
16 a good representation from everyone.

17
18 The working group met over several
19 occasions between 2009 and 2011. It came to the
20 consensus to recommend that the Board reject deferred
21 Proposal WP08 and then the subsequent proposal after that
22 was WP10-02 and then submitted this proposal. The new
23 proposal requires sealing a brown bear only if the
24 subsistence user intends to sell a handicraft
25 incorporating brown bear claws. So if they're not going
26 to sell it, they don't have to do anything special other
27 than what might be required in their region.

28
29 The results of the July 2010 working
30 group meeting were taken to nine of the ten Councils
31 during the Fall 2010 to seek input from those Councils.
32 The Councils' comments and suggestions were brought back
33 to the working group for their consideration prior to
34 finalizing this proposal in March of 2011.

35
36 The proposal would provide some
37 protection to subsistence users who incorporate brown
38 bear claws into handicrafts for sale by providing proof
39 that the claws are from brown bears that were harvested
40 by Federally qualified subsistence users. Having proof
41 that the claws are from a subsistence-harvested brown
42 bear could provide added value to a handicraft as it
43 would identify that the claws are from a
44 legally-harvested brown bear. Requiring that a copy of
45 the sealing certificate accompany the handicraft would
46 provide a method of tracking legally harvested brown
47 bears, but it would also require modification to the
48 sealing certificate, which is managed by the State of
49 Alaska, to include a place on the certificate indicating
50 that the bear was harvested by a Federally qualified

1 subsistence user. We've been told, Larry Van Daele was
2 the one working with us on this, that that would not be
3 an issue to modify the sealing certificate. Have a
4 little box that says Federally qualified user.

5
6 In some units sealing is already required
7 and in some units selling brown bear claw handicrafts is
8 not allowed. Thus, proposed regulations here would not
9 apply everywhere. They only apply to Federal public
10 lands. They wouldn't have an effect everywhere. In
11 places where sealing is already required, then it's not
12 anything new. So in the places where it would be a new
13 requirement, it would be Units 1-5, 9A-C, 9E, 12, 17, 20,
14 22, 23, 24B, only within Gates of the Arctic National
15 Park, 25 or 26.

16
17 Some of you are new to the Board. I'm
18 not going to go through the whole regulatory issue, but
19 this has been something in a variety of forms that's been
20 before the Board since 2002. The Board previously
21 provided for the sale of handicrafts made from the skin,
22 hide, pelt, fur, claws, bones, teeth, sinew or skulls of
23 brown bears by Federally qualified subsistence users
24 where required. It has not been the intent of the Board
25 to
26 create a commercial incentive to harvest bears based on
27 the sale of bear handicrafts and nor has that appeared to
28 have happened since these earlier regulations have been
29 put into place.

30
31 It should be noted that if this proposal
32 is adopted additional paperwork would be required by
33 those subsistence users who intend to sell the
34 handicraft, which in some minds could be a burden to
35 those users.

36
37 I would like to emphasize that there is
38 no known evidence to indicate that the current Federal
39 subsistence regulations adversely affect brown bear
40 populations nor that the Federal subsistence regulations
41 have led to an increased legal or illegal harvest of
42 brown bears.

43
44 At the fall 2011 Council meetings, a
45 number of comments were made and those were listed on
46 Page 182 of your book. There were some Council concerns
47 that the Staff felt needed to be addressed and those were
48 concerns regarding what to do with old claws, are
49 separated from the hide or claws attached to an old hide.
50 The point that subsistence users would experience

1 hardships when sealing the brown bear hides and claws if
2 they have to travel to another community to have the
3 brown bear or claws sealed.

4
5 These are issues that the State of Alaska
6 would need to address as they seal the brown bear hides
7 and claws, not the Federal agencies. At the Interagency
8 Staff Committee meeting, the ADF&G representative did
9 note to us that the State requires the user to sign an
10 affidavit indicating where the brown bear is harvested
11 and in this case if the harvest would be by a Federally
12 qualified user. The State representative also said that
13 the sealing form would be modified to include a box to
14 check that the brown bear was harvested by a Federally
15 qualified user. Also noted that ADF&G can authorize
16 sealers in local communities to allow for sealing to be
17 less of a hardship for subsistence users.

18
19 Reference to ADF&G authorizing sealers
20 cannot be placed in a Federal regulation, but reference
21 to the ability for local residents in rural communities
22 to be ADF&G authorized sealers will be placed, if this
23 proposal is passed, in the Federal regulation book, also
24 referred to as the handy dandy.

25
26 As indicated in the addendum to the
27 analysis on Page 184, the OSM preliminary conclusion has
28 been modified from what was taken to the Council
29 meetings. The OSM conclusion now incorporates some of
30 the concerns of the Councils. The conclusion is to
31 support Proposal WP12-01 with the modification as written
32 on Page 184 to add to the proposed language that old
33 claws may be sealed if an affidavit is signed indicating
34 that the claws came from a brown bear harvested on
35 Federal public lands by a Federally qualified user.

36
37 Thank you, Mr. Chair. Members of the
38 Board. That concludes my analysis. I will also be
39 reading the public comments for the three statewide
40 proposals. We're short on coordinators right now in our
41 Staff, so I'm pinch-hitting.

42
43 Public comments for WP12-01 are on Page
44 189. The Gates of the Arctic Subsistence Resource
45 Commission supported the proposal. No justification was
46 provided.

47
48 The Wrangell-St. Elias National Park
49 Subsistence Resource Commission opposed the proposal.
50 Their concerns were focused on the distance people would

1 have to travel to get to seal the hide or claws and
2 concerned with the photocopying of the sealing
3 certificate and that bear claws that were harvested prior
4 to the existence of this reg, what would happen with
5 those.

6

7 Thank you, Mr. Chair.

8

9 That concludes the public comments.

10

11 ACTING CHAIR CRIBLEY: Do any Board
12 members or RAC Chairs have questions on the analysis.

13

14 (No comments)

15

16 ACTING CHAIR CRIBLEY: No comment. Okay.
17 Thank you. We'll open the floor to public testimony.

18

19 MR. PROBASCO: Thank you, Mr. Chair.
20 First I'd like to go online. Is there anybody here that
21 would like to speak on Proposal WP12-01 that's on the
22 phone line.

23

24 (No comments)

25

26 MR. PROBASCO: Okay. We have one person
27 to testify. If you do plan on testifying on proposals,
28 please fill out a white card that's at the front of the
29 desk there as you came in. Ms. Stickwan, Proposal WP12-
30 01.

31

32 MS. STICKWAN: I support WP12-01 with the
33 modification to add language that old claws may be sealed
34 if an affidavit is signed to verify that the brown bear
35 was harvested by a Federally qualified subsistence user
36 on Federal public land, this may require additional
37 paperwork, but it will allow tracking of handicrafts made
38 from brown bears.

39

40 ACTING CHAIR CRIBLEY: Are there any
41 questions.

42

43 (No comments)

44

45 ACTING CHAIR CRIBLEY: Okay, thank you.

46

47 MS. STICKWAN: I just want to state that
48 our original comments submitted at May has changed
49 because of the meetings that have taken place. We've
50 changed our comments as the meetings progressed and we've

1 changed our comments on some of the proposals.

2

3 ACTING CHAIR CRIBLEY: Thank you. Yes.

4

5 MS. ENTSMINGER: Just from my
6 understanding. Gloria, are you testifying for yourself
7 or Ahtna?

8

9 MS. STICKWAN: I signed up for myself and
10 Linda is representing Ahtna.

11

12 MS. ENTSMINGER: Okay. Thank you.

13

14 ACTING CHAIR CRIBLEY: Thank you.

15

16 MR. PROBASCO: Mr. Chair. The next
17 person is Mr. Sam Thomas and he's representing himself as
18 well as the Craig Tribal Association.

19

20 MR. THOMAS: Thank you, Mr. Chairman.
21 Members of the Committee and Board. My name is Sam
22 Thomas. I'm the tribal president for the Craig Tribal
23 Association. I speak against this because why would you
24 have the State being the managers and oversight of a
25 Federal program. I think it's just an opening of another
26 tier of having to go out and get other permits that are
27 unjustifiable. I think even with having getting these
28 sealed I think it's just another way to regulate and
29 target people that use these for -- whether it's on the
30 regalia or other municipal ways they use within their
31 tribe or their clan. It is a subsistence program and I
32 don't think it should be managed by the State. I would
33 have to speak against it on behalf of -- I think it's
34 just opening another can of worms.

35

36 ACTING CHAIR CRIBLEY: Are there any
37 questions or comments.

38 (No comments)

39

40 ACTING CHAIR CRIBLEY: Okay. Thank you.
41 Anybody else.

42

43 MR. PROBASCO: Mr. Chair. I just got a
44 note that we have two people online that would like to
45 testify possibly to this proposal, but maybe earlier to
46 the opportunity as a tribal entity. The first person is
47 Fenton Rexford. Fenton, are you online? Fenton, are you
48 there?

49

50 (No comments)

1 MR. PROBASCO: The other person is Lee
2 Kayotuk.
3
4 MR. KAYOTUK: I'm here now.
5
6 MR. PROBASCO: Is that Fenton?
7
8 MR. KAYOTUK: This is Lee.
9
10 MR. PROBASCO: Go ahead, Lee.
11
12 MR. KAYOTUK: I want to go against that
13 statewide permit area for the requirements when selling
14 handicrafts with claws. I'll go against that for that
15 proposal for the statewide area.
16
17 ACTING CHAIR CRIBLEY: Okay. Do you have
18 any other statements?
19
20 MR. KAYOTUK: No, I don't. Not at this
21 time.
22
23 ACTING CHAIR CRIBLEY: Does anybody have
24 any questions.
25
26 (No comments)
27
28 ACTING CHAIR CRIBLEY: Okay. Fenton
29 Rexford, are you on line?
30
31 (No comments)
32
33 ACTING CHAIR CRIBLEY: Okay. Fenton is
34 not there. Next.
35
36 MR. PROBASCO: Mr. Chair. That concludes
37 the public testimony. Now you go to each Regional
38 Advisory Council.
39
40 ACTING CHAIR CRIBLEY: Okay. Why don't
41 we go to the Chairs, the Council Chairs. Who wants to
42 start? Bert.
43
44 MR. ADAMS: Thank you, Mr. Chairman. I
45 sat on that working group a couple times and, boy, that
46 was a cumbersome meeting. All the paperwork was pretty
47 extensive. Then it came down to just a couple sentences
48 and a paragraph regarding the proposal. Southeast Alaska
49 Regional Advisory Council opposes it for the reasons that
50 was outlined with Helen's comments.

1 Also Wrangell-St. Elias Subsistence
2 Resource Commission considered this proposal as well. As
3 she reported, opposed it as well.

4
5 Thank you, Mr. Chairman.

6
7 ACTING CHAIR CRIBLEY: Thank you. Ralph.

8
9 MR. LOHSE: Thank you, Mr. Chairman. As
10 you probably know, the Southcentral Subsistence Regional
11 Advisory Council supported this after quite a bit of
12 discussion. As you notice, having dealt with the brown
13 bear claw issue, there's a lot of differences of opinion
14 all over the state, a lot of differences of looking at
15 brown bears. One of the things Southcentral has
16 recognized time and time again is the fact that we
17 respect the opinions of other parts of the state that
18 have a different opinion on brown bears than we do, so we
19 can understand the fact that there is contention and no
20 consensus on it.

21
22 ACTING CHAIR CRIBLEY: Thank you. Next.

23
24 MR. SIMEONOFF: Thank you, Mr. Chairman.
25 The Kodiak/Aleutians have opposed this proposal. If I
26 might add just on Kodiak. People of Kodiak have such a
27 tremendous amount of respect for this animal. No part of
28 this animal was ever used for sale. If you made
29 something with the bear claw or bear hide, it was never
30 meant to go out for sale to anyone. You could trade or
31 barter with another Native, but we would never sell it.

32
33 Thank you.

34
35 ACTING CHAIR CRIBLEY: Okay. Next.

36
37 MR. WILSON: Bristol Bay here. This
38 particular proposal we were in favor of, the brown bear
39 claw handicraft one. While the proposal required
40 Federally qualified subsistence users to deal with
41 additional paperwork, we felt it would be beneficial for
42 subsistence users even though you had to provide extra
43 paperwork and record of sales. But we thought it might
44 lead to increased sales since buyers would be able to
45 transport these handicrafts to foreign countries without
46 fear of handicrafts being denied by Federal customs.
47 There was quite a bit of conversation around the table
48 out at our area with this particular proposal. Like it's
49 been stated before, there was a wide variety of different
50 ideas thrown out there and we too respect others.

1 Thanks.

2

3 ACTING CHAIR CRIBLEY: Thank you.

4 Lester.

5

6 MR. L. WILDE: Thank you, Mr. Chairman.

7 The Yukon Kuskokwim RAC opposed Proposal WP12-01. We
8 felt this was another way to hinder artists and to bury
9 them in more paperwork. We also felt that there needs to
10 be more discussion with the public on this issue.

11

12 Thank you, Mr. Chairman.

13

14 ACTING CHAIR CRIBLEY: Thank you. Jack.

15

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

17 The Western Interior Regional Council is opposed to the
18 sale of bear parts but we don't oppose other regional
19 sales of bear parts, so we deferred the proposal back to
20 the Federal Board to discern which regions of Alaska
21 would be appropriate for sale.

22

23 On a personal note, I do feel that the
24 sealing of animals in rural Alaska by rural residents is
25 a real burden for bears or sheep sealing and various
26 things like that. It's hard to get those animals from
27 rural Alaska into an urban area to get them sealed and
28 then transport them back. That could be a very costly
29 expenditure. So I can see why there is opposition, but
30 our Council is deferring this to your wisdom and
31 discernment.

32

33 ACTING CHAIR CRIBLEY: Thank you. Sue.

34

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

36 Like Bert, I started working with the working group and
37 it got to be too much time and I let them finish the job.
38 Eastern Interior, we looked at that pretty strongly and
39 we support it with a modification to require an
40 additional line on that sealing form to signify that the
41 animal was harvested by a Federally qualified subsistence
42 user followed by a check to signify that it's Alaska
43 Native. One of the members liked the idea of being able
44 to put the made in Alaska by Alaska Native.

45

46 The Council thinks that more value may be
47 attached to the handicraft product if authenticated as
48 from an Alaskan subsistence user or Alaska Native. The
49 Council does not find any conservation concerns, but
50 notes that the proposal actually addresses conservation

1 by providing harvest data and could result in more
2 accurate reporting. The Council recognizes that the
3 proposal represents the extensive efforts to reach a
4 compromise by the working group.

5
6 ACTING CHAIR CRIBLEY: Thank you.
7 Rosemary.

8
9 MS. AHTUANGARUAK: The North Slope
10 supported this proposal. There were concerns expressed
11 about sealing and who could be authorized to seal a brown
12 bear. Several Council members suggested providing
13 opportunity to local people in rural areas to become
14 authorized sealers. We're also very concerned on the way
15 that this discussion has occurred in the room today and
16 as it has gone through the working group, how it can
17 affect our natural artistries and people attempting to
18 work with their crafts, but the discussion that went
19 forward we supported it.

20
21 ACTING CHAIR CRIBLEY: Thank you.

22
23 MS. H. ARMSTRONG: Mr. Chair. I'm going
24 to read for the record the Seward Pen and Northwest
25 Arctic because those chairs have been unable to make it
26 in.

27
28 ACTING CHAIR CRIBLEY: Okay.

29
30 MS. H. ARMSTRONG: I'll do that on all
31 the statewide proposals. Seward Peninsula supported
32 WP12-01. The Council views this proposal as a first step
33 in the sale of handicrafts. While not perfect, it is a
34 step in the right direction. Issues will most likely
35 arise, but it s important for the process to proceed and
36 adjustments can be made later as needed.

37
38 Northwest Arctic, they also supported it
39 and the comments were identical to Rosemary's comments.
40 It was a joint meeting.

41
42 Thank you, Mr. Chair.

43
44 ACTING CHAIR CRIBLEY: Thank you. We'll
45 move to the next item and we'll take comments from Alaska
46 Fish and Game.

47
48 MS. YUHAS: Thank you, Mr. Chairman. For
49 the record, my name is Jennifer Yuhas with the State
50 Liaison Team. The Department also supported this

1 proposal. We proposed the original deferred proposal 10-
2 02, but we're going to ask to withdraw that in support of
3 the consensus product from the working group. Larry Van
4 Daele did make it in on his plane just in time to see the
5 end of the analysis presented by OSM Staff, so he also
6 co-chaired the working group and is here to assist with
7 our testimony. But the Department is supporting this
8 proposal and asking to withdraw the other proposal.
9 Asking to take no action on it.

10

11 It seems that today's conversation, which
12 was much less involved than what we heard at the RAC
13 meetings. The RAC meetings went much more in depth and
14 I don't think that all of the Board members were privy to
15 some of the questions that were asked at the RAC
16 meetings.

17

18 I want to point out before Larry goes
19 into some of the working group dynamics that this
20 proposal, the consensus product, left a lot of the
21 details out of the proposal to be drawn once the proposal
22 is voted on. There was a lot of discussion at the RAC
23 meetings would the certificate be a microchip, a Xerox,
24 a tear-off tag and a lot of this was left out of the
25 proposal so that that could be developed to work best for
26 the users.

27

28 There were questions about whether people
29 could get things sealed in the rural areas where a sealer
30 might not exist and the department was on hand. We, in
31 fact, sealed someone -- or we authorized someone to be a
32 sealer at one of the RAC meetings while the testimony was
33 happening, so that person was turned into a sealer at
34 that meeting. So it took one day or less.

35

36 We had discussions at the working group
37 that if someone lived in an area where it was difficult
38 to seal that they could call the state in good faith and
39 say I have something and I need to have it sealed and we
40 would know about that so that there wouldn't be any
41 question about that. Some of the older hides, what we
42 would do with those and having them authenticated, there
43 was a lot of question over whether it would really
44 happen. In the working group, there was significant
45 discussion with the State and with law enforcement that
46 we would be working with people in good faith to make
47 sure that these things were sealed and authenticated as
48 taken under legitimate subsistence uses so that we could
49 make things easier on the artists.

50

1 With that, I'd like to turn things over
2 to Larry Van Daele, the co-chair from the State side.

3
4 ACTING CHAIR CRIBLEY: Okay.

5
6 MR. VAN DAELE: Thank you, Mr. Chairman.
7 My name is Larry Van Daele. I'm a wildlife biologist for
8 the Alaska Department of Fish and Game. For the past 30
9 years I've been working here in the state primarily with
10 brown bears, but with other species around the state.

11
12 With regard to this particular proposal,
13 what you see before you is a culmination of many years of
14 debate and discussion. It's probably the most
15 controversial subject we could take up as a State and
16 Federal cooperative group. It's controversial because of
17 the nature of the beast that we're dealing with. Brown
18 bears -- I just came from the Board of Game where they're
19 considered predators in a lot of places. Down in Kodiak,
20 as Mr. Simeonoff alluded to in my area, we consider them
21 as animals of deep respect, but also an important prey
22 item and a way to make money for commercial hunters.

23
24 This particular controversy also brings
25 in the State versus the Federal enforcement authorities,
26 enforcement management and other responsibilities that we
27 share and sometimes they're controversial in the way that
28 we deal with them.

29
30 So to bring this to a culmination that's
31 not necessarily consensus, as you heard from the RACs,
32 but as a way that we perhaps can work together is a huge
33 effort and a huge accomplishment in my mind. Although
34 not perfect, I think that this particular proposal will
35 do several things. Number one, it will build a bridge
36 stronger between State and Federal cooperation, rural and
37 nonrural areas in the state cooperation.

38
39 Number two, it will satisfy CITES
40 requirements for any handicrafts that are taken outside
41 the United States. Any international trade of these will
42 need to have documentation. This will provide for that.

43
44 Number three, it uses an existing system
45 which has been in place since statehood, which is
46 available throughout the state in many areas and, as Ms.
47 Yuhas alluded to, we in the State of Alaska are willing
48 and anxious to open that up even further to allow the
49 sealing to be less burdensome for the subsistence users.

50

1 Another thing that this does and I think
2 perhaps one of the most important things this does is it
3 protects legitimate handicraft artisans. It makes this
4 an enforceable, trackable item that the poachers, the
5 bear abusers, will not be able to take advantage of. If
6 you don't have a tracking system, our enforcement people
7 both in the State and Federal side have told us that
8 they're very concerned about the sale of paws and galls
9 and other items and this will be the first step and
10 hopefully the best step in doing that.

11
12 Finally, it is, in fact, enforceable. It
13 doesn't open up that Pandora's Box. It gives us
14 legitimate important management information that we need
15 to take care of this controversial species.

16
17 ACTING CHAIR CRIBLEY: Thank you. Any
18 questions from any of the RAC Chairmen or from the Board
19 members. Yes.

20
21 MS. ENTSMINGER: This is just to go on
22 from what Jennifer was saying that came up at our meeting
23 is just exactly how it would be done. You know, like a
24 bear has 20 claws, so can you go shoot another bear and
25 have 20 more pieces of paper to say, you know, I sold
26 these and I'll just keep this number and keep selling
27 more bear claws. So it's just one of the things that
28 came up. Something to think about.

29
30 ACTING CHAIR CRIBLEY: Anyone else. Yes,
31 Mitch.

32
33 MR. SIMEONOFF: Thank you, Mr. Chairman.
34 I probably can't stop this, but I would like to speak in
35 opposition of this proposal. Speaking for my people in
36 Kodiak, we have such a high regard for this animal, its
37 parts, its claws, its fur, its bones, have never been
38 used for sale to anyone. The hunters, the bear hunters,
39 were very special people in the village. If they gave
40 you a bear part, that was a sign of respect. It's sad
41 that we've come to a financially-driven society that
42 we've got to take our resources and try to sell them and
43 make money off of them. I don't agree with that, but if
44 we're going to go that way, I can see we have some very
45 good ideas in place to keep track of those handicrafts if
46 this proposal passes. But I, for one, would seriously
47 oppose it.

48
49 Thank you.
50

1 ACTING CHAIR CRIBLEY: Thank you. Any
2 other comments. Yes.

3
4 MR. VIRDEN: Thank you, Mr. Chair. I
5 have a question for the State on this. I have a summary
6 here. There's a statement on here as no documentation of
7 any violation or illegal activities regarding the sale of
8 brown bear handicrafts by Federal users. Is that a
9 correct statement or is that incorrect?

10
11 MR. VAN DAELE: Through the Chair.
12 That's probably a correct statement if you read it
13 literally. Legitimate subsistence users have not abused
14 this system. However, it's difficult to track right now
15 to see if other people are abusing the system. Again,
16 that goes back to the protection of these legitimate
17 users. That's why we feel strongly that this compromise
18 will be the best route to take.

19
20 ACTING CHAIR CRIBLEY: Geoff.

21
22 MR. HASKETT: So five of the RACs
23 supported this and I hear the concerns and I think I
24 understand them that are coming out here about if this
25 goes forward. What I also understand is the working
26 group had a very tough challenge in terms of trying to
27 come together with something that was actually I think
28 asked for because of legal concerns. So can you share a
29 little bit -- we've talked about how this will work, but
30 maybe share a little bit about why there are problems if
31 we don't do something like this, some of the legal
32 problems we're trying to address.

33
34 MR. VAN DAELE: Through the Chair. There
35 are two levels of legal problems. On the State side, if
36 we don't recognize this particular law, this particular
37 action, then a person can legitimately sell these
38 handicrafts on a Federal regulation, but on a State
39 regulation it's illegal and that gets into a lawyer's
40 dream, which we're trying to avoid. We'd like to work it
41 out amongst the grownups and just agree that this is
42 something that's legitimate on both sides.

43
44 The other side, which is not
45 controversial, which is very black and white, is CITES,
46 the Council on the International Trade of Endangered
47 Species, which includes the grizzly or brown bear as an
48 animal that needs to be documented if it leaves the
49 United States. So if an artisan were to sell this
50 handicraft of a grizzly bear claw, brown bear claw, to

1 someone from Europe as an example, that person from
2 Europe could not legitimately take it across the border
3 or get the permits to do such unless they had
4 documentation, which this would provide in what we feel
5 is a non-intrusive manner.

6
7 The other controversial nature of this,
8 which is not law enforcement, goes back to what Mr.
9 Simeonoff and others have discussed. In their areas,
10 there's such a respect for this particular animal that
11 the sale is not appropriate. This particular proposal
12 does not allow the sale in those individual areas, so
13 that's taken care of internally.

14
15 Does that help answer your question, sir?

16
17 MR. HASKETT: Yes, thank you. I must
18 have used the wrong number. I should have said six RACs
19 support.

20
21 MR. PROBASCO: Mr. Haskett, I think where
22 the confusion is, if you look at the last page, both
23 North Slope and Northwest are listed together as
24 supporting, so that's where you get the other two.

25
26 MR. HASKETT: One more question. I
27 always try and simplify things. It's always difficult
28 for me to get my mind around some of these really
29 difficult, complex issues and I know the groups have been
30 working on this for a long time. So essentially what
31 this does is it allows for documentation for something
32 that's already legally allowed although there's a big
33 difference between the Federal and the State where one
34 allowed and one didn't. By allowing the State to move
35 forward and take part in this, those two coincide and it
36 takes care of the CITES issues as well.

37
38 MR. VAN DAELE: Through the Chair. Yes,
39 that is the way I understand it also. Gross
40 simplification, but right down to the wire.

41
42 MR. HASKETT: I'm often guilty of gross
43 simplification. Thank you. That helped me. I
44 appreciate it.

45
46 ACTING CHAIR CRIBLEY: Are there any
47 other questions or comments. Yes, Gene.

48
49 MR. VIRDEN: I might be under the wrong
50 impression here. If this passes and they have this

1 approved permit, can a rural subsistence user sell a claw
2 to somebody that lives in Belgium? Are there any other
3 permits that would be required for that person to take
4 that back home.

5
6 MR. VAN DAELE: Through the Chair. If a
7 rural subsistence user takes a bear, makes a handicraft
8 of that claw, that artisan can sell that handicraft to a
9 person from Belgium. The person from Belgium will have
10 to get a CITES permit from the U.S. Fish and Wildlife
11 Service Law Enforcement Division to take it across the
12 border. That's a -- I think it's a \$25 permit. If
13 there's not some sort of a documentation, the way I
14 understand it is, that would not be allowed right now.
15 If we have this documentation, this tracking, that this
16 proposal asks, yes, then that person could do that. So
17 this allows the actual step that would allow the person
18 to take it into Belgium.

19
20 ACTING CHAIR CRIBLEY: Sue.

21
22 MS. ENTSMINGER: I have a question.
23 We're in this all the time and yet you still have to
24 think about what you can do and can't. That same thing
25 requires me making a lynx product, right? So if I make a
26 lynx keychain I found out, put a little piece of fur on
27 a lynx keychain and put it in a shop in Tok and they go
28 to Canada, they've got to have this \$25 permit to take it
29 there. But there was supposed to be a provision, if I
30 remember it correctly, for something under \$250. I think
31 I read somewhere -- I have a letter in my paperwork miles
32 thick that says -- and I don't know if it's current --
33 that if it's \$250 or less and you're buying it for your
34 personal use, you can forego this permit. Is that
35 correct?

36
37 ACTING CHAIR CRIBLEY: Does anybody know?
38 Ken.

39
40 MR. LORD: So I do some work with import
41 and export violations for Fish and Wildlife Service and
42 I have not run into an exception like that. Most of the
43 cases we deal with are import violations from other
44 countries, jewelry coming in from Asia and things like
45 that. Very little export. If it's an export violation,
46 Canada would be the one having a problem with it, not us.
47 On those few occasions when I have dealt with that issue
48 I have not run across that exception, so I can't swear
49 that it's not there, but I don't think so.
50

1 MS. ENTSMINGER: I have to dig out my
2 letter.

3
4 ACTING CHAIR CRIBLEY: Okay. We'll go
5 down to the next step, which is Interagency Staff
6 Committee comments. Oh, excuse me.

7
8 MS. PENDLETON: I've got a question, Bud.
9 I'm sorry. I think this is for Helen. I'm just trying
10 to get an understanding of how many brown bear are taken
11 by Federally qualified subsistence users? I mean I
12 understand that there's not a conservation issue, but do
13 we have any data to support numbers taken by Federally
14 qualified users?

15
16 MS. H. ARMSTRONG: I know we didn't focus
17 on that because that wasn't the issue really. Then
18 you've got from brown bears how many people make
19 handicrafts. So I can't actually answer that question.
20 The person who looked at it no longer works for us and
21 I'm struggling a little bit. Cole Brown had done some
22 work on that, so I can't accurately answer that question
23 right now. Maybe somebody from the State knows how many
24 we actually harvest.

25
26 ACTING CHAIR CRIBLEY: Yes, Pete.

27
28 MR. PROBASCO: Thank you, Mr. Chair. I
29 don't have the exact number, but as far as the Federal
30 harvest for brown bears as compared to other harvest it
31 is very small.

32
33 MR. KARMUN: Mr. Chair.

34
35 ACTING CHAIR CRIBLEY: Yes, sir.

36
37 MR. KARMUN: Northwest Arctic, where I'm
38 from, Kotzebue, the whole Northwest Arctic takes between
39 40 and 45 bear, grizzlies, a season up there and
40 basically about 75 percent Federally-managed lands.
41 These animals are probably taken on Federally-managed
42 lands.

43
44 ACTING CHAIR CRIBLEY: Thank you. Any
45 other comments or questions.

46
47 (No comments)

48
49 ACTING CHAIR CRIBLEY: The Interagency
50 Staff Committee comments. Who does that? Help me here.

1 MS. H. ARMSTRONG: Chuck Ardizzone is
2 supposed to read them, but he's at the Board of Game
3 meeting, so I'm not sure who Pete designated to read
4 them. Do you want me to do it? Okay, I guess I'm it.
5 On WP12-01 the Interagency Staff Committee found the
6 Staff analysis to be a thorough and accurate evaluation
7 of the proposal and that it provides sufficient basis for
8 the Regional Council recommendation and Federal
9 Subsistence Board action on the proposal. This is a
10 standard response that I'm not going to read every time,
11 but this comment will be made many times throughout the
12 process.

13

14 Thank you, Mr. Chair.

15

16 ACTING CHAIR CRIBLEY: Thank you. We'll
17 move on to Board discussion with the Council Chairs and
18 the State. Any discussion from the Board. Ralph.

19

20 MR. LOHSE: I think one thing just for
21 the public record that needs to be brought out and that
22 is that this is not for sale of claws. This is for sale
23 of handicrafts that contain claws. It's not like you're
24 opening the door for a harvest of claws to go on the open
25 market. I think that makes a difference.

26

27 ACTING CHAIR CRIBLEY: Any other
28 discussion. Sue.

29

30 MS. ENTSMINGER: I might add -- is it
31 Patterson? I'm sorry. From the Forest Service, when you
32 ask about how many.

33

34 MS. PENDLETON: Pendleton.

35

36 MS. ENTSMINGER: Pendleton. I'm sorry.
37 I can't see. it's these glasses. But the small number
38 of bears taken, not everybody is qualified because not
39 all regions can hunt or are allowing it.

40

41 Also I wanted to add, for years of making
42 fur hats I started selling down here at Anchorage at the
43 Fur Rondy and saw hats with faces in them and I ended up
44 beginning to make my own fur hats with faces in them and
45 my husband is a taxidermist, so mine are mounted and they
46 look very realistic. The paws come down on the front and
47 I'm very interested in being able to legally sell a black
48 bear or a bear that I might shoot someday into a hat like
49 that. I think I brought one to a meeting and I don't
50 know who's left here that I showed it to, but it's the

1 only one I made so far out of a brown bear, but I've made
2 several out of black bears and it's also something that
3 Southeast Natives have purchased my wolves from me for
4 their regalia. So it's just part of what happens out
5 there.

6

7 ACTING CHAIR CRIBLEY: Okay. Thank you.
8 Any other discussion.

9

10 (No comments)

11

12 ACTING CHAIR CRIBLEY: Do we have a
13 motion. Yes, Mr. Haskett.

14

15 MR. HASKETT: I'd like to make a motion
16 to move this forward and see if we get a second. Of
17 course, then I'll also give the reasoning for my motion.
18 I'm going to make a motion to adopt Proposal 12-01 as
19 recommended by the majority of the affected Regional
20 Advisory Councils. As I was corrected, six of the RACs
21 have actually proposed that we do this. Of course, we
22 always try and go with the recommendations of RACs unless
23 there's some biological reason not to do it. I also
24 intend to make an amendment though to my motion if I can
25 get a second.

26

27 ACTING CHAIR CRIBLEY: Do we have a
28 second.

29

30 (No comments)

31

32 ACTING CHAIR CRIBLEY: We don't have a
33 second.

34

35 MR. HASKETT: So that calls for further
36 discussion.

37

38 ACTING CHAIR CRIBLEY: Do we have further
39 discussion on the issue. Geoff.

40

41 MR. HASKETT: Let me try again. I
42 understand the reluctance of my fellow Board members to
43 move forward on this. It's very confusing. It's clear
44 we have a problem here where we have two different
45 jurisdictions that have differing authorities and this is
46 an attempt to go ahead and actually resolve that issue so
47 that the Federal rules and the State rules coincide
48 somehow. If I understand this right, if we don't support
49 this, then these handicrafts -- and they are handicrafts,
50 they're not just the claws -- these handicrafts can then

1 be sold anything I think without any kind of tracking.
2 I believe that's correct. Maybe it is, maybe it's not.
3 I think I'm close on that.

4
5 It appears to me we need to move forward
6 on this somehow, whether we're going to put this off
7 again, which I hope we don't do. We've already done
8 that. I mean this is a long-standing problem. I totally
9 understand the concerns for people that hold the bears --
10 it's a very significant creature and has some concerns
11 about this, but again we are looking at a handicraft and
12 an attempt to actually bring us in some kind of lawful
13 ability to regulate this in some kind of meaningful way.

14
15 So I guess I would ask my fellow Board
16 members if people have a different understanding or some
17 other concerns or different questions or RACs as well,
18 let's talk about this a little bit more and get to the
19 point where we actually can focus on this and get to a
20 point where we can actually come up with a proposal that
21 people are willing to second and have some discussion on.

22
23 MR. LOHSE: Mr. Chairman.

24
25 ACTING CHAIR CRIBLEY: Yes, Ralph.

26
27 MR. LOHSE: I think what we have here,
28 and correct me if I'm wrong, but looking at it from
29 observing the Board there. We have two things we're
30 faced with right here. One is do we put some paperwork
31 on subsistence users? Are we in favor or opposed to the
32 paperwork? The other one is are we, as a Board, really
33 in favor of taking brown bear for handicrafts for
34 subsistence. If, as a Board, and you supported that in
35 the past that you're in favor of taking brown bear for
36 handicrafts for subsistence and it's not an objection to
37 the brown bear part of it, then the question is do you
38 want to make it so it's trackable even if it causes some
39 hardships for subsistence users, do you want to open
40 bigger markets of it, and do you want to go in so we
41 don't have conflicting -- I mean technically speaking
42 right now a subsistence user who makes a handicraft out
43 of bear claws and sells it on State land could be
44 prosecuted by a State enforcement agent.

45
46 There's where your question is. Do you
47 want to put a tracking system in place so that an Alaska
48 handicraft maker can sell their handicraft any place in
49 the state of Alaska without having State enforcement on
50 them.

1 MR. ADAMS: Mr. Chairman.
2
3 ACTING CHAIR CRIBLEY: Yes, Bert.
4
5 MR. ADAMS: I think what Geoff needs is
6 a second to his motion and then you can discuss it just
7 as you're discussing it right now. You can either vote
8 it up or down, defer it or take no action or whatever,
9 you know. That's where I would recommend you go. Even
10 though you might have some issues about coming forth.
11 Otherwise it's going to die for lack of a second. I
12 think it already has, in fact. So that's my
13 recommendation.
14
15 ACTING CHAIR CRIBLEY: Thank you. Any
16 other comments or questions.
17
18 Yes, Beth.
19
20 MS. PENDLETON: I do have a couple
21 questions because I think one of the things that's a bit
22 confusing for me is around the implementation should this
23 pass and particularly as it relates to -- you know, how
24 would you legalize claws or any other part that was
25 previously taken but without a sealing certificate and
26 prove to law enforcement officials that it was legal?
27 That's one question I had. The other one was how do you
28 know that the claw with the certificate really is legal
29 and not taken from another bear?
30
31 ACTING CHAIR CRIBLEY: Can anybody answer
32 those questions?
33
34 MR. VAN DAELE: Mr. Chairman, if I may.
35
36 ACTING CHAIR CRIBLEY: Yes, sir.
37
38 MR. VAN DAELE: Larry from the State.
39 The controversy in this -- and this came up in several of
40 the RAC meetings and the workgroup meetings, that you can
41 "what if" it to death. It gets to a point where you've
42 got to have faith that people are going to be honest most
43 times. We feel that Federal subsistence users and most
44 people in the state of Alaska are pretty darn honest. If
45 they're going to come up to a government agent and say I
46 took this bear 10 years ago but here are the claws but I
47 did take it legitimately and I'll sign an affidavit for
48 that, which is one of the amendments that you'll see in
49 your book. There's no way to say you're going to solve
50 every problem or you're going to keep every crook from

1 doing something that's shady, but we in the State feel
2 comfortable enough to go out on a limb and say we trust
3 these people to do the right thing and we want to help
4 them by giving a tracking mechanism that will protect
5 them both from State agents, the big bad State, and from
6 international trade, the big bad Feds.

7

8 So that's basically what we're trying to
9 do with this compromise, is allow that with this tracking
10 mechanism. Does that help?

11

12 MS. PENDLETON: That does. Thank you.

13

14 ACTING CHAIR CRIBLEY: Bert.

15

16 MR. ADAMS: Mr. Chairman. Go back to a
17 point of order again. I think that you, as a Chairman,
18 need to declare that the motion that Geoff made is moot
19 because there was no second. Then after that if you want
20 to bring it up for discussion as you're discussing it
21 now, you'll need another motion to put it back on the
22 table and second it so that you can discuss the heck out
23 of it like you are doing right now and then go for a vote
24 either up or down, defer it or take no action.

25

26 ACTING CHAIR CRIBLEY: Thank you. Pete.

27

28 MR. PROBASCO: Thank you, Mr. Chair.
29 Actually, Mr. Adams' counsel is very wise. Keep in mind,
30 Board members, that we cannot debate or discuss a motion
31 until you put it on the floor. So actually what we're
32 doing right now violates Robert's Rules. Our practice
33 has been that regardless how we feel about a proposal we
34 put it on, move to adopt and then a second and we can
35 make amendments to it, vote it down, et cetera. So our
36 course of action is to move to adopt, second and then
37 have discussion and debate around the proposal.

38

39 Mr. Chair.

40

41 MR. ADAMS: Thank you, Pete.

42

43 ACTING CHAIR CRIBLEY: Geoff.

44

45 MR. HASKETT: Just a point of
46 clarification. Actually what I said is I wanted to get
47 the second and then I was going to go ahead and amend my
48 motion, which I think I can do before we had discussion
49 so people actually know what we're talking about. Yes?
50 No?

1 MR. PROBASCO: Mr. Chair. In making a
2 motion, you can speak to a future amendment so people
3 understand your line of thinking, but the first step is
4 to get the motion on the table.

5
6 ACTING CHAIR CRIBLEY: Let me ask a
7 question here. Geoff has made a motion and we did not
8 have a second on it. Is it still officially on the table
9 then?

10
11 MR. PROBASCO: Mr. Chair. Until you say
12 the motion is not on the table -- so technically right
13 now we can still make the motion to adopt the proposal
14 and a second and then go forward. Mr. Chair. The
15 proposal or a motion is not moved from the floor until
16 the Chair recognizes that.

17
18 ACTING CHAIR CRIBLEY: Okay. Geoff.

19
20 MR. HASKETT: Just one more point of
21 clarification to my fellow Board members, which I think
22 Bert pointed out to us, without the second, then we
23 really can't have a discussion. So if I don't get a
24 second, that means we don't want to talk about it.

25
26 ACTING CHAIR CRIBLEY: Okay. The motion
27 is pending and I will go ahead and second the motion so
28 that we can move forward. Do we have discussion now? Is
29 that what we do or what's the next step?

30
31 MR. PROBASCO: That's correct, Mr. Chair.

32
33 ACTING CHAIR CRIBLEY: Geoff.

34
35 MR. HASKETT: So, as I understood that,
36 what Pete said I could do next is not do the second, but
37 talk about my future motion will be for an amendment,
38 which would be -- my next motion would be to amend the
39 proposal to allow for older claws to be sealed after an
40 affidavit has been signed to get back to what we were
41 talking about. That regulatory language consistent with
42 the amendments written out in the OSM conclusion on Page
43 184 of our book, which essentially said with modification
44 that language that old claws may be sealed, an affidavit
45 is signed to verify the brown bear was harvested by a
46 Federally qualified subsistence user on Federal public
47 lands. So that's what we should be discussing.

48
49 MS MASICA: I just want to be clear.
50 Geoff, what you're proposing is adoption of the languages

1 contained on Page 184 of the Board book, which is the OSM
2 recommendation with the modification in it.

3

4 MR. HASKETT: Ultimately that will be my
5 proposal for a second if we get to that point. My
6 amendment.

7

8 MR. PROBASCO: Do you want to take five
9 minutes?

10

11 ACTING CHAIR CRIBLEY: It's been
12 suggested that maybe we should take a five-minute break.
13 So why don't we go ahead and take five minutes and then
14 we'll reconvene and move forward.

15

16 Thank you.

17

18 (Off record)

19

20 (On record)

21

22 ACTING CHAIR CRIBLEY: Thank you for
23 coming back. Now that we've had a chance to reassess or
24 look at where we're at, I think we have an opportunity to
25 move forward. I think the first thing that we need to do
26 is recognize that the consensus is that the Chair does
27 not have the opportunity to second a motion. With that
28 I will go ahead and withdraw my second of Geoff's motion
29 and open up to the Board if any of the other Board
30 members would like to. We have a motion in front of the
31 Board and if there's any consideration or anyone would
32 like to second that motion.

33

34 MR. ADAMS: Mr. Chairman. Before we go
35 on I'd just like to share a story with you if I might.
36 My attempt to get everything back to a point of order and
37 everything. I just wanted you to know that many of us
38 leaders in my generation learned how to conduct meetings
39 from being in the Alaska Native Brotherhood in Southeast
40 Alaska. Many of the movers and shakers of Land Claims
41 Settlements, they went to school at Mt. Edgecumbe, they
42 went to school in Sheldon Jackson and, of course, you
43 know, in those areas there. They would go to these ANB
44 and ANS meetings and they would watch the proceedings
45 there and they learned how to conduct meetings. So I
46 just wanted to share that with you.

47

48 Also I have witnessed situations where
49 there was confusion like what was happening over here and
50 after a lot of discussion has taken place, somebody would

1 get up and say is there a Tlingit in the house.

2

3 (Laughter)

4

5 MR. ADAMS: I'm happy, you know, to help.

6

7 (Laughter)

8

9 ACTING CHAIR CRIBLEY: Happy or do you
10 just get great joy in doing that maybe.

11

12 (Laughter)

13

14 MR. ADAMS: Well, that too.

15

16 (Laughter)

17

18 MR. ADAMS: Anyhow, the way that it does
19 work, just for your information, you know, you're new at
20 it and we understand that, but when a motion is made it
21 needs to be seconded. Whether the people around this
22 table here agrees with it or not, there does have to be
23 a second in order for it to go further. If there is no
24 second, then the Chair says, okay, it dies for lack of a
25 second and then that's it.

26

27 Now you're going to do this over again,
28 so what you do need to do is if Geoff makes a motion is
29 move on for a second and then you can just discuss the
30 heck out of it from there on until you're well satisfied.
31 You can modify it, amend it or do whatever you want
32 during the course of the discussion. When you think
33 you've discussed it enough, then you can do the action
34 part of it.

35

36 ACTING CHAIR CRIBLEY: Okay. I'll ask
37 you in your pseudo role as advisor here, I guess I'm
38 taking it from the position that Geoff's motion is still
39 on the table and looking for a second. Is that
40 appropriate?

41

42 MR. ADAMS: No. It died. It died for
43 lack of a second when there was no second and then there
44 was some conversation going back and forth between you.
45 So it's dead. It's moot.

46

47 ACTING CHAIR CRIBLEY: Okay.

48

49 MR. ADAMS: So if you want to start all
50 over again, a new motion is in order, but make sure that

1 you have a second before you start talking about it.
2
3 ACTING CHAIR CRIBLEY: Okay. Thank you.
4
5 MR. ADAMS: You're welcome.
6
7 ACTING CHAIR CRIBLEY: We will consider
8 the previous motion died for a lack of a second. I guess
9 I would open it up to the Board for any motions.
10
11 MR. HASKETT: Oh, you want me to do it
12 again?
13
14 (Laughter)
15
16 ACTING CHAIR CRIBLEY: Please, sir.
17 Geoff.
18
19 MR. HASKETT: Okay. I'd like to make a
20 motion to adopt Proposal 12-01 as recommended by a
21 majority of the affected Regional Advisory Councils, but
22 I also intend after a second to immediately offer up an
23 amendment so our discussion can cover the entire issue.
24
25 ACTING CHAIR CRIBLEY: Do I have a
26 second.
27
28 MS. MASICA: Second.
29
30 ACTING CHAIR CRIBLEY: Thank you. The
31 motion has been seconded.
32
33 Geoff.
34
35 MR. HASKETT: I would now like to make a
36 motion to amend the proposal to allow for older claws to
37 be sealed after an affidavit has been signed. The
38 regulatory language consistent with this amendment is
39 written out in OSM conclusion on Page 184 in our book,
40 but essentially what it says is the language will be
41 added that old claws may be sealed if an affidavit is
42 signed indicating that the claws came from a brown bear
43 harvested on Federal public lands by a Federally
44 qualified user.
45
46 I'm looking for a second on that.
47
48 ACTING CHAIR CRIBLEY: Is there a second.
49
50 MS. MASICA: Second.

1 ACTING CHAIR CRIBLEY: Now we can have
2 some discussion. Bert.
3
4 MR. ADAMS: I just wanted to point out
5 too a second doesn't mean that you're going to vote for
6 it or against it. It's just putting it on the table to
7 talk about it.
8
9 ACTING CHAIR CRIBLEY: Right. Thank you.
10 We'll get there. Yes, sir. Gene.
11
12 MR. VIRDEN: Mr. Chair. I think this
13 proposal has the very best intentions. I just do not
14 think it's going to carry out those intentions and it's
15 going to put a burden on law abiding Federal subsistence
16 users that apparently have never been cited for the
17 purpose of this proposal. In other words, I think it's
18 a great proposal. I just do not think it's going to
19 accomplish what everyone is hoping.
20
21 ACTING CHAIR CRIBLEY: Any other
22 discussion. Yes.
23
24 MR. ADAMS: Was he addressing the
25 amendment to the motion or to the whole motion? What
26 you're doing right now is you're talking about the
27 amendment to the motion. Once you have talked it over
28 and either passed it or rejected it, then you go back to
29 the main motion and take that up again.
30
31 ACTING CHAIR CRIBLEY: Okay. Do we have
32 any discussion on Geoff's amendment to his original
33 proposal?
34
35 (No comments)
36
37 ACTING CHAIR CRIBLEY: Okay. So we can
38 go back to the original.....
39
40 MR. PROBASCO: No. Call the question on
41 the amendment.
42
43 MR. LOHSE: At this point in time, if you
44 have no discussion on the amendment, you have to call the
45 question on the amendment.
46
47 ACTING CHAIR CRIBLEY: Okay. Question on
48 the amendment. Keith.
49
50 MR. GOLTZ: Let me jump in here and if

1 this is not the proper time, one of the Tlingits in the
2 room will correct me. I think it's important that we
3 identify the problem and the problem is a legal one.
4 It's the position of the Federal attorneys that a
5 subsistence harvest taken by a -- a subsistence animal
6 taken by a subsistence user on Federal lands acquires a
7 protection that follow that animal off of Federal lands.
8 The State disagrees. They say that animals that are on
9 State lands must comply with State law. The problem is
10 that a State enforcement officer might arrest what we
11 think is a legitimate subsistence user and force that
12 user to defend and although we would support him as a
13 matter of Federal interest, the Department of Justice
14 would not go into State court and defend him. The user
15 would have to bear that burden himself.

16

17 Now as far as I know the State has not
18 actually arrested or cited anybody for this particular
19 violation. The concern is that they could and that by
20 this piece of Federal paper the State would acknowledge
21 that animal as a legal animal on both State and Federal
22 land. So I think that's the intent here. That's what
23 we're aiming for. It's an element of security. The
24 element of burden is something this Board has to assess
25 and discuss.

26

27 ACTING CHAIR CRIBLEY: Thank you. Beth.

28

29 MS. PENDLETON: Thank you, Mr. Chair.
30 On the proposal as amended on the table, the question I
31 have -- I still have some concerns around the issue of
32 burden that this places on the user. So my question is
33 can somebody today without this proposal as amended get
34 a sealing certificate and associate it with a bear claw
35 handicraft and use that as a CITES certificate? Is there
36 something currently in place?

37

38 MR. VAN DAELE: Mr. Chairman.

39

40 ACTING CHAIR CRIBLEY: Yes.

41

42 MR. VAN DAELE: Larry Van Daele from the
43 State. If a brown bear is harvested legally, it can be
44 sealed. It doesn't have to be sealed under Federal
45 subsistence rules, but it can be sealed. That could --
46 and I'm not a lawyer. That could, in fact, allow for the
47 CITES requirement to be taken care of. It wouldn't speak
48 to the concern that we just heard about whether the State
49 would allow this or not. That's the good faith effort
50 that we're trying to bring forth with this compromise.

1 Again, that's my professional opinion and I'm not a legal
2 professional.

3

4 MS. PENDLETON: Thank you.

5

6 MR. LOHSE: Point of order. I think you
7 need to be discussing the amendment at this point in
8 time.

9

10 ACTING CHAIR CRIBLEY: Is there any
11 additional discussion on the amendment.

12

13 (No comments)

14

15 ACTING CHAIR CRIBLEY: Do you want to
16 take a vote? Is that what we do or what do we do?

17

18 MS. MASICA: Call the question.

19

20 ACTING CHAIR CRIBLEY: Okay. Then what?

21

22 MR. PROBASCO: Then you say the question
23 is heard and then turn it over to me.

24

25 ACTING CHAIR CRIBLEY: Okay. Keith.

26

27 MR. GOLTZ: While we're having these side
28 discussions, I'd like to talk to the State a little bit.
29 I think what you just said is that the hide could be
30 sealed, but you're not talking about a sealing
31 requirement for the handicraft or are you?

32

33 MR. VAN DAELE: Through the Chair. Yes,
34 we do seal the entire hide and we consider the claws to
35 be part of the hide.

36

37 ACTING CHAIR CRIBLEY: Okay.

38

39 MR. PROBASCO: Sue, did you call the
40 question?

41

42 MS. MASICA: Yes.

43

44 ACTING CHAIR CRIBLEY: Okay. We've got
45 a call the question. Pete.

46

47 MR. PROBASCO: Thank you, Mr. Chair.
48 We're voting on the amendment. Mr. Haskett, the
49 amendment is before you as found on Page 184. It's that
50 language in bold. Mr. Haskett, is that correct?

1 MR. HASKETT: That is correct.
2
3 MR. PROBASCO: Thank you. Mr. Chair,
4 action on the amendment.
5
6 Ms. Masica.
7
8 MS. MASICA: Yes.
9
10 MR. PROBASCO: Mr. Cribley.
11
12 ACTING CHAIR CRIBLEY: Yes.
13
14 MR. PROBASCO: Mr. Towarak is en route.
15 Mr. Haskett.
16
17 MR. HASKETT: Yes.
18
19 MR. PROBASCO: Mr. Virden.
20
21 MS. VIRDEN: No.
22
23 MR. PROBASCO: Ms. Pendleton.
24
25 MS. PENDLETON: No.
26
27 MR. PROBASCO: Motion carries 3/2, 1
28 absent. Amendment carries 3-2, 1 absent. You now have
29 the motion before you as amended.
30
31 ACTING CHAIR CRIBLEY: Okay. Do we go to
32 discussion on that?
33
34 MR. PROBASCO: We now, Mr. Chair, would
35 take further discussion where you have the potential for
36 additional amendments or you may take final action on the
37 proposal as amended.
38
39 ACTING CHAIR CRIBLEY: Okay. Do we have
40 any discussion on the proposal as amended.
41
42 (No comments)
43
44 ACTING CHAIR CRIBLEY: Can I ask for the
45 question on the proposal as amended.
46
47 MR. HASKETT: I'll ask for the question.
48
49 ACTING CHAIR CRIBLEY: We have a question
50 from Mr. Haskett.

1 MR. PROBASCO: Mr. Haskett called for the
2 question and you recognized it. Thank you, Mr. Chair.
3 Final action on Proposal WP12-01 as amended.
4
5 Mr. Cribley.
6
7 ACTING CHAIR CRIBLEY: Yes.
8
9 MR. PROBASCO: Mr. Towarak is en route.
10 Mr. Haskett.
11
12 MR. HASKETT: Yes.
13
14 MR. PROBASCO: Mr. Virden.
15
16 MR. VIRDEN: No.
17
18 MR. PROBASCO: Ms. Pendleton.
19
20 MS. PENDLETON: No.
21
22 MR. PROBASCO: Ms. Masica.
23
24 MS. MASICA: Yes.
25
26 MR. PROBASCO: Motion carries 3/2, 1
27 absent.
28
29 ACTING CHAIR CRIBLEY: Thank you.
30
31 MR. PROBASCO: So that's final action on
32 WP12-01.
33
34 Mr. Chair.
35
36 ACTING CHAIR CRIBLEY: Thank you. Do we
37 move to the next or what do we do now?
38
39 MR. PROBASCO: Mr. Chair. The next
40 proposal is WP10-02 and if I recall correctly the State
41 has requested that this proposal be withdrawn, but only
42 the Board can withdraw a proposal once it's been
43 submitted. So if the Board concurs based on their action
44 on WP12-01 with the State's request, then you would take
45 formal action to take no action on this proposal.
46
47 ACTING CHAIR CRIBLEY: How do I do that?
48
49 MR. PROBASCO: Mr. Chair. I would
50 suggest that you would ask is there any objections to

1 taking no action on Proposal WP10-02.

2

3 ACTING CHAIR CRIBLEY: Is there any
4 objection to taking no action on Proposal WP10-02?

5

6 (No objections)

7

8 ACTING CHAIR CRIBLEY: I see no
9 objection. The next item is WP12-02 and I guess we're
10 looking for the analysis from the lead author.

11

12 MS. KENNER: Thank you, Mr. Chair. Good
13 afternoon, Mr. Chair and members of the Board. I'm Pippa
14 Kenner and I'm an anthropologist with the Office of
15 Subsistence Management. The analysis for Proposal WP12-
16 02 begins on Page 208 of your Board book.

17

18 MR. PROBASCO: Mr. Chair. Right before
19 we took our break Mr. Fenton would like to testify on a
20 different proposal. I forgot that he was standing by.
21 He cannot testify later. With your indulgence could we
22 ask Mr. Fenton to testify?

23

24 ACTING CHAIR CRIBLEY: Yes, go ahead.

25

26 MR. REXFORD: I thank you very much, Mr.
27 Chair and Federal Board members and Regional Advisory
28 Council board members from the regions and also the Staff
29 from the Federal and the State. I thank you for this
30 opportunity. My name is Fenton Rexford, a previous
31 former chairman of the North Slope Subsistence Regional
32 Advisory Council Region 10 and I wanted to comment on
33 Proposal WP12-76 regarding the proposal submitted by the
34 Eastern Regional Advisory Council, which is supported by
35 the North Slope Subsistence Regional Advisory Council in
36 supporting the requested proposal for closure of the Red
37 Creek and the Cane Creek. The existing proposal
38 regulation to strike the words except the drainages of
39 Red Sheep Creek and Cane Creek during the period of
40 August 10th through September 20.

41

42 As you recall previously, this is a
43 contentious proposal in previous years and finding and
44 further reason in support of Eastern Regional Advisory
45 Council and also the North Slope Subsistence Regional
46 Advisory Council. Based on the information in Appendix
47 A there has not been any recent counts to justify or
48 testify that this remain open. The latest sheep count or
49 biological studies were done in 2008. That's almost four
50 years old. Reopening it in 2005, which is almost six

1 year ago, that is old. Also based on the recent count,
2 which was done in 2008, and the testimony by the
3 residents of Arctic Village in that area, I'm in support
4 of the proposal that's submitted to close that Unit 25,
5 in particular Red Creek and the Cane Creek area.

6
7 That is my testimony and I hope that the
8 Federal Subsistence Board listen to the residents of --
9 and also the Eastern Interior Alaska Subsistence Regional
10 Advisory Council, which have resubmitted this again after
11 listening to many testimonies in their meeting. So I
12 highly recommend that the Federal Subsistence Board and
13 the Interagency Staff listen to the people there in the
14 eastern region of the state, the Eastern Advisory
15 Council.

16
17 With that I thank you once again for
18 giving the residents in the outlying villages, I'm in
19 Unit 26 and the village of Kaktovik, so this affects us
20 too. Once again, I'm in support of the Eastern Advisory
21 Council's proposal.

22
23 Good night.

24
25 Thank you very much for this opportunity,
26 Mr. Chairman.

27
28 ACTING CHAIR CRIBLEY: Thank you very
29 much for your testimony. Does any of the Board members
30 or RAC Chairs have any questions.

31
32 MS. AHTUANGARUAK: I don't have a
33 question, but I want to thank Fenton for getting on. He
34 gave a lot of historical information that I wasn't able
35 to provide.

36
37 Thank you.

38
39 ACTING CHAIR CRIBLEY: Any other comments
40 or questions.

41
42 (No comments)

43
44 ACTING CHAIR CRIBLEY: Okay. Let's move
45 forward to Proposal WP12-02.

46
47 MS. KENNER: Thank you, Mr. Chair. I'll
48 begin again. I want to remind you that the analysis for
49 Proposal WP12-02 begins on Page 208 of your Board book.

50

1 The proposal was submitted by Michael
2 Cronk of Tok, Alaska, and requests that only people 60
3 years of age or older, or disabled, be allowed to
4 designate their harvest limit to another person. This
5 regulation change would apply to the entire state.
6

7 Currently in Federal statewide
8 regulations there are no age or disability requirements.
9 If this proposal is adopted based on partial data from
10 2009 to 2010, three-quarters of the people who designated
11 a hunter would have been prohibited based on their ages;
12 that is they were under 60 years old.
13

14 Also the harvest by designated hunters
15 generally has been a small portion of the total harvest
16 by all hunters. A statewide modification to the
17 designated hunter system is not supported and the OSM
18 conclusion is oppose.
19

20 Thank you and this is the end of my
21 presentation.
22

23 ACTING CHAIR CRIBLEY: Thank you. Can we
24 have a summary of the public comments.
25

26 MS. H. ARMSTRONG: Thank you, Mr. Chair.
27 Helen Armstrong. The written public comments are on Page
28 224 although we do have a modification. The first one is
29 from the Gates of the Arctic National Park Subsistence
30 Resource Commission. They did meet again after they
31 submitted those comments and sent us a letter on December
32 7th requesting that their comments be changed from
33 support to oppose. They noted that at their November
34 meeting that the SRC reconsidered it, changed their
35 position and they didn't support that proposal.
36

37 Lake Clark National Park Subsistence
38 Resource Commission supports with modification to more
39 closely mirror current State eligibility requirements for
40 proxy hunting. The commission recommends that qualified
41 hunters be allowed to hunt for individuals who are blind,
42 70 percent physically disabled or over 60 years of age.
43 This measure would reduce the possibility of abuse of the
44 designated hunter provision by clearly defining who is
45 eligible to use a designated hunter permit.
46

47 The Wrangell-St. Elias National Park
48 Subsistence Resource Commission is also opposed. There
49 was not clear evidence that the existing designated
50 hunter provisions are abused or otherwise a problem, and

1 the current regulations are important in providing an
2 opportunity for others in the community to hunt for those
3 who are not able to do so themselves.

4
5 We also received a letter from the Sitka
6 Tribe of Alaska. They met January 4th and they are also
7 opposed to WP12-02 due to the fact that it's restrictive
8 nature and would prevent qualified subsistence users from
9 meeting their subsistence needs. There are numerous
10 other obstacles that prevent qualified subsistence users
11 from participating in the harvest other than age and
12 physical disabilities.

13
14 Thank you, Mr. Chair. That concludes the
15 written public comments.

16
17 ACTING CHAIR CRIBLEY: Thank you. Right
18 now I would like to open the floor to public testimony.

19
20 MR. PROBASCO: Thank you, Mr. Chair. We
21 have one person that is signed up.

22
23 Ms. Gloria Stickwan.

24
25 MS. STICKWAN: We oppose WP12-02 to
26 change the designated hunter regulation so that they can
27 only hunt for a person who is 60 years old or disabled.
28 Many single parents without significant others cannot
29 hunt for themselves. If this designated hunter
30 regulation was changed, they would not have anybody to
31 hunt for them. Additionally, the ill and injured people
32 or other families wouldn't have anyone to hunt for him or
33 her.

34
35 Thank you.

36
37 ACTING CHAIR CRIBLEY: Thank you.
38 Anybody have any questions or comments.

39
40 (No comments)

41
42 ACTING CHAIR CRIBLEY: Thank you, very
43 much.

44
45 MR. PROBASCO: That's it, Mr. Chair. Oh,
46 one more. Mr. Sam Thomas.

47
48 MR. THOMAS: Sam Thomas, tribal president
49 for the Craig Tribal Association. I speak in opposition
50 to WP12-02. We have several people in our community and

1 on Prince of Wales Island that our hunters go out and
2 gather for people that don't have that ability, whether
3 its transportation, health, age and they're hunting by
4 proxy for those people. So I think this is another one
5 of those impediments on being able to fill the freezer
6 for the people that are used to being able to have a
7 customer way of living. So I think I would speak against
8 the motion.

9

10 ACTING CHAIR CRIBLEY: Thank you. Do we
11 have any questions or comments from Board members or RAC
12 Chairs.

13

14 (No comments)

15

16 MR. THOMAS: It also seems kind of weird
17 to me why is the State putting proposals against
18 subsistence when it's the Federal Subsistence Board. I
19 mean it just doesn't make sense for them to try to
20 manipulate the system on subsistence. It just doesn't
21 seem right to me.

22

23 ACTING CHAIR CRIBLEY: Thank you, sir.
24 Do we have any other.....

25

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

27

28 ACTING CHAIR CRIBLEY: Okay. I guess we
29 move to Regional Council recommendations. Where do we
30 want to start. Rosemary.

31

32 MS. AHTUANGARUAK: North Slope oppose.

33

34 ACTING CHAIR CRIBLEY: Sue.

35

36 MS. ENTSMINGER: Eastern Interior oppose.

37

38 ACTING CHAIR CRIBLEY: Victor, your RAC's
39 position on this proposal.

40

41 MR. KARMUN: We're against it.

42

43 ACTING CHAIR CRIBLEY: Thank you.

44

45 MR. REAKOFF: Western Interior opposed
46 the proposal. It would not meet subsistence needs and
47 customary practices.

48

49 ACTING CHAIR CRIBLEY: Thank you. Lester.
50 Your position on this proposal, sir, or your RAC's

1 position.

2

3 MR. L. WILDE: You're talking to me?

4

5 ACTING CHAIR CRIBLEY: Yes, sir.

6

7 MR. L. WILDE: Oh, thank you, Mr.

8 Chairman. I was reading away here. The YK Subsistence

9 RAC opposed WP12-02. We like the way it is and we felt

10 that this proposal does not recognize the traditional

11 practices in our villages where we don't just hunt for

12 the elders, we also hunt for people who are disabled.

13 Not only that, there's widows and some families that are

14 going -- with no other means of going out to go out and

15 hunt. So everything that is caught within the village is

16 shared within the village and we oppose this proposal,

17 Mr. Chairman.

18

19 Thank you.

20

21 ACTING CHAIR CRIBLEY: Thank you.

22 Richard.

23

24 MR. WILSON: Bristol Bay opposed. Too

25 restrictive.

26

27 ACTING CHAIR CRIBLEY: Mitch.

28

29 MR. SIMEONOFF: Mr. Chairman.

30 Kodiak/Aleutians opposed this proposal.

31

32 ACTING CHAIR CRIBLEY: Thank you. Ralph.

33

34 MR. LOHSE: Southcentral Subsistence

35 Regional Advisory Council opposed this proposal. We note

36 that the current system seems to be working, so this

37 change is not needed.

38

39 ACTING CHAIR CRIBLEY: Thank you. Bert.

40

41 MR. ADAMS: Southeast Regional Advisory

42 Council opposes as well.

43

44 ACTING CHAIR CRIBLEY: Thank you.

45 Comments from Alaska Fish and Game.

46

47 MS. YUHAS: Thank you, Mr. Chairman.

48 Jennifer Yuhas, Alaska Department of Fish and Game. Just

49 as a reminder, this proposal was brought by a member of

50 the public, not by the Department. However, the

1 Department would support a modification should the Board
2 choose to move forward with a statewide plan for
3 designated hunter. We would modify the proposal as
4 written to match the State regulations and the
5 regulations you've already adopted for Unit 6, which can
6 be found in your Board book on Pages 218, 220 and 223.
7 Those changes would be that the beneficiaries of the
8 designated hunter program be blind, 65 years of age or
9 older, at least 70 percent disabled, or temporarily
10 disabled and that the possession limit be for only one
11 bag limit at a time. We consistently support mirrored
12 regulations to reduce user confusion.

13

14 ACTING CHAIR CRIBLEY: Thank you. Is
15 there any questions or comments. Geoff.

16

17 MR. HASKETT: Just a question. So if I
18 understand correctly, if the modification didn't go
19 forward, you'd be opposing as well.

20

21 MS. YUHAS: Should the Board move forward
22 to make a statewide regulation, we would like that to
23 match the State regulation and what you already have in
24 place for Unit 6. We expect you'll either vote the whole
25 proposal down or hopefully modify it to match the State
26 regulation.

27

28 MR. HASKETT: Okay, thank you.

29

30 ACTING CHAIR CRIBLEY: Any other
31 questions or comments. Rosemary.

32

33 MS. AHTUANGARUAK: Does the State has any
34 assistance for our villages to get anyone out to our
35 villages to make the designation of 70 percent disabled?

36

37 ACTING CHAIR CRIBLEY: Yes.

38

39 MS. YUHAS: I believe that is
40 authenticated through a medical professional. So if you
41 have medical professionals in the villages, then yes.

42

43 MS. AHTUANGARUAK: Then I'll provide the
44 testimony that the villages health care systems are very
45 different than urban health care systems and to try to
46 get this designation. I dislocated my hip. I went to
47 see the doctor who landed that day. The doctor told me
48 I was too young to be hurting and told me to get up and
49 get out of here. It's very difficult for villages to get
50 determinations of being disabled and that goes throughout

1 the state. We don't have the same type of systems.
2
3 ACTING CHAIR CRIBLEY: Thank you. Any
4 other questions or comments.
5
6 (No comments)
7
8 ACTING CHAIR CRIBLEY: InterAgency Staff
9 Committee comments.
10
11 MS. H. ARMSTRONG: Thank you, Mr. Chair.
12 The InterAgency Staff Committee comments are on Page 222
13 and they are the standard comments that you'll hear
14 throughout.
15
16 ACTING CHAIR CRIBLEY: Okay. Thank you.
17 Any questions, comments.
18
19 (No comments)
20
21 ACTING CHAIR CRIBLEY: Move forward with
22 Board discussion. Is there any discussion on this
23 proposal.
24
25 MR. ADAMS: Mr. Chair. Did the RACs have
26 a chance to comment on this?
27
28 ACTING CHAIR CRIBLEY: Yes, sir.
29
30 MR. ADAMS: I must have been sleeping.
31
32 ACTING CHAIR CRIBLEY: That's okay.
33
34 UNIDENTIFIED VOICE: You spoke. You were
35 speaking.
36
37 (Laughter)
38
39 ACTING CHAIR CRIBLEY: It must have
40 something to do with my chairmanship, right? Okay.
41 Having no discussion, do we have a motion. Geoff.
42
43 MR. HASKETT: I'd like to make a motion
44 to adopt Proposal 12-02 and I'll provide my justification
45 as to why I intend to oppose this motion as recommended
46 by all 10 Regional Advisory Councils if I get a second.
47
48 MS. PENDLETON: I'll second that.
49
50 ACTING CHAIR CRIBLEY: We have a second.

1 Call for question?

2

3 MR. HASKETT: No. I give justification.

4

5 ACTING CHAIR CRIBLEY: Okay, what's your
6 justification, sir.

7

8 MR. HASKETT: So there's been no reported
9 problems with existing regulations and very little
10 harvest occurs through the designated hunter provision.
11 In addition to the opposition by all 10 Councils -- let
12 me say again all 10 Councils oppose this -- we also heard
13 testimony during the tribal consultation teleconferences
14 this may actually place a hardship on some subsistence
15 users such as single mothers or elders who do take
16 advantage of this opportunity, so I'm opposed to this on
17 very many levels, as I'm sure we all are.

18

19 ACTING CHAIR CRIBLEY: Thank you. Any
20 other comments.

21

22 (No comments)

23

24 ACTING CHAIR CRIBLEY: Okay. I guess in
25 stepping down from my official role as Chairman and as a
26 voting member of the Board representing the Bureau of
27 Land Management I would like to support what Mr. Haskett
28 said as far as his rationale of opposing this proposal.
29 I think we don't have support for it and I don't think
30 that we're at a point in time where there's a need for
31 moving forward with this proposal. Mr. Haskett.

32

33 MR. HASKETT: Can I say I appreciate you
34 doing that not as the Chair but as your BLM self, so
35 thank you very much.

36

37 ACTING CHAIR CRIBLEY: Thank you. Make
38 a point of that, please.

39

40 (Laughter)

41

42 ACTING CHAIR CRIBLEY: I look to my
43 counsel, not to my left, but to my right, to see if I've
44 stepped over the line yet, but apparently not. Sue.

45

46 MS. MASICA: Mr. Chairman. I think we're
47 ready to call the question.

48

49 ACTING CHAIR CRIBLEY: Okay. Call for
50 the question.

1 MR. VIRDEN: Second.
2
3 ACTING CHAIR CRIBLEY: We have a second.
4
5 MR. PROBASCO: Thank you, Mr. Chair.
6 Just a point of order. If the question is called and you
7 recognize it, that's all we need. We don't need a
8 second. All right. Final action on Proposal WP12-02.
9 Mr. Haskett.
10
11 MR. HASKETT: Opposed.
12
13 MR. PROBASCO: Mr. Virden.
14
15 MR. VIRDEN: Opposed.
16
17 MR. PROBASCO: Ms. Pendleton.
18
19 MS. PENDLETON: Opposed.
20
21 MR. PROBASCO: Ms. Masica.
22
23 MS. MASICA: No.
24
25 MR. PROBASCO: Mr. Cribley.
26
27 ACTING CHAIR CRIBLEY: No.
28
29 MR. PROBASCO: Mr. Towarak is en route.
30 Motion fails 0/5, 1 absent.
31
32 ACTING CHAIR CRIBLEY: Thank you.
33
34 MR. ADAMS: Mr. Chairman.
35
36 ACTING CHAIR CRIBLEY: Yes, sir.
37
38 MR. ADAMS: May I just interject here.
39 That was appropriate, you know, for you to go ahead and
40 talk on behalf of the agency you represent. However, it
41 would be more appropriate if you had turned the
42 Chairmanship or the gavel over to a vice chair or someone
43 else, like maybe Pete, you know, then you can make your
44 comment and then take the gavel.
45
46 ACTING CHAIR CRIBLEY: And take it back
47 away from him. Okay. Thank you. Eventually somebody
48 smart will be sitting here and you won't have to do this.
49
50

1 (Laughter)

2

3 ACTING CHAIR CRIBLEY: Sooner than later
4 I'm hoping right now.

5

6 MR. ADAMS: I guarantee you by the time
7 that you're done with this you're going to be pretty
8 smart.

9

10 ACTING CHAIR CRIBLEY: Either that or
11 much more embarrassed than I normally am, but that's
12 okay. I've gotten used to that. I guess we will move
13 forward to the -- yes, Mr. Haskett.

14

15 MR. HASKETT: I'd just like to make the
16 comment that I think the Acting Chair is doing an
17 excellent job. He didn't even know he was going to be
18 doing it until right before we started. So I'm glad
19 you're doing it, not any of the rest of us.

20

21 (Laughter)

22

23 ACTING CHAIR CRIBLEY: Thank you very
24 much. I appreciate that. I guess we move forward to the
25 next proposal WP12-03 and looking for the analysis on
26 that.

27

28 MS. KENNER: Thank you, Mr. Chair. Good
29 afternoon, Mr. Chair. Members of the Board. For the
30 record, my name is Pippa Kenner, anthropologist with the
31 Office of Subsistence Management. The analysis for
32 Proposal WP12-03 begins on Page 225 of your Board book.

33

34 The proposal was submitted by the
35 Orutsararmiut Native Council representing the community
36 of Bethel. It concerns fur trappers and trapping
37 regulations. The proposal would require trappers to move
38 a trap that incidentally harvests a moose, caribou, or
39 deer at least 300 feet for the remainder of the
40 regulatory year. The proposed regulation would apply to
41 the entire state.

42

43 The proponent states that trappers have
44 been bothered by State enforcement officers with
45 citations that were later dismissed. It appeared that
46 one State officer interpreted one year to mean one
47 calendar year, while the State regulation indicates the
48 trap must be moved for one regulatory year. The
49 regulatory year is July to June.

50

1 The proponent's intent was to protect
2 trappers from enforcement action by more clearly writing
3 a provision into Federal trapping regulations that is
4 currently only in State trapping regulations. But there
5 are problems with this proposal. First, the proponent
6 used the State's wildlife regulation booklet, otherwise
7 known as the handy dandy, as a guide when crafting the
8 proposed regulation language, but the State codified
9 regulations do not require a trapper to actually
10 surrender the edible meat to the State.

11
12 If this proposal is adopted, in Federal
13 regulations trappers would be required to surrender the
14 edible meat to the appropriate Federal agency. Second,
15 surrendering the edible meat to the appropriate Federal
16 agency is not practical, especially in remoter areas of
17 Alaska. Finally, it is not clear how moving a trap 300
18 feet would conserve moose, caribou, or deer. Therefore,
19 the OSM conclusion is to oppose the proposal.

20
21 Thank you.

22
23 That's the end of my presentation.

24
25 ACTING CHAIR CRIBLEY: Thank you. Are
26 there any questions or comments.

27
28 (No comments)

29
30 ACTING CHAIR CRIBLEY: Do we have a
31 summary of public comments.

32
33 MS. H. ARMSTRONG: Thank you, Mr. Chair.
34 The written public comments are on Page 236. There was
35 one to oppose. There is no evidence that this is a
36 problem in our area from the Wrangell-St. Elias National
37 Park Subsistence Resource Commission.

38
39 Thank you.

40
41 ACTING CHAIR CRIBLEY: Thank you. Any
42 questions, comments.

43
44 (No comments)

45
46 ACTING CHAIR CRIBLEY: Okay. Let's move
47 to do we have any public testimony on this proposal.

48
49 MR. PROBASCO: Yes, we do, Mr. Chairman.
50 At this time I have one, Ms. Gloria Stickwan.

1 MS. STICKWAN: I oppose WP12-03 to
2 clarify regulations that trappers will not be cited for
3 incidental catch of non-target species the following year
4 if that occurs in the same area as the previous year. If
5 the proponent wants to have this regulatory change in
6 their region, then this proposal should only apply for
7 that region. This should not be a statewide regulatory
8 change. Citations for non-targeted species caught in a
9 trap are not yet a problem within our region.

10
11 ACTING CHAIR CRIBLEY: Do we have any
12 questions or comments.

13
14 (No comments)

15
16 ACTING CHAIR CRIBLEY: Thank you very
17 much. Regional Council recommendations. Start with
18 Bert.

19
20 MR. ADAMS: SERAC opposes, Mr. Chairman.

21
22 ACTING CHAIR CRIBLEY: Ralph.
23 MR. LOHSE: Southcentral Regional
24 Advisory Council opposes this proposal. I'll speak just
25 as an individual having been trapping for 40-some years,
26 I have never taken an ungulate in a trap or a snare, but
27 I would like to know how at 40 to 60 below somebody is
28 going to salvage the edible meat of a moose that's in the
29 middle of nowhere and take it to some place it's going to
30 be used. I'd like to know how they're going to do it.

31
32 ACTING CHAIR CRIBLEY: Thank you.

33
34 Mitch.

35
36 MR. SIMEONOFF: Kodiak/Aleutians took no
37 action on this proposal.

38
39 ACTING CHAIR CRIBLEY: Thank you.

40
41 Richard.

42
43 MR. WILSON: Bristol Bay opposes. We
44 don't have any such problem in our area.

45
46 ACTING CHAIR CRIBLEY: Thank you.

47
48 Lester.

49
50 MR. L. WILDE: It looks like the Y-K

1 Delta is the only RAC that supported this proposal.

2

3 Thank you, Mr. Chairman.

4

5 ACTING CHAIR CRIBLEY: Thank you.

6

7 Jack.

8

9 MR. REAKOFF: Mr. Chair. The Western
10 Interior opposed the proposal. The subsistence users do
11 not target ungulates for trapping bait because the
12 ungulates are a prized food animal, so avoidance of
13 ungulates while trapping is imperative. So I don't know
14 of any subsistence users that would be targeting
15 ungulates, so this is an unnecessary proposal.

16

17 Thank you.

18

19 ACTING CHAIR CRIBLEY: Thank you.

20

21 Victor.

22

23 MR. KARMUN: Northwest Arctic opposed it.

24

25 ACTING CHAIR CRIBLEY: Thank you.

26

27 Sue.

28

29 MS. ENTSMINGER: Eastern Interior opposed
30 it. There was a lot of discussion at our meeting on this
31 and it was brought out that there was a problem that may
32 have been fixed, but the Council understands that the
33 State of Alaska regulations addressing this issue already
34 apply to the Federal subsistence trapping, which was the
35 issue, making a companion Federal proposal unnecessary.
36 The Council is also aware of improved snare design that
37 allows unintended catch to break away and survive.

38

39 ACTING CHAIR CRIBLEY: Thank you.

40

41 Rosemary.

42

43 MS. AHTUANGARUAK: North Slope opposed
44 it. Unnecessary.

45

46 ACTING CHAIR CRIBLEY: Thank you. Alaska
47 Fish and Game.

48

49 MR. NICK: Mr. Chair.

50

1 ACTING CHAIR CRIBLEY: Oh, excuse me.
2 Yes, sir.
3
4 MR. NICK: For the record, my name is
5 Alex Nick. I'm coordinator for the Seward Pen, sitting
6 in as representing Seward Pen. Seward Pen opposed
7 Proposal 12-03. The proposal is more restrictive of
8 subsistence users. It is not supported by biological
9 reason but based on an isolated incident.
10
11 Mr. Chair.
12
13 ACTING CHAIR CRIBLEY: Now are you
14 sitting in just for this proposal or.....
15
16 MR. NICK: I think.....
17
18 ACTING CHAIR CRIBLEY: We have a seat for
19 you.
20
21 MR. NICK: Yeah, I can do that too.
22
23 Thank you.
24
25 ACTING CHAIR CRIBLEY: Thank you. Alaska
26 Fish and Game.
27
28 MS. YUHAS: Thank you, Mr. Chair.
29 Jennifer Yuhas. The Alaska Department of Fish and Game
30 also opposes this proposal as unnecessary for all the
31 reasons you've already heard. The proponent said that
32 they wanted to bring awareness and stimulate discussion.
33 That happened at all of the statewide RAC meetings. The
34 enforcement officer that encountered the individual has
35 been further educated on the issue.
36
37 ACTING CHAIR CRIBLEY: Thank you. Any
38 comments or questions.
39
40 (No comments)
41
42 ACTING CHAIR CRIBLEY: Thank you.
43 InterAgency Staff Committee comments.
44
45 MS. H. ARMSTRONG: Thank you, Mr. Chair.
46 The standard comments as seen on Page 234 for InterAgency
47 Staff Committee.
48
49 ACTING CHAIR CRIBLEY: Thank you. Move
50 on to Board discussion with Council Chairs. Does anyone

1 have any discussion on this proposal.
2
3 MR. LOHSE: Mr. Chair.
4
5 ACTING CHAIR CRIBLEY: Yes, Ralph.
6
7 MR. LOHSE: I just would like to ask Fish
8 and Game if Jennifer doesn't take off too fast, did the
9 Board address this at their meeting in January, the Board
10 of Game?
11
12 MS. YUHAS: The Board of Game, which is
13 meeting a block away, has not yet addressed this issue to
14 my knowledge. That was the Board of Game calling.
15
16 (Laughter)
17
18 MS. KENNER: Mr. Chair. I can answer
19 that question.
20
21 ACTING CHAIR CRIBLEY: Okay, please.
22
23 MS. KENNER: For the record, I'm Pippa
24 Kenner. The proposal that went to the Alaska Board of
25 Game was for Unit 18 only. The Board deferred it to its
26 statewide meeting later in the year, in a couple months,
27 to consider it for statewide application.
28
29 ACTING CHAIR CRIBLEY: Thank you. Any
30 other discussion.
31
32 Geoff.
33
34 MR. HASKETT: So this time I won't move
35 too fast. I'll just go ahead and I think condense what
36 I just heard. I think it's fairly consistent. We have
37 almost all the RACs that opposed it, eight RACs opposed.
38 The National Wildlife Refuge involved with this sees no
39 need for it. Although apparently the Board hasn't taken
40 action, it sounds like it's pretty clear the State
41 appears to be opposed. I mean it's certainly not in
42 favor of it. It's pretty clear to me that adoption of
43 this proposal is fairly detrimental to subsistence users
44 and we have it almost across the Board concerns with it.
45 So I can make a motion if you like.
46
47 ACTING CHAIR CRIBLEY: Are we ready for
48 a motion? Okay, please.
49
50 MR. HASKETT: So I make a motion to adopt

1 this proposal and I'll provide my justification again, it
2 will be pretty much what I just gave, as to why I intend
3 to vote against the motion as recommended by the majority
4 of the Regional Advisory Councils if I get a second.

5
6 MS. PENDLETON: Second.

7
8 ACTING CHAIR CRIBLEY: We have a second.

9
10 MR. HASKETT: As stated, adopting this
11 proposal would be detrimental to subsistence users since
12 it's not actually clear that it's actually needed at all
13 in Federal regulation. A few animals taken this way do
14 not create a conservation concern; therefore, I will be
15 voting against this motion.

16
17 ACTING CHAIR CRIBLEY: Any other
18 discussion.

19
20 (No comments)

21
22 MS. MASICA: Mr. Chair. Call the
23 question.

24
25 ACTING CHAIR CRIBLEY: Okay. Pete.

26
27 MR. PROBASCO: Thank you, Mr. Chair.
28 Final action on WP12-03.

29
30 Mr. Virden.

31
32 MR. VIRDEN: Opposed.

33
34 MR. PROBASCO: Ms. Pendleton.

35
36 MS. PENDLETON: Opposed.

37
38 MR. PROBASCO: Ms. Masica.

39
40 MS. MASICA: No.

41
42 MR. PROBASCO: Mr. Cribley.

43
44 ACTING CHAIR CRIBLEY: No.

45
46 MR. PROBASCO: Mr. Towarak is en route.
47 Mr. Haskett.

48
49 MR. HASKETT: Opposed.

50

1 MR. PROBASCO: Motion fails 0/5, 1
2 absent. Mr. Chair, if I may. And, Rosemary, this
3 affects you. Proposal WP12-82 is also being addressed by
4 the Board of Game at this time. The Board of Game has
5 not acted on it. The State has requested that we move
6 this to later in the agenda. We're thinking that the
7 Board of Game will take care of it today. The request,
8 if Rosemary you're in agreement with it, is to move it to
9 allow opportunity for the Board of Game to address it and
10 then we would have that information. It's not required,
11 but it's a courtesy to North Slope Council.

12
13 MS. AHTUANGARUAK: The way that you're
14 posing it is giving the State Board of Game an
15 opportunity to address this and putting us behind that
16 and that I have concern with. I would rather have our
17 subsistence users discuss it. But knowing that we're
18 having time of meetings that are occurring at the same
19 time I will allow this proposal to move later.

20
21 ACTING CHAIR CRIBLEY: Thank you.

22
23 Yes, Jennifer.

24
25 MS. YUHAS: Thank you for recognizing us
26 because I would like to extend my gratitude to the RAC
27 Chair. I'm talking out of turn except that I was
28 addressed by the Chair.

29
30 ACTING CHAIR CRIBLEY: The next proposal
31 in front of the Board is WP12-62. Do we have an
32 analysis.

33
34 MR. FOX: Thank you, Mr. Chair. I'm
35 Trevor Fox. I'm a wildlife biologist with OSM. The
36 analysis for Proposal WP12-62 begins on Page 246 of your
37 meeting book. The proposal was submitted by the Eastern
38 Interior Alaska Subsistence Regional Advisory Council and
39 it requests a community harvest permit for brown bear
40 hunting in Unit 25D.

41
42 The proponent notes that the proposal
43 will have two effects. One, it will decrease predator
44 populations that prey on calf moose. Two, it will help
45 the moose population grow to allow for more local harvest
46 and have potential to expand nonlocal participation. The
47 Alaska Board of Game will address a similar proposal,
48 which is Proposal 183, at its March meeting.

49
50 The customary and traditional use

1 determination for brown bear in Unit 25D is for all rural
2 residents of Unit 25D. As far as the brown bear
3 population, brown bears are widely distributed in
4 northeastern Alaska. The most current population
5 estimates for Units 25A, B and D are from 1993, but
6 overall the brown bear population in Unit 25 is thought
7 to be stable. However, there are some sightings by local
8 residents along the Yukon River that may indicate a
9 population may be expanding and increasing.

10

11 Brown bears have one of the lowest
12 reproductive rates among terrestrial mammals and they're
13 often managed conservatively. As far as the impacts on
14 the moose population, brown bears have been identified as
15 significant predators on moose in areas in Eastern
16 Interior. There was one study in 2002 that estimated
17 that brown bears accounted for 39 percent of known calf
18 mortalities.

19

20 As far as the harvest history of brown
21 bears in Units 25B and E, this is found in Tables 1 and
22 2 on Pages 248 and 249 of your book. The most recent
23 harvest estimates for 25B and D have ranged from 17 to 37
24 brown bears per year.

25

26 Overall, the effects of this proposal are
27 difficult to gauge as there was no community specified or
28 a community harvest limit specified. Presumably, a
29 community harvest permit would decrease brown bear
30 populations in Unit 25D and possibly assist with
31 increasing moose populations.

32

33 The OSM conclusion is to oppose Proposal
34 WP12-62 as predator control issues and management fall
35 within the authority of individual land managing
36 agencies. This is in the Board's Predator Management
37 Policy. As required by policy, the proponent will be
38 provided the procedures for submitting a request to the
39 appropriate agencies.

40

41 In addition, if the proposal resulted in
42 an increase in the allowable harvest, it would misalign
43 Federal and State regulations and thereby complicate
44 current planning actions that are underway by the Yukon
45 Flats Moose Management Planning Committee.

46

47 Thank you, Mr. Chair.

48

49 ACTING CHAIR CRIBLEY: Thank you. Do we
50 have a summary of public comments.

1 MS. HERNANDEZ: Mr. Chair. Melinda
2 Hernandez, Office of Subsistence Management. I'm the
3 acting Eastern Interior Council coordinator. We have two
4 written public comments in support of the proposal as
5 amended. The first was submitted by the Yukon Flats Fish
6 and Game Advisory Committee. They support the idea of
7 the community harvest system. This follows their
8 customary and traditional practice of harvesting game in
9 their communities. They are also in support of the two
10 bear bag limit.

11
12 The second was submitted by Andrew Firmin
13 from the Council of Athabascan Tribal Governments. The
14 community harvest permit would allow for active bear
15 hunters to harvest more than one bear per regulatory year
16 but prevent overharvesting.

17
18 That's all.

19
20 ACTING CHAIR CRIBLEY: Thank you. Do we
21 have public testimony on this proposal.

22
23 MR. PROBASCO: Mr. Chair. I have no one
24 signed up for this proposal.

25
26 ACTING CHAIR CRIBLEY: Okay. Let's move
27 forward to Regional Council recommendations.

28
29 MS. ENTSMINGER: Thank you, Mr. Chair.
30 Interestingly enough, I had to look at this myself and
31 remember what we did. The intent of the proposal got
32 confused in the analysis at our meeting where it turned
33 into predator control and that was not the intent at all.
34 It was to increase harvest. So we got ourselves wrapped
35 around the axle on that a little bit. In the end, we
36 supported the proposal with a modification to eliminate
37 the community harvest portion and increase the harvest
38 limit to two bears every regulatory year. On Page 250
39 you'll see how that would look, the modified language
40 would look, two bears every regulatory year. And
41 eliminate the community harvest permit.

42
43 There's no conservation concerns and the
44 Council feels that the proposal increases subsistence
45 harvest opportunity to a relatively low number of users
46 who utilize the resource.

47
48 ACTING CHAIR CRIBLEY: Thank you.
49 Comments from Alaska Department of Fish and Game.

50

1 MS. YUHAS: Thank you, Mr. Chairman.
2 Jennifer Yuhas. Our comment summary can be found on Page
3 254. We did recognize that since there's a negative C&T
4 finding here, a positive C&T finding would need to be
5 made for the community harvest and recognized in our
6 comments that simply upping the limit would be a valid
7 option.

8
9 To some of the RAC Chair's recent
10 comments you'll have to stand by with me through the
11 duration of the meeting. I do represent the Department
12 and we are the State, so oftentimes we will defer to the
13 Board of Game and that is what our recommendation is for
14 this, to defer action on this until the March Board of
15 Game meeting when the parallel proposal submitted by the
16 Eastern Interior RAC will be decided.

17
18 ACTING CHAIR CRIBLEY: Okay. Any
19 questions or comments.

20
21 (No comments)

22
23 ACTING CHAIR CRIBLEY: InterAgency Staff
24 Committee comments.

25
26 MS. H. ARMSTRONG: Thank you, Mr. Chair.
27 The InterAgency Staff Committee found the Staff analysis
28 to be a thorough and accurate evaluation of the proposal
29 and that it provides sufficient basis for the Regional
30 Council recommendation and Federal Subsistence Board
31 action on the proposal. The ISC notes that the Alaska
32 Board of Game will be addressing a similar proposal #183
33 at its March 2012 meeting and the Federal Subsistence
34 Board may want to discuss deferring action on this
35 proposal until after that meeting so that State and
36 Federal regulations might be aligned as a result.

37
38 Thank you, Mr. Chair.

39
40 ACTING CHAIR CRIBLEY: Thank you. Move
41 to have Board discussion on this proposal and with the
42 Council Chairs.

43
44 Geoff.

45
46 MR. HASKETT: There's not a lot of
47 discussion, but from what we heard, my plan is to support
48 the Eastern Interior Council's recommendation and adopt
49 their modification as part of it. So my motion is to
50 adopt Proposal 62 with the modification as recommended by

1 the Eastern Interior Regional Council and I'll give
2 justification if that's seconded.

3

4 MS. MASICA: I have a question before a
5 second. I just want to be straight in my mind. The
6 motion you just made was amending the proposal.

7

8 MR. HASKETT: No, wait a minute. I
9 didn't amend because the modification was actually made
10 by the -- as I understand it, by the RAC before it came
11 here, so I'm actually just supporting the proposal with
12 the modification from the RACs. There's no amendment
13 here.

14

15 ACTING CHAIR CRIBLEY: Do we have a
16 second.

17

18 MS. MASICA: Second.

19

20 ACTING CHAIR CRIBLEY: Do we have
21 discussion.

22

23 MR. HASKETT: From the discussion today
24 it looks to me like there is more bears in Unit 25D that
25 can be taken without causing any kind of conservation
26 concern or refuge actually. That's what their proposal
27 is for us. This actually provides more opportunity for
28 subsistence users. We don't expect harvest to go up
29 dramatically. It doesn't sound like the community
30 harvest permit would -- actually I don't want to say that
31 part. So we don't expect a dramatic increase in harvest.
32 I intend to vote in favor of this motion.

33

34 ACTING CHAIR CRIBLEY: Any other
35 discussion. I guess I would ask a question of Geoff in
36 regards to this. The idea of deferring taking action on
37 this until State Fish and Game has taken action on their
38 proposal, does that make sense or does it make any
39 difference one way or the other or whoever might have a
40 comment on that.

41

42 Sue.

43

44 MS. ENTSMINGER: You called on me, so I
45 will speak.

46

47 (Laughter)

48

49 ACTING CHAIR CRIBLEY: Well, you don't
50 have to. I'm just looking.

1 MS. ENTSMINGER: Once there's a motion on
2 the floor we've been told we're not to partake, but we
3 can when you call on us.

4
5 ACTING CHAIR CRIBLEY: Oh, okay.

6
7 MS. ENTSMINGER: I personally don't think
8 that it matters. If a community harvest goes in place
9 with the State system, that would be in addition to this.
10 This would just allow some people to take two bears.
11 Somebody would have to help me from the State, but I
12 believe the community harvest that they would adopt would
13 also be on Federal land. I don't see it as a problem
14 unless I'm misinterpreting something here.

15
16 ACTING CHAIR CRIBLEY: Can I ask the
17 question of the State for clarification.

18
19 MS. YUHAS: For clarification, Mr.
20 Chairman, if it were to be adopted, which we do not know
21 that it has or will be, then it would also apply there.

22
23 ACTING CHAIR CRIBLEY: Sue.

24
25 MS. MASICA: I guess in terms of deferral
26 I'm struggling with when I read what was in our books and
27 there is very clear discussion about the Board and the
28 Board's Predator Management Policy, which emphasizes the
29 authority delegated to it by the Secretaries of the
30 Interior and Agriculture. Our charge is to administer
31 the taking and uses of fish and wildlife on Federal
32 public lands by Federally qualified rural residents
33 consistent with the maintenance of healthy populations of
34 harvested resources.

35
36 The policy further recognizes that
37 wildlife management activities other than subsistence
38 take, such as predator control, are the responsibility of
39 the individual land management agencies. So, plainly
40 put, it's outside our authority to do anything but to
41 consider the proposals and to reject those that are
42 intended to produce predator populations in order to
43 promote increased populations of ungulates.

44
45 Therefore I don't believe a motion to
46 defer Proposal 12-62 is appropriate as it implies that
47 the Board's decision might be different pending the
48 future Board of Game action.

49
50 Based on my interpretation at least of

1 the policy, I don't believe we can go there.

2

3 ACTING CHAIR CRIBLEY: Thank you. Geoff.

4

5 MR. HASKETT: I think what I'm going to
6 ask for is a clarification from Sue. From the Refuges'
7 standpoint, this isn't a predator control issue. This is
8 a harvest issue and there's enough bears for harvest. So
9 I guess I'd like to hear from Sue, if that's okay, on
10 what they intended.

11

12 MS. ENTSMINGER: I'd just like to read
13 Andrew Firmin -- he was challenged to put in the
14 proposals and I went back to the record here, so he wrote
15 two proposals and justification for a State proposal
16 might have got misconstrued and put into the Federal and
17 then it was interpreted it was a predator control.

18

19 What Andrew wrote, what he said here, he
20 thinks that we submitted this when we submitted it
21 because he was in charge. We didn't word it properly.
22 The whole point of this proposal wasn't to support or
23 promote a predator control or predator management. The
24 point of it was to have people that are out there that
25 live in the woods year around, like one of our members,
26 if they shoot a bear, they're able to do it in the spring
27 and in the fall and not be -- I'm making it short here,
28 in defense of life or property. That's in short of what
29 he said. It just gives people in the community that are
30 out there an additional opportunity.

31

32 ACTING CHAIR CRIBLEY: Thank you. Any
33 other discussion.

34

35 (No comments)

36

37 ACTING CHAIR CRIBLEY: If there's no more
38 discussion, do I have -- I guess I ask for the question.

39

40 MR. HASKETT: I call for the question.

41

42 ACTING CHAIR CRIBLEY: Okay. Question
43 asked.

44

45 MR. PROBASCO: Thank you, Mr. Chair.
46 This will be final action on WP12-62 and that motion will
47 support as amended by Eastern Interior RAC.

48

49 We go to Ms. Pendleton.

50

1 MS. PENDLETON: Yes.
2
3 MR. PROBASCO: Ms. Masica.
4
5 MS. MASICA: No.
6
7 MR. PROBASCO: Mr. Cribley.
8
9 ACTING CHAIR CRIBLEY: Yes.
10
11 MR. PROBASCO: Mr. Towarak is en route.
12 Mr. Haskett.
13
14 MR. HASKETT: Yes.
15
16 MR. PROBASCO: Mr. Virden.
17
18 MR. VIRDEN: Yes.
19
20 MR. PROBASCO: Motion carries; 4 in
21 favor, 1 against, 1 absent.
22
23 ACTING CHAIR CRIBLEY: Thank you.
24
25 MR. PROBASCO: Thank you, Mr. Chair. I
26 think it's important to help -- since the Board voted on
27 this, is that -- and it's good that Sue is here to
28 clarify what the intent of the proposal was. I do know
29 that when Staff initially drafted, they talked with the
30 proponent. I think with the two proposals being
31 submitted in the manner they were, that's where the
32 confusion resulted. I know Mr. Firmin did speak in the
33 terms of predator management, but he may have been
34 implying for the State proposal. Our Staff looked at
35 this in that context as they were submitted, but I'm glad
36 we're here to clarify the record.
37
38 Thank you, Mr. Chair.
39
40 ACTING CHAIR CRIBLEY: We'll take the
41 next proposal, which is WP10-104 and WP12 -- did I just
42 miss something?
43
44 MS. H. ARMSTRONG: Mr. Chair. We need to
45 take up 68 first. I think we changed the order in the
46 beginning of the meeting because it establishes customary
47 and traditional use determination.
48
49 MR. PROBASCO: Thank you, Helen. We will
50 take WP12-68 first and that's on Page 276.

1 ACTING CHAIR CRIBLEY: Oh, I'm sorry. I
2 missed that. Okay, I stand corrected. We'll take up
3 Proposal WP12-68 and if we can have the analysis on that,
4 please.

5
6 DR. JENKINS: Mr. Chair. Board members,
7 RAC Chairs. Good afternoon. My name is David Jenkins.
8 I'm the acting policy coordinator for the Office of
9 Subsistence Management. In one of my many parallel lives
10 I'm also an anthropologist. This starts on Page 277.

11
12 Proposal WP12-68 was submitted by the
13 Cheesh'na Tribal Council and requests the residents of
14 Chistochina be added to the Unit 12 caribou customary and
15 traditional use determination.

16
17 Chistochina is located in Unit 13C just
18 outside the border of Unit 12. Chistochina residents
19 already have a positive customary and traditional use
20 determination for moose, brown bear, and sheep in Unit
21 12. I should point out that Mentasta Lake in Unit 13C
22 also has a positive customary and traditional use
23 determination in Unit 12 for caribou.

24
25 The Cheesh'na Tribal Council requests
26 that Chistochina should be added to the list of
27 communities with positive customary and traditional use
28 determination for caribou in Unit 12, to be consistent
29 with Mentasta Lake. I should also note that Chistochina
30 already has a positive customary and traditional use
31 determination for caribou in Unit 13.

32
33 There are eight factors, as you know, for
34 determining customary and traditional uses and you can
35 find those on Page 278. I won't go through all eight
36 factors.

37
38 Chistochina's uses of caribou are
39 recognized in Unit 13 and the question is not whether
40 residents of Chistochina have customarily and
41 traditionally used caribou. There exists significant
42 information that the people of Chistochina were dependant
43 on caribou. The question is about location, specifically
44 Unit 12.

45
46 I'm just going to give you a very brief
47 history. The longer history you can find the details in
48 your books. So quite briefly, historically members of
49 the Upper-Chisana-Upper Nabesna band occupied the north
50 area of the Wrangell-St. Elias Mountains, hunted caribou

1 in the Nutzotin and Mentasta Mountains, and hunted and
2 trapped in the basins of several rivers, including the
3 White, Nabesna, and Chisana Rivers, which are all in Unit
4 12.

5
6 With a shift to village life in the
7 late-nineteenth and early twentieth centuries, Upper
8 Chisana-Upper Nabesna band members moved to Northway,
9 Mentasta, Chistochina and Tetlin, where their descendants
10 continue to live. Of these communities, only Chistochina
11 lacks a customary and traditional use determination for
12 caribou in Unit 12.

13
14 As shown in the analysis in your books,
15 there is ample archeological evidence from 19th century
16 site, ample 18th and 19th century travelers accounts,
17 20th century ethnographic descriptions and recent oral
18 histories, all of which attest to the significance of
19 caribou for the descendants of the Upper Chisana-Upper
20 Nabesna band members.

21
22 Wilson Justin, for example, who is tribal
23 administrator for the Cheesh'na Tribe, has provided
24 testimony about his clan's relationship to caribou in
25 Unit 12. Other people who currently reside in
26 Chistochina also have ties to the community of Chisana
27 and to the caribou in Unit 12. Gilliam Joe, for example,
28 the grandson of Chisana Joe was born in Chisana and left
29 the village when he was two or three years old. When he
30 got older, he became a guide in the area and guided for
31 several decades working for a variety of outfitters out
32 of Chisana.

33
34 In short, there is ample evidence to
35 indicate the residents of Chistochina have customary and
36 traditional use patterns for caribou in Unit 12. If this
37 proposal is adopted, the Federal Subsistence Board would
38 recognize the customary and traditional
39 uses of residents of Chistochina to harvest caribou in
40 Unit 12. Additionally, if this proposal is adopted, it
41 would have an impact on the next proposal that you will
42 take up.

43
44 The Office of Subsistence Management's
45 preliminary conclusion is to support this proposal.

46
47 Thank you, Mr. Chair.

48
49 ACTING CHAIR CRIBLEY: Thank you. Do we
50 have a summary of public comments.

1 MS. HERNANDEZ: Mr. Chair. Melinda
2 Hernandez. We have two written public comments in
3 support of this proposal. The first was submitted by the
4 Wrangell-St. Elias National Park Subsistence Resource
5 Commission. The second by Ahtna, Incorporated. They
6 both feel that there is ample evidence of customary and
7 traditional use of caribou by Chistochina in Unit 12.

8

9 ACTING CHAIR CRIBLEY: Thank you. Do we
10 have any public testimony.

11

12 MR. PROBASCO: Yes, we do, Mr. Chair. We
13 have one person that has signed up, Ms. Gloria Stickwan.

14

15 MS. STICKWAN: I support WP12-68 to grant
16 C&T for the Chistochina community for Unit 12 caribou.
17 The Ahtna people have historically fished and hunted in
18 all of Unit 12 and should be given C&T for all species in
19 Unit 12. It is well known that the Ahtna people have
20 hunted and continue to hunt in Unit 12 for all species.

21

22 ACTING CHAIR CRIBLEY: Thank you.
23 Regional Council recommendation. Where do we want to
24 start.

25

26 Ralph.

27

28 MR. LOHSE: Southcentral supports it.

29

30 ACTING CHAIR CRIBLEY: Sue.

31

32 MS. ENTSMINGER: That was short and
33 sweet, Ralph. Eastern Interior also supports it.

34

35 ACTING CHAIR CRIBLEY: Okay. Thank you.
36 Alaska Department of Fish and Game.

37

38 MS. YUHAS: Thank you, Mr. Chairman.
39 This is one proposal and the ones right after this that
40 have gone through several iterations of analysis before
41 we actually got to this meeting. Our comments say defer
42 because the Department would like to take the time to
43 make the point that we're consistently asking for
44 consistent application of C&T in the process. With this
45 final analysis we can recognize that residents of this
46 area have hunted caribou in Unit 12 and agree with the
47 finding.

48

49 ACTING CHAIR CRIBLEY: Thank you.
50 InterAgency Staff Committee comments.

1 MS. H. ARMSTRONG: Thank you, Mr. Chair.
2 They are the standard comments as written on Page 286.
3
4 ACTING CHAIR CRIBLEY: Okay. Why don't
5 we move to Board discussion with Council Chairs and the
6 State. Any discussion.
7 Do we have a proposal.
8
9 MS. MASICA: Mr. Chair. I have a motion.
10
11 ACTING CHAIR CRIBLEY: Or a motion.
12 Excuse me. Yes, Sue.
13
14 MS. MASICA: I move that we support WP12-
15 68 and after a second I'll speak to the motion.
16
17 MR. HASKETT: Second.
18
19 ACTING CHAIR CRIBLEY: Yes.
20
21 MS. MASICA: This motion supports the
22 recommendations of the Eastern Interior and Southcentral
23 RACs to recognize the customary and traditional uses of
24 Chistochina residents to harvest caribou in Unit 12. The
25 Staff analysis did an excellent and thorough job of
26 compiling traditional knowledge and documentary evidence
27 to assess the eight factors and demonstrate Chistochina's
28 customary and traditional use. I intend to vote for the
29 motion.
30
31 ACTING CHAIR CRIBLEY: Thank you. Any
32 other discussion.
33
34 (No comments)
35
36 ACTING CHAIR CRIBLEY: Do I have a call
37 for the question.
38
39 MS. PENDLETON: Call for the question.
40
41 ACTING CHAIR CRIBLEY: Pete.
42
43 MR. PROBASCO: Thank you, Mr. Chair.
44 Final action on WP12-68.
45
46 This time we will start out with Ms.
47 Masica.
48
49 MS. MASICA: Yes.
50

1 MR. PROBASCO: Mr. Cribley.
2
3 ACTING CHAIR CRIBLEY: Yes.
4
5 MR. PROBASCO: Mr. Haskett.
6
7 MR. HASKETT: Yes.
8
9 MR. PROBASCO: Mr. Virden.
10
11 MR. VIRDEN: Yes.
12
13 MR. PROBASCO: Ms. Pendleton.
14
15 MS. PENDLETON: Yes.
16
17 MR. PROBASCO: Motion carries; 5/0, 1
18 absent.
19
20 ACTING CHAIR CRIBLEY: Thank you. Okay.
21 Move on to the next Proposal WP12-69.
22
23 MR. PROBASCO: No, 65 and 66.
24
25 ACTING CHAIR CRIBLEY: What am I missing?
26 What page is that?
27
28 MR. PROBASCO: 255.
29
30 ACTING CHAIR CRIBLEY: Okay. I knew
31 that. The next proposal is WP10-104 and WP12-65/66. Are
32 we all on the same page here? Analysis.
33
34 MR. FOX: Thank you, Mr. Chair. Again,
35 Trevor Fox with OSM. The combined analysis for Proposal
36 WP10-104, WP12-65/66 begins on Page 255 of your meeting
37 book. I'll briefly describe the proposals and then I'll
38 hand it over to Dr. Jenkins to present the .804 analysis.
39
40 All three proposals request variations to
41 establish a hunt on the Chisana Caribou Herd in Unit 12.
42 All three of these proposals request that the harvest
43 limits for the hunt be one bull and the harvest quotas
44 follow the recommendations of the
45 Draft Chisana Caribou Herd Management Plan.
46
47 Proposal WP10-104 requested a September
48 1 through 30th season and a joint Federal/State draw
49 permit with permits being divided between Federal and
50 State users. This proposal was deferred by the Board

1 until this cycle. The Board decided that it was premature
2 to adopt hunting regulations for the Chisana Caribou Herd
3 until the Draft Management Plan was finalized and
4 supported by the management agencies involved in the
5 plan.

6
7 Proposal WP12-65 requested a Federal
8 registration hunt from August 30th to September 30th.
9 Proposal WP12-66 requested a Federal registration hunt
10 that is restricted to Federal public lands in Unit 12
11 that lie east of the Nabesna River and the Nabesna
12 Glacier. Restricting the hunt area to east of the Nabesna
13 River and Glacier will help to avoid incidental harvest
14 of the Mentasta Caribou Herd, which has experienced a
15 dramatic decline, while providing minimal impact to
16 subsistence hunters wanting to harvest Chisana Caribou.
17 Additionally, the proponent asks that an ANILCA Section
18 .804 analysis be completed to determine how the harvest
19 quota would be distributed among communities.

20
21 There's been no legal harvest of Chisana
22 Caribou in Alaska since 1994 as State and Federal hunts
23 were closed due to decline of the herd. The distribution
24 of the Chisana Caribou Herd includes east central Alaska
25 and southwest Yukon and Canada. The Alaska range of the
26 Chisana Caribou Herd is primarily within the Wrangell-St.
27 Elias National Park and Preserve, a remote mountainous
28 location that is difficult to access.

29
30 A draft five-year management plan for the
31 herd has been developed through a cooperative effort
32 between Government of Yukon, Alaska Department of Fish
33 and Game, White River First Nation, Kluane First Nation,
34 National Park Service and U.S. Fish and Wildlife Service.
35 This plan is finalized and it's up for being signed, but
36 I don't know anything beyond that. I don't think it's
37 been signed yet.

38
39 This draft management plan provided the
40 framework for monitoring the Chisana Caribou Herd
41 population and the criteria for implementing the hunt.
42 As required by the Draft Management Plan, a census was
43 completed in October of 2010 by the National Park Service
44 and Alaska Department of Fish and Game. Results of this
45 census show the caribou herd to be stable with a herd
46 size estimated at 697 caribou. The bull:cow ratio and
47 the three-year average of calf:cow ratio were above the
48 minimum stated in the draft management plan. Also in the
49 plan it recommended a harvestable surplus of 2 percent of
50 the herd and this would be split between Alaska and the

1 Yukon or in Canada, which results in the Alaska portion
2 of the harvest being approximately seven animals.

3

4 At this point I'll hand it over to Dr.
5 Jenkins for the .804.

6

7 DR. JENKINS: Thank you. David Jenkins
8 again. A Section .804 of ANILCA needs to be conducted
9 whenever a proposal to change Federal regulations
10 requests a prioritization for use of a subsistence
11 resource among rural residents having customary and
12 traditional use of that resource. In other words, when
13 there's a group of people all of whom have a positive
14 C&T, an .804 analysis limits the number of people who
15 have access to that resource.

16

17 In this case, such an analysis is
18 required because of the small harvestable surplus of
19 animals in the Chisana Caribou Herd, which under the
20 current draft management plan is approximately seven
21 animals. So the question then becomes who among the
22 communities with positive C&T get to harvest these seven
23 animals or have the opportunity to harvest these seven
24 animals.

25

26 The customary and traditional use
27 determination for caribou in Unit 12 includes the
28 communities of Chisana, Nabesna, Northway, Tanacross,
29 Tetlin, and Tok in Unit 12, Dot Lake and Healy Lake in
30 Unit 20, and Mentasta Lake in Unit 13. Now you've added
31 Chistochina residents to this group of communities.

32

33 So in this case then, this .804 analysis,
34 determines which residents of ten communities, as well
35 as which rural residents not living in a community but
36 residing in Unit 12, would be eligible to harvest caribou
37 from the Chisana Herd, in the event a harvest opportunity
38 is provided by the Board.

39

40 The limitations in a Section .804
41 analysis are based on the application of three criteria.
42 The first criteria is customary and direct dependence
43 upon the populations as the mainstay of livelihood. The
44 second criteria is local residency. The third criteria
45 is the availability of alternative resources. So these
46 are the three criteria we analyze in a Section .804
47 analysis.

48

49 I'll go through each of them in turn.

50

1 Customary and direct dependence upon the
2 populations as a mainstay of livelihood. If customary
3 and direct dependence is narrowly interpreted to mean
4 that Chisana caribou provide
5 necessary nutritional elements for a mainstay of
6 livelihood, then none of the residents of Unit 12 or of
7 the communities outside of Unit 12 with a C&T use
8 determination for caribou in Unit 12 meet this criterion.
9 The hunt for Chisana caribou has been closed since 1994,
10 as you just heard. Presumably, all rural residents with
11 customary and traditional use determinations for caribou
12 in Unit 12 have managed without using Chisana caribou for
13 food between 1994 and the present.

14
15 If customary and direct dependence on
16 Chisana caribou for a mainstay of livelihood is more
17 broadly interpreted to mean that Chisana caribou provide
18 necessary cultural and social elements to local peoples
19 existence, then there are rural residents for whom this
20 criterion applies. Based on evidence presented in the
21 proposal you just heard, WP12-68, it's clear the
22 descendants of folks who lived in the Chisana area who
23 now reside in Northway and Mentasta and Chistochina and
24 who are part of the Upper Chisana-Upper Nabesna band, who
25 also live in Tetlin, are communities who have this
26 broader customary and direct dependence if you include
27 cultural and social elements.

28
29 Based on available ADF&G harvest data
30 between 1977 and 1993 residents of Northway, Tok and
31 Chisana hunted Chisana caribou and in this way exhibit a
32 customary and direct dependence on Chisana caribou.
33 There is little evidence to suggest that residents of
34 Nabesna, Tanacross, Dot Lake and Healy Lake have a
35 customary and direct dependence on Chisana caribou.
36 Research to date has uncovered neither documentary
37 evidence relating to any cultural or social ties between
38 residents of these communities and the Chisana Caribou
39 Herd nor any harvest data to indicate that residents of
40 these communities hunted the Chisana Caribou Herd.

41
42 Based on the available evidence to date,
43 it appears that residents of six of these ten communities
44 exhibit a customary and direct dependence on Chisana
45 caribou. These include Tok, Northway, Chistochina,
46 Chisana, Mentasta and Tetlin. That's the first
47 criterion.

48
49 The second is local residency. Chisana,
50 Nabesna, Tanacross, Tetlin, and Tok are within Unit 12,

1 Chistochina is on the border but falls in Unit 13, Dot
2 Lake and Healy Lake are in Unit 20, some distance away,
3 and Mentasta Lake is within Unit 13. From the point of
4 view of customary and traditional use determinations, all
5 of these communities may be considered to have local
6 residency.

7
8 Remember one of the eight factors of
9 customary and traditional use reads that -- factor number
10 4 is near or reasonably accessible to a resource. so
11 this factor can be interpreted as an indication of local
12 residency. If you're near or reasonably accessible to a
13 resource, then it can be interpreted as a local residency
14 criteria.

15
16 In other words, the communities with a
17 customary and traditional use determination can be
18 thought of as having local residency. All of the ones
19 that have C&T at this moment. However, if local
20 residency is based on geographic proximity, then only
21 Chisana, which is near the Chisana Caribou Herd, can be
22 thought of as having local residency.

23
24 The reason I bring up these two different
25 ways of thinking about it is because we don't have
26 explicit definitions in the Federal program to go by. So
27 I'm bringing up a couple options for you to think about.

28
29 The third criterion is the availability
30 of alternative resources. This also we don't have a
31 clear definition for. If the availability of alternative
32 resources refers to the availability of harvestable
33 caribou in other areas, then all of the residents of the
34 communities under consideration have alternative
35 resources. Residents of Chistochina and Mentasta, who
36 reside in Unit 13, have a C&T use determination for
37 caribou in Unit 13, for example. So everybody has an
38 opportunity to hunt caribou elsewhere.

39
40 So it appears that residents of these
41 communities have alternatives if the availability of
42 alternative resources is based solely on food
43 considerations. These communities also have other
44 subsistence resources available to them, such as moose,
45 sheep, and bear.

46
47 This criterion could also be interpreted
48 to ask whether local peoples perceive any alternative to
49 Chisana caribou or whether there are no alternatives. The
50 existing literature, including oral histories of people

1 who traditionally hunted Chisana caribou, is suggestive
2 in this regard.

3
4 As noted in WP12-68, Chisana caribou
5 appear to be unique and occupy a particularly special
6 status for descendants of the Upper Chisana-Upper Nabesna
7 band. The descendants of the Upper Chisana-Upper Nabesna
8 band live today in Chistochina, Northway, Mentasta and
9 Tetlin. For residents of these communities, other caribou
10 may not provide an alternative to this particular caribou
11 herd when viewed from the perspective of its cultural
12 importance to these residents.

13
14 I should point out that the caribou may
15 also be unique from the perspective of other local
16 subsistence users. For example, the local guides who used
17 to hunt the Chisana Caribou Herd and who have indicated
18 that Chisana caribou are particularly large with
19 unusually large antlers and are therefore especially
20 valued for these reasons.

21
22 If the availability of alternative
23 resources is solely based on considerations of calories,
24 then all of the communities subject to this analysis have
25 alternatives, even within the same species. If, however,
26 the measure of an alternative resource includes cultural
27 and social considerations, then it appears that for
28 descendants of the Upper Chisana-Upper Nabesna band,
29 there are no alternatives.

30
31 For this reason, the Board may consider
32 residents of Chistochina, Northway, Mentasta and Tetlin
33 to have no alternatives to Chisana caribou under Section
34 .804(3). They should be given a subsistence priority for
35 Chisana caribou over residents of Tok, Dot Lake, Healy
36 Lake, Chisana, Nabesna and Tanacross. However, other
37 cultural and social values are also prevalent and are
38 associated with the history of guiding in the area. For
39 former guides who currently live in Mentasta, Tok and
40 Chisana, there may also be no alternatives to Chisana
41 caribou.

42
43 Let me briefly summarize this and then
44 I'll stop. The Section .804(1) analysis determines that
45 residents of Chisana, Chistochina, Northway, Mentasta,
46 Tetlin, and Tok exhibit the greatest customary and direct
47 dependency on the Chisana Caribou Herd. Section .804(2)
48 makes the determination that Chisana, Chistochina,
49 Nabesna, Northway, Tanacross, Tetlin, Tok, and Mentasta
50 Lake and should be included based on local residency.

1 Finally, Section .804(3) determines that there are no
2 alternatives to Chisana caribou for residents of Chisana,
3 Chistochina, Northway, Mentasta, Tetlin, and Tok, and
4 that these communities should be granted a subsistence
5 priority over Dot Lake, Healy Lake, Nabesna, and
6 Tanacross.

7
8 On balance, across these three criteria,
9 this analysis determines or suggests that Chisana,
10 Chistochina, Mentasta, Northway, Tetlin, and Tok, these
11 six communities, should be provided a subsistence
12 priority over Dot Lake, Healy Lake, Nabesna and
13 Tanacross.

14
15 The decision of how to apportion the
16 opportunity for a subsistence harvest of seven caribou
17 over residents of six communities will be further
18 discussed.

19
20 So thank you, Mr. Chair.

21
22 ACTING CHAIR CRIBLEY: Thank you. Do we
23 have a summary of the public comments.

24
25 MS. ENTSMINGER: I have a question.

26
27 ACTING CHAIR CRIBLEY: Yes, Sue.

28
29 MS. ENTSMINGER: Thank you. Chisana
30 caribou has been a well talked about herd in my area for
31 four years now. Polly would be the one sitting there a
32 few years back and she said that the caribou, all
33 species, are managed by GMUs. We do your C&Ts by GMUs.
34 So I guess what confuses us and we discussed this is so
35 then why are we looking at a caribou herd singly in a GMU
36 through this .804 analysis? Wouldn't we then be talking
37 about caribou in the whole GMU? It's a confusing thing
38 and everybody tries to understand what we're doing here.
39 So I have that question. If I could get an answer, I
40 have another.

41
42 DR. JENKINS: Yes, Ms. Entsminger. The
43 proposal is actually for an area where the Chisana
44 caribou are found. We do manage normally by units, but
45 this particular proposal is a question of opening a hunt
46 to this group of animals that's been closed since 1994.
47 I don't actually know how directly to address that.
48 Maybe Mr. Probasco does in this instance.

49
50 ACTING CHAIR CRIBLEY: Pete.

1 MR. PROBASCO: Thank you, David. Ms.
2 Entsminger. I think the key here, and you stated, is the
3 history of looking at Chisana caribou. You are correct,
4 in many instances we look at the species and you look at
5 the management unit, but you've got to keep in mind that
6 with this species we have a unique management plan that
7 was developed jointly with the State of Alaska and
8 Canada. Second, because of this type of herd we have a
9 very small surplus of animals which resides primarily on
10 Federal lands that require us to do that .804 analysis.
11 In other words, because of the low number of animals that
12 reside predominantly on Federal lands and the management
13 plan focuses it more narrower than we do in other areas.

14
15 Mr. Chair.

16
17 MS. ENTSMINGER: Can I continue.

18
19 ACTING CHAIR CRIBLEY: Thank you.

20
21 MS. ENTSMINGER: Then I would further ask
22 that the Upper Tanana Forty Mile Advisory Committee had
23 put that proposal in initially and I instructed them you
24 need to talk to OSM and learn what's going on here
25 because you don't really have a clear picture of how this
26 affects regulations. There was a series of three or four
27 or six meetings that we involved or they did and I went
28 to their meetings, this very issue. It was told to us by
29 Polly, at the time, you would have to open a season
30 before you would do an .804 because you don't really know
31 that you need an .804.

32
33 MR. PROBASCO: Mr. Chair. Ms.
34 Entsminger. In this case, the request is for a season to
35 harvest seven animals. So because of the low number of
36 animals that, in my opinion, puts us right into the case
37 of doing an .804.

38
39 MS. ENTSMINGER: It's probably an
40 interpretation on our part, but people have very big
41 confusion on this and I just wanted to bring that out.
42 I was just looking at the book and Page 270 under
43 justification, the last sentence says, The Eastern
44 Interior Regional Advisory Council, the Southcentral
45 Regional Advisory Council, and public review may bring
46 more information forward for consideration and then our
47 meeting -- several meetings of Wrangell-St. Elias
48 Subsistence Resource Commission met and Eastern Interior
49 met and we included two communities, Nabesna and
50 Tanacross, and I'm wondering why when the OSM met again

1 why that wasn't added to this because I didn't see it.
2 I just heard that it was -- to date, Nabesna and
3 Tanacross no information. So when we brought new
4 information, I was wondering why it wasn't part of the
5 new work here.

6
7 DR. JENKINS: If I can respond. Your RAC
8 suggested two communities to be analyzed, so what's
9 required at this point is for further analysis of these
10 communities to occur, which hasn't occurred. There
11 hasn't been that additional analysis to include them. It
12 can still happen, but at this point it hasn't. So what
13 your RAC did was bring in the suggestion that these
14 communities should be included so that it would move from
15 six to eight communities over which we'd apportion these
16 seven animals. My understanding is that could still
17 happen in the future. It hasn't happened at this point.

18
19 MS. ENTSMINGER: Clarification. That can
20 happen at this meeting? Am I understanding that
21 correctly?

22
23 MR. PROBASCO: Mr. Chair. That would be
24 very difficult. I think what Dr. Jenkins is pointing to
25 is that the request by the Eastern Interior RAC was to
26 look at two additional communities and the question is
27 was there sufficient time to do that type of analysis
28 prior to this Board meeting and what I heard Dr. Jenkins
29 say is no, but we could do it for future.

30
31 MS. ENTSMINGER: Thank you.

32
33 ACTING CHAIR CRIBLEY: Okay. Where are
34 we at? Public. We had public comments. Do we have any
35 public testimony.

36
37 MS. HERNANDEZ: Yes, Mr. Chair.

38
39 MR. FOX: Mr. Chair. I guess we never
40 did read in OSM's conclusion if you want me to do that
41 really quick.

42
43 ACTING CHAIR CRIBLEY: Oh, yeah, please.
44 I'm sorry.

45
46 MS. HERNANDEZ: Go ahead.

47
48 MR. FOX: The OSM conclusion was to take
49 no action on Proposals WP10-104 and WP12-65 and to
50 support Proposal WP12-66 with modification to list the

1 communities allowed to harvest caribou in Unit 12, that
2 portion east of the Nabesna River and the Nabesna Glacier
3 and lands south of the Winter Trail running southeast
4 from Pickerel Lake to the Canadian border. This would
5 also include the communities of Northway, Mentasta,
6 Tetlin, Tok, Chisana, and after the action on WP12-68,
7 Chistochina. The language for the modified regulation is
8 found on Page 269.

9

10 The justification is that the draft
11 management plan is finalized and up for being signed.
12 Most recent census indicates the Chisana Caribou Herd
13 could sustain a small harvest and while all three
14 proposals wish to provide a Federal subsistence hunt, 66
15 restricted the hunt to east of the Nabesna River and
16 Glacier, which should protect the Mentasta Caribou herd.

17

18 That's all. Thank you, Mr. Chair.

19

20 ACTING CHAIR CRIBLEY: Thank you. Do we
21 have any public comments.

22

23 MS. HERNANDEZ: Mr. Chair. For WP10-104
24 there was one written public comment from the
25 Wrangell-St. Elias National Park Subsistence Resource
26 Commission. They felt we should take no action. This is
27 obsolete with the new proposal.

28

29 For WP12-65, there are two public
30 comments in opposition. The first submitted by the
31 Wrangell-St. Elias SRC. They prefer the provisions of
32 WP12-66. The second was submitted by Ahtna, Inc. in
33 opposition. They oppose the two-year test period. They
34 feel that Federally qualified subsistence users don't
35 have the means to travel to the remote areas in Unit 12
36 for caribou and may not harvest the quota, which would in
37 turn allow a hunt in Unit 12 for sport hunters and
38 guides.

39

40 For WP12-66 there are two written public
41 comments in support. The first Wrangell-St. Elias SRC
42 supports as modified by the OSM Staff to include
43 Tanacross and Nabesna on the eligible list of
44 communities. They don't feel there is a conservation
45 concern.

46

47 The last one, Ahtna, Inc. supports WP12-
48 66. They're in favor of a drawing permit to equally
49 distribute permits among Federally qualified users.

50

1 ACTING CHAIR CRIBLEY: Thank you. Do we
2 have public testimony.

3

4 MR. PROBASCO: Yes, Mr. Chair. We have
5 one person and that's Ms. Gloria Stickwan to testify on
6 these three proposals.

7

8 MS. STICKWAN: These comments that I'm
9 going to make they were brought before the C&T committee
10 of Ahtna and they supported these comments that are in
11 front of you and I'm supporting their comments, which
12 they approved of. Individually I've talked to Wilson
13 Justin and Cheesh'na as well about these proposals. The
14 C&T committee opposed 12-65 and supports 12-66. 12-65
15 proposes to have a two-year test period for the Federally
16 qualified subsistence users. If they fail to meet this
17 caribou quota within a two-year period, then the State
18 would have an open caribou season.

19

20 I oppose this two-year test period for
21 the Federally qualified subsistence users because they
22 don't have the means to travel to remote areas to hunt in
23 Unit 12 for caribou. They may not harvest the quota
24 allotted to them. A hunt would then be allotted for Unit
25 12 sport hunters and guides.

26

27 I support WP12-66 with modification as
28 recommended by the Eastern Interior Regional Advisory
29 Council. Additional Section .804 analysis to include
30 communities of Nabesna and Tanacross would show C&T use
31 and ties to the resources. Adding that the
32 superintendent of Wrangell-St. Elias would be delegated
33 authority to manage the Chisana Caribou Herd hunt would
34 speed up the process for distributing caribou permits for
35 2012 hunting season.

36

37 ACTING CHAIR CRIBLEY: Thank you.
38 Regional Council recommendations.

39

40 Sue.

41

42 MS. ENTSMINGER: That's on Page 272. We
43 took no action on 10-104 and 12-65. We support 12-66
44 with modification to establish a Federal registration
45 hunt for the Chisana Caribou Herd beginning fall of 2012
46 with a harvest quota in accordance with the Chisana
47 Caribou Draft Management Plan with a harvest limit of one
48 bull between September 1 through September 30 subject to
49 additional ANILCA Section .804 analysis for this of the
50 communities of Nabesna and Tanacross as modified by OSM.

1 With the exception that the Wrangell-St.
2 Elias superintendent would be delegated the authority to
3 announce the harvest quota, number of permits to be
4 issued and the reporting period, open the season, close
5 the season in consultation with the ADF&G, Tetlin Refuge
6 and Chairs of Eastern and Southcentral RACs, by local
7 announcement when the quota has been taken and provide
8 that to Councils with a hunt report at the winter 2013
9 meeting. The Council finds the initial .804 analysis
10 well done and recognizes that the proposal reflects the
11 extensive efforts of many contributors.

12
13 The Council feels that while the harvest
14 surplus is small, it should not pose a conservation
15 concern in the good in-season management. The Council
16 notes that the remoteness of the herd will limit access,
17 but the proposal will provide increased subsistence
18 opportunity.

19
20 ACTING CHAIR CRIBLEY: Thank you.

21
22 Ralph.

23
24 MR. LOHSE: Southcentral Subsistence
25 Regional Advisory Council also opposed WP10-104 and WP12-
26 65. We supported WP12-66 with the modification suggested
27 by OSM and contingent on the formation of a subcommittee
28 to consist of representatives from Southcentral Alaska
29 Subsistence Regional Advisory Council, the Eastern
30 Interior Alaska Subsistence Regional Advisory Council,
31 the communities of Chistochina, Mentasta, Northway and
32 Tetlin, plus three or four additional interested members
33 of the public from the other villages considered or areas
34 between to determine allocation.

35
36 ACTING CHAIR CRIBLEY: Okay. Alaska
37 Department of Fish and Game.

38
39 MS. YUHAS: Thank you, Mr. Chair.
40 Hopefully I've demonstrated by this point that I'm
41 concise when I can be, but this one is going to take a
42 little bit more time for me.

43
44 ACTING CHAIR CRIBLEY: I understand.

45
46 MS. YUHAS: In the previous proposal you
47 discussed C&T for a unit. This is a very different
48 question, an .804 exclusion for a specific herd, for a
49 specific area. The State has continuously asked for
50 consistency of application. It's something that's

1 defensible for the Board to adopt. We've asked for
2 rulemaking on this issue and I have the greatest respect
3 for my colleague, Dr. Jenkins. I think he is very
4 thorough in his work, but we heard him state that we
5 don't have explicit definitions within the Federal
6 program.

7
8 I think there's a lot of "what ifs" in
9 this particular question. We've got seven animals, 10
10 communities, difficult access, will there be any
11 opportunity for State harvest at all. We support
12 portions of all four of these proposals with
13 modifications. We recommend following the guidelines for
14 limited harvest of Chisana Caribou Herd between Alaska
15 and Canada as laid out in the management plan. We
16 believe that a joint Federal/State permit would allow our
17 managers to continue the cooperation they've already
18 established and follow the herd management plan here.

19
20 This .804 finding will exclude someone
21 and we don't think that there has been enough analysis to
22 make that finding now. We think that it's premature and
23 exclusionary to adopt just the six communities that are
24 listed here. Well, we've heard that some communities may
25 be added later. They will be excluded now. I don't
26 believe that the Board has enough information to make
27 that finding today.

28
29 ACTING CHAIR CRIBLEY: Thank you. Any
30 questions.

31
32 (No comments)

33
34 ACTING CHAIR CRIBLEY: InterAgency Staff
35 Committee comments.

36
37 MS. H. ARMSTRONG: Thank you, Mr. Chair.
38 As you may have guessed, this is not going to be the
39 standard comments. The InterAgency Staff Committee did
40 find the Staff analysis to be a complete and accurate
41 evaluation of the proposal and that it provides
42 sufficient basis for the Regional Council recommendations
43 and Federal Subsistence Board action on the proposal.

44
45 Most of the ISC agrees with the
46 recommendation of the Southcentral Regional Advisory
47 Council to form a working group (which should include
48 residents of the affected rural communities/areas) to
49 address issues pertaining to the distribution of permits
50 for this hunt. However, in regard to the support of the

1 RAC being contingent upon the establishment of a
2 subcommittee/working group, the ISC is mindful of the
3 short time frame for such a group to complete its work
4 before the summer subsistence season (as well as the
5 workload and budget constraints affecting agencies).

6
7 The Board might, therefore, want to
8 consider an alternative process, in which, one, the NPS
9 develops a permit distribution strategy in consultation
10 with the affected communities; two, reviews that strategy
11 with the Southcentral and Eastern Interior Regional
12 Advisory Councils during their 2012 winter meetings, and
13 then, three, implements a final permit-distribution
14 decision for 2012.

15
16 Thank you, Mr. Chair.

17
18 ACTING CHAIR CRIBLEY: Thank you. Move
19 into Board discussion with the Council Chairs and the
20 State. Any discussion.

21
22 MS. MASICA: Mr. Chair. I have a motion
23 and could have the discussion follow that. I move that
24 we adopt WP10-104, WP12-65 and WP12-66. After I have a
25 second I would speak to the motion.

26
27 MR. HASKETT: Second.

28
29 ACTING CHAIR CRIBLEY: I have a second.
30 Do we have discussion.

31
32 MS. MASICA: Mr. Chairman. I intend to
33 amend my motion. We've got three different proposals
34 here, so I'm going to try to be as clear as I can and not
35 bog us down at the end of the day here. It's my
36 intention that we would amend the motion in two ways.
37 These are consistent with the OSM recommendation that is
38 on Page 269. By taking action on 12-66, we would take no
39 action on WP10-104 and 12-65 because the action on 12-66
40 will make the other proposals moot.

41 Then with respect to 12-66 I would
42 propose that we go with the recommendation that's in the
43 OSM conclusion on Page 269, which is the six communities
44 that were mentioned and does not include Nabesna and
45 Tanacross. If I have a second on that amendment, I'll
46 discuss it further.

47
48 ACTING CHAIR CRIBLEY: Do we have a
49 second.

50

1 MR. HASKETT: Second.

2

3 ACTING CHAIR CRIBLEY: We have a second.
4 Discussion. Sue.

5

6 MS. MASICA: Basically this amendment
7 would, with the only exception of those two communities
8 of Nabesna and Tanacross, would align with the
9 recommendation and follow the recommendation of the
10 Eastern Interior RAC. It would provide the harvest quota
11 consistent with the Chisana Caribou Management Plan with
12 a harvest limit of one bull by Federal registration
13 permit only. The season would be September 1 to 30.
14 Federal public lands would remain closed to the harvest
15 of caribou except by the residents of Chisana,
16 Chistochina, Mentasta, Northway, Tetlin and Tok as
17 recommended by OSM on Page 269 of the analysis.

18

19 The Wrangell-St. Elias superintendent
20 would be delegated authority to open the season, announce
21 the harvest quota, the number of permits in the reporting
22 period, and close the season in consultation with ADF&G,
23 the Tetlin Refuge and the Chairs of Eastern and
24 Southcentral RACs by local announcement when the quota
25 has been taken.

26

27 The superintendent will also provide the
28 two RACs with a hunt report at their winter 2013
29 meetings. As stated by Dr. Jenkins, there's little data
30 in the analysis at this point to include Nabesna and
31 Tanacross, but once that further analysis would be
32 completed they would be something that could be
33 considered at a further time to be included.

34

35 Regarding the Southcentral RAC
36 recommendation, they supported the hunt but qualified
37 their support contingent upon establishing a workgroup.
38 While certainly I believe workgroups can be very helpful,
39 in this case I think that might not be the case given the
40 time that we're up against. Certainly creating,
41 organizing, funding a workgroup takes time and resources
42 and there's a desire for this hunt to open this
43 September. Whether they could get their work done by
44 then is not clear.

45

46 What I could commit to is that the Park
47 Service will certainly, as was recommended in the ISC
48 analysis that the Park Service would reach out to the
49 participating communities and the associated tribal
50 governments to seek their views regarding allocation of

1 permits between and within the communities. I don't
2 think any of us would want to see any delay in
3 implementation of the hunt. A delay would be detrimental
4 to the satisfaction of subsistence needs. Certainly, as
5 we've seen in other instances when we're juggling
6 multiple RAC perspectives trying to find a sweet spot
7 that is responsive is certainly our goal.

8

9 This hunt has certainly been discussed
10 for several years and getting to this point has taken a
11 lot of work by many people. Hopefully my motion would
12 get it all started and there will be an opportunity in
13 future years to adjust the resulting regulations as our
14 experience may further guide us.

15

16 That's my comments, Mr. Chairman. Thank
17 you.

18

19 ACTING CHAIR CRIBLEY: Any other
20 discussion.

21

22 MR. PROBASCO: Mr. Chair.

23

24 ACTING CHAIR CRIBLEY: Yes, Pete.

25

26 MR. PROBASCO: Thank you, Mr. Chair. If
27 I could summarize real quickly, Sue. Your amendment to
28 the motion, which was to adopt all three proposals, would
29 result in taking no action on WP10-104 and WP12-65 and
30 support Proposal WP12-66 with modification as found on
31 Page 269 and was supported by your justification that you
32 read.

33

34 MS. MASICA: That is correct.

35

36 MR. PROBASCO: Thank you.

37

38 ACTING CHAIR CRIBLEY: Is there any
39 discussion on the amendment.

40

41 (No comments)

42

43 ACTING CHAIR CRIBLEY: Do we have a
44 question on the amendment.

45

46 MS. PENDLETON: Call for the question.

47

48 ACTING CHAIR CRIBLEY: We have a call for
49 the question.

50

1 MR. PROBASCO: Thank you, Mr. Chair. I
2 won't restate the clarification on the amendment. On the
3 amendment as stated by Ms. Masica. This is just the
4 amendment.
5
6 Mr. Cribley.
7
8 ACTING CHAIR CRIBLEY: Yes.
9
10 MR. PROBASCO: Mr. Haskett.
11
12 MR. HASKETT: Yes.
13
14 MR. PROBASCO: Mr. Virden.
15
16 MR. VIRDEN: Yes.
17 MR. PROBASCO: Ms. Pendleton.
18
19 MS. PENDLETON: Yes.
20
21 MR. PROBASCO: Ms. Masica.
22
23 MS. MASICA: Yes.
24
25 MR. PROBASCO: The amendment carries.
26 Now the main motion as amended is before you, Mr. Chair.
27
28 ACTING CHAIR CRIBLEY: Do I ask for the
29 question or discussion?
30
31 MS. PENDLETON: I'll go ahead and ask for
32 the question.
33
34 ACTING CHAIR CRIBLEY: Okay. Do I have
35 a question. Oh, I do. That wasn't a question.
36
37 (Laughter)
38
39 ACTING CHAIR CRIBLEY: Thank you.
40
41 Pete.
42
43 MR. PROBASCO: Thank you, Mr. Chair.
44 Final action on Proposal WP12-66 as modified with no
45 action on WP10-104 and WP12-65 as found on Page 269.
46
47 Mr. Haskett.
48
49 MR. HASKETT: Yes.
50

1 MR. PROBASCO: Mr. Virden.
2
3 MR. VIRDEN: Yes.
4
5 MR. PROBASCO: Ms. Pendleton.
6
7 MS. PENDLETON: Yes.
8
9 MR. PROBASCO: Ms. Masica.
10
11 MS. MASICA: Yes.
12
13 MR. PROBASCO: Mr. Cribley.
14
15 ACTING CHAIR CRIBLEY: Yes.
16
17 MR. PROBASCO: Motion carries, 5/0, 1
18 absent.
19
20 ACTING CHAIR CRIBLEY: Recess. We could
21 squeeze one more in, right? Okay. Well, I think that
22 we're past our time of 5:00 o'clock. It's 10 after 5:00
23 right now. I think we'll go ahead and recess the Board
24 meeting for today and meet at 8:30 tomorrow morning.
25
26 MR. PROBASCO: That's correct.
27
28 ACTING CHAIR CRIBLEY: Thank you very
29 much.
30
31 MR. PROBASCO: Board members, Council, et
32 cetera, we can leave our materials here at your desk.
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, do hereby certify:

THAT the foregoing pages numbered 2 through 152 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME I taken electronically on the 17th day of January 2012, beginning at the hour of 8:30 a.m. at the Egan Convention Center, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction;

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

DATED at Anchorage, Alaska, this 27th day of January 2012.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14