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FEDERAL SUBSISTENCE BOARD
PUBLIC REGULATORY MEETING

VOLUME IV

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

April 18, 2014

MEMBERS PRESENT:

- Tim Towarak, Chairman
- Charles Brower
- Anthony Christianson
- Bud Cribley, Bureau of Land Management
- Cindy Jacobson, U.S. Fish and Wildlife Service
- Deb Cooper, National Park Service
- Kristin K'eit, Bureau of Indian Affairs
- Steve Kessler, U.S. Forest Service

Ken Lord, Solicitor's Office

Recorded and transcribed by:
Computer Matrix Court Reporters, LLC
135 Christensen Drive, Second Floor
Anchorage, AK 99501
907-243-0668; sahile@gci.net

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P R O C E E D I N G S

(Anchorage, Alaska - 4/18/2014)

(On record)

CHAIRMAN TOWARAK: I think we're ready to get started. We were going to start with 51 for Mr. Brower but we need to wait for Jennifer, I think, she is coming in -- on her way in and we will do that as soon as she comes in. So in the meantime we'll go ahead and get started with -- I think we should start with maybe 21 and then go to 23.

So if -- yes.

MR. MCKEE: We already did 23 yesterday, Mr. Chair.

CHAIRMAN TOWARAK: We already did, okay, 23 is -- okay. So we'll start with 21.

MS. MORRIS LYON: That'll be great.

(Laughter)

MS. MORRIS LYON: But I do have a person, can I make sure the phone line is working first, too, because I do have somebody that wanted to testify.

REPORTER: The phone line is open now.

MS. MORRIS LYON: I told her so is she on or do you know.

REPORTER: I don't know, but you can ask if there's anybody on line, the line is open, and it's star one.

CHAIRMAN TOWARAK: Okay.

REPORTER: Just go ahead and ask if there's anyone on line.

CHAIRMAN TOWARAK: Okay.

(Pause)

1 CHAIRMAN TOWARAK: So we're going to
2 start with Proposal 14-21 and if, according to what I'm
3 hearing it's on Page 223.
4
5 We'll start with the Staff analysis and
6 as soon as -- for those of you that are on line,
7 especially for you in Bristol Bay, as soon as you're on
8 line let me know and.....
9
10 (Teleconference music interruption)
11
12 (Laughter)
13
14 (Pause)
15
16 OPERATOR: Good afternoon, this is
17 Sarah, do I have a speaker on this connection.
18
19 CHAIRMAN TOWARAK: Thank you.
20
21 OPERATOR: Hi, how are you today.
22
23 CHAIRMAN TOWARAK: We're doing well.
24
25 OPERATOR: Very good. Are there other
26 speaker locations that will be dialing in to join you.
27
28 CHAIRMAN TOWARAK: There should be
29 someone from Bristol Bay.
30
31 OPERATOR: Okay. And I'm getting an
32 echo back when I'm speaking. I don't know, am I coming
33 across okay for you.
34
35 CHAIRMAN TOWARAK: You sound okay on
36 this side.
37
38 OPERATOR: Okay. And who am I speaking
39 with.
40
41 CHAIRMAN TOWARAK: You're speaking to
42 Tim Towarak, I'm the Chairman of the Subsistence Board.
43
44 OPERATOR: Towarak, okay. All right,
45 so we've got the call scheduled for quite a duration
46 today, do you expect that it will kind of run all day
47 for you.
48
49 (Laughter)
50

1 CHAIRMAN TOWARAK: We're hoping to be
2 done sometime close to noon.
3
4 OPERATOR: Okay. All right, close to
5 noon. You must be Pacific Time then, sir.
6
7 CHAIRMAN TOWARAK: That's noon time,
8 Alaska time, right now it's a quarter to 9:00.
9
10 OPERATOR: Oh, okay, Alaska, very good.
11
12 (Laughter)
13
14 OPERATOR: Well, I do show it looks
15 like there is another speaker location dialing in right
16 now so we'll join them, right now you are in a private
17 speaker conference, okay, and we'll join that other
18 connection in here with you in just a moment.
19
20 CHAIRMAN TOWARAK: Okay. We will
21 proceed, we've got other things going on, we will call
22 on the people on line for testifying as soon as we get
23 to that portion of the meeting. Thank you.
24
25 Is that good.
26
27 REPORTER: Yes, go ahead, we're on
28 record.
29
30 CHAIRMAN TOWARAK: Okay, thank you.
31
32 So we're going to continue and start
33 with Proposal 21 and have our Staff analysis start the
34 process.
35
36 MR. MCKEE: Thank you, Mr. Chair. As
37 mentioned Proposal 14-21 has an executive summary
38 beginning on Page 223 of your booklet. It was
39 submitted by the Bristol Bay Regional Advisory Council
40 and requests an extension of the to be announced winter
41 season and an increase in the harvest limit for moose
42 under Federal hunting regulations in Unit 17A.
43
44 The proposed regulatory changes would
45 align with recent changes to State regulations and
46 follow recommendations of the Unit 17A Moose Management
47 Plan. This is the same request as an emergency special
48 action WSA 13-01, which was approved in November of
49 2013.
50

1 Federally-qualified subsistence users
2 are required to have a State registration permit during
3 the fall and winter moose seasons and could harvest
4 moose under the recently changed State regulations
5 regardless of the Board's decision. However, if
6 adopted, Federally-qualified subsistence users would be
7 provided with additional harvest opportunity under
8 Federal regulations, which would include the use of
9 Federally-designated hunter regulations.

10
11 The moose population continues to
12 increase in Unit 17A as illustrated in Figure 1 on Page
13 229 of the booklet and is within the estimated carrying
14 capacity of the area. The proposed changes would
15 provide the Togiak National Wildlife Refuge manager
16 with flexibility to adjust the length of the winter
17 season and harvest limit to more effectively manage the
18 population.

19
20 So the OSM conclusion is to support
21 WP14-21 with modification to delete the regulatory
22 language found in Unit 17A may be announced season and
23 delegate authority to the Refuge manager to open and
24 close the season and set the harvest limit, including
25 any sex restrictions for moose via delegation of
26 authority letter. As mentioned the proposed regulatory
27 changes are consistent with the recommendations of the
28 Unit 17A Moose Management Plan, which state that when
29 the moose population is increasing and approaching
30 carrying capacity more liberal harvest regulations that
31 allow for a longer season, increased harvest limits and
32 potentially allowing for the harvest of cows should
33 help to reduce the population at more sustainable
34 levels.

35
36 The OSM modification includes creating
37 a delegation of authority letter to provide the Refuge
38 manager with flexibility to adjust the length of the
39 winter season and harvest limit to more effectively
40 manage this population.

41
42 That's all I have for this analysis.

43
44 CHAIRMAN TOWARAK: Thank you. Are
45 there any questions of the Staff on this proposal.

46
47 (No comments)

48
49 CHAIRMAN TOWARAK: Not hearing any,
50 then thank you. We will continue with the summary of

1 public comments from the Regional Coordinator.

2

3 MR. MIKE: Thank you, Mr. Chair. There
4 were no written public comments received on WP14-21.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN TOWARAK: Thank you. We will
9 then open the floor to the public testimony, and my
10 understanding is that we have someone on the phone from
11 Dillingham -- I'm sorry -- we do have one person who
12 has signed up for testifying, Courtenay Gomez.

13

14 MR. PELTOLA: She's on the phone.

15

16 CHAIRMAN TOWARAK: Oh, she's on the
17 phone, okay.

18

19 MS. GOMEZ: Good morning, but I didn't
20 even know what proposal we were on. Thank you for
21 having me. Good morning, Mr. Chairman, members of the
22 Federal Subsistence Board and all that are
23 participating today.

24

25 My name is Courtenay Gomez and I am the
26 director of Natural Resources at the Bristol Bay Native
27 Association in Dillingham. I appreciate the ability to
28 attend the meeting telephonically and I am thankful for
29 BBNA Subsistence Fisheries and our Bristol Bay RAC co-
30 Chair Nanci Morris Lyon for the ability to listen in
31 this week and are working very hard with you.

32

33 Obviously I guess I'm testifying on
34 Proposal 14-21. This proposal demonstrates the ability
35 of Bristol Bay residents to effectively engage in the
36 public processes that regulate our customary and
37 traditional ways of harvesting and sharing; BBNA's
38 definition of subsistence. In order for WP14-21 to
39 even today -- to be presented before you today, this
40 took many years of cooperative communication, research
41 and management between our local harvesters, tribes,
42 State Advisory Committees, the Bristol Bay RAC, ADF&G,
43 Togiak National Wildlife Refuge, BBNA and OSM Staff as
44 well as decisions previously made by the Alaska Board
45 of Game and, you, the Federal Subsistence Board. First
46 the Refuge worked with everyone to identify the
47 resource cause of concern, then they worked to build
48 the population of moose back up to a harvestable level.
49 Many thanks to all of the individuals and organizations
50 who have worked so hard for so long to bring us to this

1 decision that you are about to make today.

2

3 We would also like to publicly extend
4 our gratitude to the Federal Subsistence Board for your
5 decisions earlier this winter approving tribal requests
6 to extend winter moose seasons in 17A and for approving
7 an emergency special action to open the Federal
8 registration permit moose hunt in the 17C section of
9 the Togiak Refuge. Your quick response in addressing
10 the needs of our people provided additional
11 opportunities for Bristol Bay families to harvest moose
12 during this winter of extreme climate conditions.

13

14 The modifications to WP14-21 as
15 presented by OSM are consistent with the guidelines
16 established in the GMU 17A Moose Management Plan and,
17 now, through regulation will provide opportunities for
18 sustainable customary and traditional harvest for moose
19 in Western Bristol Bay.

20

21 Thank you so much for your service and
22 opportunity to engage in this process. We look forward
23 to your decision approving WP14-21 and continuing to
24 work with you to cooperatively manage subsistence
25 resources in Bristol Bay.

26

27 Thank you.

28

29 CHAIRMAN TOWARAK: Thank you. Are
30 there any questions of.....

31

32 MR. PELTOLA: Courtenay.

33

34 CHAIRMAN TOWARAK:Courtenay from
35 the Board.

36

37 (No comments)

38

39 CHAIRMAN TOWARAK: Thank you,
40 Courtenay, for taking time to testify on this proposal.

41

42 Are there any -- is there anyone else
43 on the phone that would like to testify.

44

45 OPERATOR: If so at this time please
46 press star one so your line may be identified, again,
47 star one, if you would like to testify.

48

49 (No comments)

50

1 CHAIRMAN TOWARAK: Not hearing any
2 response but in case someone is trying, we will give
3 you the floor as soon as you are available. We will
4 continue then with the Regional Council recommendations
5 from the Chair.

6
7 MS. MORRIS LYON: Thank you.

8
9 Bristol Bay Subsistence Regional
10 Advisory Council supported Proposal WP14-21 with
11 modification as described in the OSM conclusion.

12
13 The moose population is increasing and
14 rural residents of the area using the resource are in
15 support of maintaining a healthy moose population. And
16 I would just like to stress for the Board, for them to
17 understand that this was a huge, huge undertaking, this
18 is a moose population that has been recovering. The
19 villages of Togiak, Twin Hills, Manokotak, Aleknagik,
20 Dillingham, plus all of the agencies, governmental
21 agencies have been involved in this for years and it
22 took many long nights and it took a lot of talk and
23 effort and this was a plan that has been agreed upon by
24 everyone, so I would urge you to move forward with it
25 as well. We've even got the State aligned so things
26 are all aligned.

27
28 Thank you.

29
30 CHAIRMAN TOWARAK: Thank you. Are
31 there any questions of the Chair.

32
33 (No comments)

34
35 CHAIRMAN TOWARAK: We will then
36 continue on with the Department of Fish and Game
37 comments.

38
39 MR. CRAWFORD; Good morning, Mr. Chair.
40 Drew Crawford, Department of Fish and Game.

41
42 The State supports the original
43 proposal of Wildlife Proposal 14-21. We have no
44 objections to the proposed modifications that simplify
45 Federal regulations without changing the proposal's
46 original intent.

47
48 CHAIRMAN TOWARAK: Thank you. Any
49 questions of the Board.

50

1 (No comments)
2
3 CHAIRMAN TOWARAK: Not hearing any then
4 we will hear from the InterAgency Staff Committee.
5
6 MR. KESSLER: Mr. Chairman. I think
7 that there was supposed to be comments from the Yukon
8 Kuskokwim RAC also, it's a crossover proposal.
9
10 CHAIRMAN TOWARAK: I'm sorry, I -- are
11 there any comments from the YK RAC.
12
13 MR. ROCZICKA: Quyana, Mr. Chair. The
14 YK RAC did echo the InterAgency Staff Committee
15 comments that we -- essentially we supported the
16 proposal and agreed with the Staff analysis and
17 recommendation.
18
19 CHAIRMAN TOWARAK: Thank you. I assume
20 that it doesn't affect any other region.
21
22 (No comments)
23
24 CHAIRMAN TOWARAK: Okay. Then we will
25 continue with the ISC Chair.
26
27 MR. ARDIZZONE: Mr. Chair. Just the
28 standard comments for this one.
29
30 CHAIRMAN TOWARAK: The standard
31 comments, thank you. I assume that there are no tribal
32 consultations, Mr. -- Jack.
33
34 MR. LORRIGAN: Thank you, Mr. Chairman.
35 In consultations we had one comment from the village of
36 Atmautluak. They spoke in support of WP14-21 but
37 didn't give justification why.
38
39 CHAIRMAN TOWARAK: Thank you. We're
40 down to Board discussions with Council Chairs and the
41 State liaison if there's any questions of any of those.
42
43 (No comments)
44
45 CHAIRMAN TOWARAK: Not hearing any then
46 the Board -- the floor is open for Board action.
47
48 MS. JACOBSON: Mr. Chairman. I move to
49 adopt Proposal 14-21 with modification as recommended
50 by the Bristol Bay Council and consistent with the

1 Yukon Kuskokwim Council. I'll provide justification if
2 I get a second.

3

4 MR. CHRISTIANSON: Second.

5

6 CHAIRMAN TOWARAK: You heard the motion
7 and the second. And I apologize for not introducing,
8 Cindy, who is sitting in for Mr. Haskett.

9

10 MS. JACOBSON: Thank you. Federally-
11 qualified subsistence users are required to have a
12 State registration permit during the fall and winter
13 moose seasons in Unit 17A and could harvest moose under
14 the recently changed State regulations regardless of
15 the Board's decision. However, if adopted, Federally-
16 qualified subsistence users would be provided with
17 additional harvest opportunity under Federal
18 regulations, which include the use of Federal
19 designated hunter regulations. The moose population
20 continues to increase and is within the estimated
21 carrying capacity for the area. The proposed changes
22 would provide the Togiak National Wildlife Refuge
23 manager with flexibility to adjust the length of the
24 winter season and harvest limit to more effectively
25 manage the population.

26

27 I intend to vote in favor of the
28 motion.

29

30 CHAIRMAN TOWARAK: Thank you. Any
31 further discussions on the motion.

32

33 (No comments)

34

35 MR. C. BROWER: Question.

36

37 CHAIRMAN TOWARAK: Question's been
38 called for. All those in favor of the motion say aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN TOWARAK: Any opposed, say
43 nay.

44

45 (No opposing votes)

46

47 CHAIRMAN TOWARAK: The motion passes
48 unanimously.

49

50 We will proceed on then to the next

1 proposal.

2

3 And while we're at it I want to say
4 thanks to the Bristol Bay group for putting all the
5 time and effort into that proposal and we unanimously
6 agree with you.

7

8 MS. MORRIS LYON: Thank you, Mr.
9 Chairman. And it means a lot to us that you did
10 unanimously agree. There was an awful lot of effort
11 put in by a lot of people, a lot of people.

12

13 CHAIRMAN TOWARAK: The next proposal,
14 yes.

15

16 MR. MCKEE: The executive summary for
17 the next proposal, WP14-22 begins on Page 238 of your
18 book. It was submitted by the Bristol Bay Regional
19 Advisory Council and requests two changes to the
20 Federal caribou hunting regulations for the Mulchatna
21 Caribou Herd.

22

23 It requests the establishment of permit
24 requirements for all of the units within the herd's
25 range, that includes Units 9A, B, C, 17A, B, C, Units
26 18 and Units 19A and 19B. The proposed changes would
27 align with recent changes to State regulations, which
28 require a State registration permit to hunt caribou
29 from the Mulchatna Herd instead of using general
30 harvest tickets.

31

32 The proposal also requests that the to
33 be announced season in Unit 17A remainder and 17C
34 remainder be shortened from August 1st to March 31st,
35 to August 1st to March 15th, which would also align the
36 potential dates of the to be announced season in Unit
37 17 remainder and 17C remainder with other seasons
38 within the herd's range.

39

40 The proposed regulation changes would
41 align permanent requirements throughout the Mulchatna's
42 range under State and Federal regulations and result in
43 a consistent August 1 through March 15th season, except
44 for the split season in the portion of Unit 18 east and
45 south of the Kuskokwim River. That harvest area, I'll
46 discuss in the next proposal, WP14-26.

47

48 The Board approved temporary special
49 action WSA 13-02 in July of 2013 which requested the
50 same changes as this proposal, thus, these requested

1 changes were in place during the 2013/2014 time period.
2 Also in 2013 the Board rejected a second temporary
3 special action WSA 13-03, which requested the same
4 changes as -- which requested the closure of Federal
5 lands throughout the range of the herd to non-
6 Federally-qualified users.

7
8 The Mulchatna Herd had declined from
9 1996 to 2008, and estimated bull/cow ratios have been
10 below the management objectives since 2001, but recent
11 composition surveys have shown some improvement of the
12 bull/cow ratio. The herd size peaked at 200,000
13 animals in 1996 and the last finalized photosynthesis
14 in 2008 provided a minimum count of 30,000 caribou,
15 which is at the low end of the State's management
16 objective. The preliminary results from a 2012
17 photosynthesis suggests the population may still be
18 around 30,000 caribou. In addition, preliminary data
19 shows that the number of -- the pregnancy rates for two
20 and three year old cows are the highest in 2013 since
21 they've been since they began collecting this data in
22 2000.

23
24 The proposed changes would allow for
25 more responsive in-season management for the herd,
26 which continues to be low. The State registration
27 permit has a requirement to report harvest within five
28 days of taking a caribou whereas the general harvest
29 tickets have a requirement to report harvest within 15
30 days of taking the bag limit or the close of the
31 season. Harvest reporting is an important aspect of
32 harvest management, especially with fluctuating
33 populations, like those of the Mulchatna Herd, and
34 reporting would likely improve as reporting rates are
35 higher with registration permits. Also aligning
36 Federal and State permit requirements and seasons will
37 help reduce regulatory complexity for users and law
38 enforcement.

39
40 The OSM conclusion is to support
41 Proposal WP14-22 with modification as shown on Pages
42 258 through 260. The modification is to delegate --
43 delete regulatory language found in portions of Unit
44 17A and 17C and issue a delegation of authority letter
45 to the Togiak Wildlife manager for specific in-season
46 management authorities. The authorities mentioned are
47 already delegated, this would just take them out of
48 regulation and put them in a letter. In Unit 17A
49 within all drainages west of Right Hand Point, delegate
50 the authority to open and close the season and set the

1 harvest limit and in Unit 17A remainder and 17C
2 remainder it would delegate authority to open and close
3 a season, set the harvest limit and identify the hunt
4 area for the may be announced season.

5
6 That's all I have for this analysis.

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

10
11 (No comments)

12
13 CHAIRMAN TOWARAK: Not hearing any then
14 we will continue with the summary of public comments
15 from the Region Coordinator.

16
17 MR. MIKE: Thank you, Mr. Chair.
18 Donald Mike, Regional Council Coordinator. There were
19 no written public comments received on WP14-22.

20
21 Thank you, Mr. Chair.

22
23 CHAIRMAN TOWARAK: Thank you. We will
24 open the floor for public testimony. We don't show
25 anyone here in the building, is there anyone on the
26 phone that would like to testify on this.....

27
28 OPERATOR: Again, from.....

29
30 CHAIRMAN TOWARAK:Proposal

31 14.....
32
33 OPERATOR:the phone lines if you
34 would like to testify press star one at this time, star
35 one at this time if you would like to testify.

36
37 (No comments)

38
39 CHAIRMAN TOWARAK: I am assuming that
40 there isn't anyone on the phone that wants to testify
41 so we will continue on with the Regional Advisory
42 Council starting with Bristol Bay.

43
44 MS. MORRIS LYON: Thank you, Mr. Chair.
45 The Bristol Bay Subsistence Regional Advisory Council
46 supports this proposal with modification as described
47 in the OSM conclusion.

48
49 The Council, we talked at length about
50 this because it has several different implications. We

1 stressed the importance of the rebuilding of this herd.
2 We enjoyed it when it was at its peak and have seen it
3 fall quite rapidly. The registration requirement will
4 enable managers to track the harvest of the herd much
5 better than it has been done. The herd count is still
6 low. We are also optimistic with the increased calving
7 rates that we've been seeing here in this past year but
8 we still feel that conservation concerns of this
9 population necessitate registration hunts in order to
10 monitor the caribou population and make sure it's not
11 just a burp and that it's actually going to happen and
12 come back to the numbers that we had.

13

14 This particular herd affects us in an
15 unusual way because -- well, and not so much for
16 caribou, but as you know we have two different sides of
17 the bay and they're actually pretty distant and over --
18 like over in 9 where I actually live and hunt, we have
19 not seen many of this herd for a long time and, of
20 course, our Northern Peninsula Herd that we used to use
21 so much, we can't even use anymore, and the Southern
22 Herd is just now starting to come back for us and it's
23 only -- only the southern villages on that side of the
24 bay can use it. So this herd affects us on both sides
25 of the bay. We were a little bit reluctant to give up
26 some additional time, the additional two weeks on the
27 end, but it doesn't really affect us in the 9A area,
28 more so in the 17, but, again, just because of the
29 conservation reasoning we decided we'd go ahead and
30 align dates right away too because it showed our -- the
31 importance we were putting on conservation for this
32 herd so it could come back for both sides of our bay.

33

34 Thank you.

35

36 CHAIRMAN TOWARAK: Thank you. Any
37 questions.

38

39 (No comments)

40

41 CHAIRMAN TOWARAK: We will continue
42 then with Yukon Kuskokwim RAC.

43

44 MR. ROCZICKA: Yeah, Quyana, Mr.
45 Chairman.

46

47 And the YK RAC did support the proposal
48 as far as the registration portion of it goes.

49

50 But they also included a modification,

1 they did not want to see the restriction in place for
2 the no more than one may be a bull, and they wish to
3 keep that within the regulation, and their reasoning
4 behind it, the folks that spoke to it, were that in the
5 fall when people that do go after caribou, it's quite a
6 lengthy run up some of the tributaries to get up into
7 the foothills of the mountains where the caribou are at
8 at that time, and, so if the only one that you were
9 able to get close enough to get a good shot at happened
10 to be a bull they wanted to be able to -- happened to
11 be bulls, they wanted to have the opportunity to take.
12 So that was their rationale.

13

14 CHAIRMAN TOWARAK: Thank you. Are
15 there any questions of the YK RAC.

16

17 (No comments)

18

19 CHAIRMAN TOWARAK: Not hearing any, we
20 also have the Seward Peninsula Regional Advisory
21 Council recommendation and we don't have anyone here
22 from the Seward Peninsula but we note in the
23 information sheet that they also support the 14-22.

24

25 If there are no other comments from the
26 Regional Councils we will go to the Department of Fish
27 and Game comments.

28

29 MR. CRAWFORD: Yes, Mr. Chair, Drew
30 Crawford, Fish and Game.

31

32 The Department comments for Wildlife
33 Proposal 14-22 are the same as our comments for 21. We
34 support the original proposal. We have no objections
35 to the proposed modifications that simplify Federal
36 regulations without changing the proposal's intent.

37

38 CHAIRMAN TOWARAK: Thank you. Any
39 questions.

40

41 (No comments)

42

43 CHAIRMAN TOWARAK: We will then move to
44 the InterAgency Staff Committee comments.

45

46 MR. ARDIZZONE: Mr. Chair. The
47 standard comments for this one as well.

48

49 CHAIRMAN TOWARAK: The standard
50 comments, thank you. Any tribal consultation comments.

1 MR. LORRIGAN: Thank you, Mr. Chairman.
2 Jack Lorrigan, Native liaison from the Office of
3 Subsistence Management.

4
5 We had one comment from the Association
6 of Village Council Presidents who spoke to WP14-22,
7 which would require a State registration permit for
8 caribou all across various units of the Mulchatna
9 Caribou Herd's range. AVCP had submitted a special
10 action request to close Federal public lands within the
11 affected area to non-residents and non-locals primarily
12 to allow for more Federally-qualified subsistence users
13 to harvest but it was denied by the Federal Subsistence
14 Board. They felt that the implementation of this
15 regulation to require the State registration permit is
16 a form of restriction and that an area closure -- the
17 area closure was justified.

18
19 I couldn't tell if they were speaking
20 in support or opposition of the proposal.

21
22 Mr. Chairman.

23
24 CHAIRMAN TOWARAK: Thank you. Any
25 questions of Mr. Lorrigan.

26
27 (No comments)

28
29 CHAIRMAN TOWARAK: Thank you. If not,
30 we will open the floor for Council discussions between
31 the Council Chair and the State liaison if there's a
32 need to.

33
34 MR. CRIBLEY: Well, I guess the only
35 question I have is the suggested changes that YK Delta
36 RAC has suggested and maybe ask what the State's
37 position is on it in regards to that suggested change.

38
39 Essentially they wanted, in Unit 18, in
40 the -- wanted to eliminate the restriction of only
41 being one bull but it not being limited to just, it
42 could be either -- well, maybe the RAC Chair can
43 explain it, but they had suggested a change to that
44 particular reg.

45
46 MR. ROCZICKA: It's on Page 242 of the
47 book. It would strike the language that no more than
48 one caribou may be a bull and this was also -- we made
49 it specifically, it was only for Unit 18, we didn't
50 want to impose that to other regions or if -- or other

1 areas of the range of the folks there that did not want
2 it so, anyway, it would strike the language that no
3 more than one caribou may be a bull and no more than
4 one caribou may be taken August 1 to September 30, and
5 that's in both the east and south of the Kuskokwim and
6 the Unit 18 remainder. And, again, it was just because
7 it's such a lengthy trip to get up to that area where
8 the caribou are and the cost of gas these days, you
9 know, it's not like people can make multiple trips like
10 they used to be able to do in the past when gas was
11 only 2.50 or \$3 a gallon, instead of \$7 like it is now.

12

13 CHAIRMAN TOWARAK: Go ahead.

14

15 MR. CRAWFORD: Okay. Drew Crawford,
16 Department of Fish and Game. I haven't had an
17 opportunity to confer with our area management
18 biologist on this, but my understanding was that we
19 supported the original proposal because it was in line
20 with the State's regulations so I would assume that
21 that would be our position.

22

23 CHAIRMAN TOWARAK: Thank you. Any
24 further discussions.

25

26

27 (No comments)

28

29 CHAIRMAN TOWARAK: The motion then on
30 the floor is to accept it as it is.

31

32 MR. PELTOLA: There's no motion.

33

34 CHAIRMAN TOWARAK: Oh, there's no
35 motion, okay, that's right, I'm ahead of myself.

36

37 (Laughter)

38

39 CHAIRMAN TOWARAK: See how well --
40 okay, we will -- if there aren't any further
41 discussions between the Chairs and the State we would
42 -- I'll open the floor for Board action.

43

44 MS. JACOBSON: Mr. Chairman. I move to
45 adopt Proposal 14-22 with modification as recommended
46 by the Yukon Kuskokwim Council. I'll provide my
47 justification if I get a second to the motion.

48

49 MS. K'EIT: Second.

50

1 CHAIRMAN TOWARAK: The motion has been
2 moved and seconded. Continue the discussion.

3
4 MS. JACOBSON: It is clear that the
5 Mulchatna Caribou Herd is in decline and adaptive
6 management is needed to insure conservation of the
7 resource. Changing from a general harvest ticket to a
8 State registration permit will allow for better harvest
9 monitoring due to reporting requirements. Better
10 harvest tracking will allow managers to be more
11 responsive to in-season management needs. The new
12 permit requirement would also align State and Federal
13 caribou regulations which will help reduce regulatory
14 complexity for all users and law enforcement.

15
16 Shortening the potential season dates
17 for the -- shortening -- shortening the potential
18 season dates for the may be announced caribou season in
19 Unit 17A remainder and 17C remainder will also reduce
20 regulatory complexity by aligning season dates with the
21 range of the Mulchatna Caribou Herd.

22
23 Issuing a delegation of authority
24 letter will clarify the language in the public
25 regulations booklet. The letter would not expand the
26 current delegations but would allow the Board to change
27 what has been delegated in a more timely manner, if
28 needed.

29
30 This modification would make the
31 caribou regulations across the range of the Mulchatna
32 Caribou Herd more consistent while addressing the
33 concerns of the Yukon Kuskokwim Council in Unit 18.

34
35 I intend to vote in favor of the
36 motion.

37
38 CHAIRMAN TOWARAK: Thank you. Any
39 further discussion on the motion.

40
41 (No comments)

42
43 CHAIRMAN TOWARAK: Go ahead.

44
45 MR. KESSLER: So I guess I'm curious
46 about the motion, which was on the Yukon Kuskokwim
47 Delta's recommendation, which is, of course different
48 than Bristol Bay and Western Interior. And so what's
49 -- maybe you could go back over the rationale for why
50 the motion is on the YK, which -- Regional Advisory

1 Council recommendation, which I believe is different
2 than the State's regulations currently in place for the
3 same area and the idea that you brought up is to try to
4 match those regulations and it doesn't seem like it
5 does that.

6

7 Thank you.

8

9 MS. JACOBSON: Mr. Chairman.

10

11 CHAIRMAN TOWARAK: The floor is yours.

12

13 MS. JACOBSON: This motion is
14 consistent with the others, it just addresses what the
15 Yukon Kuskokwim Council is asking.

16

17 MR. CHRISTIANSON: Mr. Chair.

18

19 CHAIRMAN TOWARAK: It -- go ahead.

20

21 MR. CHRISTIANSON: So your motion is to
22 also accept what the YK is proposing to get that
23 additional opportunity if they do have to -- go up the
24 river on their machine, they can shoot just in case --
25 I would support that.

26

27 CHAIRMAN TOWARAK: Go ahead, Greg.

28

29 MR. ROCZICKA: Mr. Chairman. Not to
30 repeat myself for whatever I already laid out for Mr.
31 Kessler, but also maybe a side issue on that is that
32 there is not the effort on the caribou that there has
33 been in the past when we were growing our other moose
34 populations, both in the fall hunt and the winter hunt
35 now with the opportunity that there is for -- to get
36 moose over on the Yukon side since we've got such a
37 burgeoning population there. People are actually more
38 -- focusing more on harvesting there because, of
39 course, a moose equals about three or four caribou when
40 it comes to the amount of meat you get from it and plus
41 it's not as long a trip and not over as much rough
42 terrain as where the caribou like to be up in the
43 foothills of the Kilbuck Mountains.

44

45 CHAIRMAN TOWARAK: Go ahead.

46

47 MR. KESSLER: I guess I'm still
48 confused. Because if we look at the State regulation
49 on Page 249 it's under Unit 18, there is says, no more
50 than one bull may be taken, no more than one caribou

1 may be taken August 1 to January 31st. Anyway, it says
2 no more than one bull may be taken. And then if we
3 look at the OSM conclusion, it says for Unit 18
4 remainder, no more than one caribou may be a bull and
5 then we look at the YK's recommendation and it crosses
6 that out about no more than one caribou may be a bull.
7 So it seems like there's not alignment of Bristol Bay,
8 YK, Western Interior, the State and the OSM conclusion,
9 and I'm -- so I'm just trying to make sure I understand
10 what we're voting on here.

11

12 CHAIRMAN TOWARAK: Kristin.

13

14 MS. K'EIT: Thank you, Mr. Chair.

15 Yeah, that's a good question, Steve, it is different
16 from the recommendation of Bristol Bay. But the thing
17 is YK Delta RAC is asking for it for just this
18 particular unit, that is more -- this Unit 18 has more
19 of an affect for the YK Delta residents and so it may
20 not align with the State in this unit but the several
21 other one, like seven -- seven other units will align
22 and this addresses the particular concern that the YK
23 Delta RAC brought forward.

24

25 And, you know, building on something
26 Greg also said is they realize the conservation concern
27 for this Mulchatna Herd is still there and the reality
28 is most of their users are focusing more on a moose
29 hunt anyway but because of the economic cost of trying
30 to get to the herd as it comes into the eastern side of
31 Unit 18, they'd prefer not to have to go further if --
32 if they see a bull, they don't want to have to pass it
33 up and keep going further to find a female.

34

35 So it's just one unit out of eight in
36 this proposal that would not be aligned with the State.

37

38 Thank you, Mr. Chair.

39

40 CHAIRMAN TOWARAK: Go ahead, Steve.

41

42 MR. KESSLER: Thank you for that
43 explanation. I'd be very curious about if the Bristol
44 Bay Chair could say anything about this recommendation
45 of the YK Delta which would be inconsistent with your
46 recommendation and I.....

47

48 CHAIRMAN TOWARAK: Go ahead.

49

50 MR. KESSLER:don't know that we

1 have Western Interior represented so we can't ask them.

2

3 CHAIRMAN TOWARAK: Go ahead.

4

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

6

7 I think -- we did not discuss this when
8 we were -- when we had made the proposal and it had not
9 been brought in front of us, and I guess the only
10 caveat that I would say is if there's no biological
11 concern I do not see that we would have a concern with
12 it because we were fully aware that area was allowed to
13 take caribou, granted in a little bit different manner
14 than what you proposed, but if there's -- our biggest
15 concern was maintaining conservation until we knew the
16 herd was going in the proper direction. That was the
17 emphasis of our discussion. And as long as there's not
18 going to be a biological issue because of it, then I
19 don't see a reason why I would think our RAC would not
20 have supported it.

21

22 Thank you.

23

24 CHAIRMAN TOWARAK: Any further
25 discussions. That clarifies your question.

26

27 MR. KESSLER: Well, it certainly helps
28 because we have three Councils and, you know, they've
29 got different recommendations on this and, you know, of
30 course we're trying to defer to the Councils and have
31 some rationale for why we would adopt one versus the
32 other.

33

34 So I think that what I'm understanding
35 is for the -- for going with the recommendation of the
36 Yukon Kuskokwim Delta Regional Advisory Council is to
37 continue subsistence users but it wouldn't result in a
38 conservation concern so that would be okay and we would
39 tell the other Regional Advisory Councils that's why we
40 would be going along with this recommendation.

41

42 CHAIRMAN TOWARAK: Any further
43 discussion.

44

45 MR. CRIBLEY: Well.....

46

47 CHAIRMAN TOWARAK: Go ahead.

48

49 MR. CRIBLEY:I'll ask a question.

50

1 CHAIRMAN TOWARAK: Question's been --
2 oh, go ahead.

3
4 MR. CRIBLEY: And maybe this could be
5 directed to either the OSM or the ISC, from the
6 standpoint if there was any consideration, if this
7 suggested changes made by the YK Delta, would have any
8 biological -- if there were any biological concerns
9 about implementing their change from the standpoint of
10 not limiting the harvest to just one bull.

11
12 CHAIRMAN TOWARAK: Go ahead.

13
14 MR. MCKEE: I don't think we have any
15 real conservation concerns just because this State
16 permit will -- since these new proposals will give us
17 better in-season management, I don't think we're going
18 to really have any concerns since these changes are
19 implemented.

20
21 CHAIRMAN TOWARAK: Further discussions.

22
23 (No comments)

24
25 MR. CHRISTIANSON: Question.

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

29
30 IN UNISON: Aye.

31
32 CHAIRMAN TOWARAK: Any opposed, say
33 nay.

34
35 (No opposing votes)

36
37 CHAIRMAN TOWARAK: Motion passes
38 unanimously. The next proposal.

39
40 MR. MCKEE: Too many pieces of paper
41 here. WP14-26 begins on Page 267 of your booklet.

42
43 Proposal 14-26 was submitted by the
44 Yukon National Wildlife Refuge and requests that for
45 Unit 18 that portion to the east and south of the
46 Kuskokwim River the caribou hunt be managed and require
47 a joint State/Federal registration permit. The one
48 bull harvest restriction be eliminated and the split
49 season be eliminated and a continuous season from
50 August 1 to March 15th be established. Additionally,

1 the proponent asks that the Yukon Delta Wildlife
2 manager be given delegated authority to close or reopen
3 Federal public lands to all users for this unit, if
4 needed, for conservation concerns, after consultation
5 with the Alaska Department of Fish and Game, the Togiak
6 National Wildlife Refuge manager and the Chair of the
7 Yukon Kuskokwim Delta Regional Advisory Council.

8

9 I should state that after further
10 discussion with the proponent, it was determined that
11 this hunt should be administered via State registration
12 permit, only, and not the State/Federal permit as
13 written in the original proposal, and our modification
14 on Page 276 reflects this.

15

16 I'm not going to go into any discussion
17 on the biology because I already discussed that in the
18 last proposal. I would just add that the creation of
19 this delegation of authority letter will give added
20 management flexibility through in-season adjustment, as
21 I mentioned, to close or reopen the season. So it's
22 very similar to what we just talked about in 22, except
23 for the addition of the delegation of authority letter.
24 So without repeating myself I'll just end my discussion
25 with that.

26

27 Thank you, Mr. Chair.

28

29 CHAIRMAN TOWARAK: Thank you. Any
30 questions of the Staff.

31

32 (No comments)

33

34 CHAIRMAN TOWARAK: Not hearing any then
35 could we get a summary of public comments from the
36 Regional Coordinator.

37

38 MR. MIKE: Thank you, Mr. Chair. There
39 were no written public comments received on WP14-26.

40

41 Thank you.

42

43 CHAIRMAN TOWARAK: Thank you. Is there
44 anyone that would like to testify on 14-26, either in
45 the building or on the phone.

46

47 OPERATOR: Again, it is star one if
48 you'd like to testify from the phone line, star one.

49

50 (No comments)

1 CHAIRMAN TOWARAK: I am assuming that
2 there isn't anyone that wants to testify so we will
3 move on to the Regional Council recommendations,
4 starting -- I assume with Bristol Bay.

5
6 MS. MORRIS LYON: Thank you, Mr. Chair.
7 We supported this proposal with modification as
8 described in OSM's conclusion but do not delegate
9 authority to the Yukon Delta National Wildlife Refuge
10 manager to open or close the season, which I believe is
11 the same thing that was stated previously.

12
13 Thank you.

14
15 CHAIRMAN TOWARAK: Any questions.

16
17 (No comments)

18
19 CHAIRMAN TOWARAK: The YK Delta RAC
20 recommendations.

21
22 MR. ROCZICKA: Mr. Chairman. I could
23 reference my comments on Proposal 22, and if not for
24 that delegation of authority that was included in here
25 you could essentially take no action on this one, but,
26 with that -- yeah, we supported with the modification,
27 similar language as Proposal 22.

28
29 CHAIRMAN TOWARAK: Any questions.

30
31 (No comments)

32
33 CHAIRMAN TOWARAK: Thank you. We don't
34 have anyone here from the Western Interior RAC or the
35 Seward Peninsula but please note that Western Interior
36 supports the proposal with modifications and the Seward
37 Peninsula Advisory did not take any action on this
38 proposal.

39
40 Could we move on then to the Department
41 of Fish and Game comments.

42
43 MS. YUHAS: Thank you, Mr. Chairman.
44 Jennifer Yuhas and we can brief on this.

45
46 We were opposed simply because we
47 thought you could wrap everything into 22, which you
48 essentially did, and so we're not in opposition with
49 the RAC on this one.

50

1 CHAIRMAN TOWARAK: Any questions.
2
3 (No comments)
4
5 CHAIRMAN TOWARAK: Thank you. We will
6 do -- do we have anything from the ISC Chair.
7
8 MR. ARDIZZONE: Mr. Chair. The
9 standard comments for this one as well.
10
11 CHAIRMAN TOWARAK: Standard comments,
12 thank you. Jack, any tribal consultation comments.
13
14 MR. LORRIGAN: Thank you, Mr. Chairman.
15 We had a comment from the Kwethluk Incorporated. They
16 supported WP14-26.
17
18 CHAIRMAN TOWARAK: Any questions.
19
20 (No comments)
21
22 CHAIRMAN TOWARAK: Thank you. We will
23 then open the floor again for any discussions between
24 the Council Chair and the State liaison.
25
26 Go ahead, Mr. Cribley.
27
28 MR. CRIBLEY: Well, I guess I'm
29 confused. I'm not -- well, I guess I don't understand
30 what we're doing here and then going back to the
31 changes we just made recommended by YK in the last, you
32 know, last one that we did where we changed the
33 language in it and it's not reflected in this one, does
34 that carry forward into this one or how does that -- it
35 seems like this is in conflict with the one that we
36 just completed, and then I'm not really sure what this
37 is doing and how this, in regards to what, then,
38 Bristol Bay is recommending that we don't do.
39
40 I'm just confused what we're doing
41 here.
42
43 I don't know if anybody can explain
44 that or is it just me. Am I lost again.
45
46 (Pause)
47
48 MR. CHRISTIANSON: Mr. Chairman.
49
50 CHAIRMAN TOWARAK: Go ahead.

1 MR. CHRISTIANSON: I think what the
2 difference here is the delegation of authority letter
3 that would be put forward and that's it, just to
4 delegate that authority to the in-season manager to
5 manage the hunt. That's the difference, so.....
6
7 MR. MCKEE: That's correct.
8
9 MR. CHRISTIANSON:that I see it,
10 and that the RAC Chair.....
11
12 CHAIRMAN TOWARAK: Go ahead.
13
14 MS. MORRIS LYON: Thank you, Mr. Chair.
15 Yeah, our concerns with conservation have been
16 satisfied through our biologist and I totally agree
17 with Rick [sic], that this is more of an administrative
18 -- yeah, issue, than it is another new proposal. It
19 was basically taken care of in the last one, and --
20 with wording aligned. Everything's fine.
21
22 MR. CRIBLEY: So does that mean Bristol
23 Bay supports this proposal; is that what you're saying?
24
25 MS. MORRIS LYON: Yes, we did.
26
27 MR. CRIBLEY: Okay. Okay.
28
29 MS. MORRIS LYON: Yes.
30
31 MR. CRIBLEY: I'm unconfused, thank
32 you. I think.
33
34 (Laughter)
35
36 CHAIRMAN TOWARAK: It looks like we
37 have.....
38
39 MR. CRIBLEY: I don't hear anybody
40 screaming so I guess it's okay.
41
42 (Laughter)
43
44 CHAIRMAN TOWARAK:everybody
45 agrees on it -- we could almost make it a consensus
46 agenda but -- it -- it appears that everyone supports
47 it, including the State.
48
49 Any further.....
50

1 MR. CHRISTIANSON: Mr. Chair.
2
3 CHAIRMAN TOWARAK:discussion.
4
5 MR. CHRISTIANSON: Yeah, Mr. Chair.
6
7 CHAIRMAN TOWARAK: Go ahead.
8
9 MR. CHRISTIANSON: Well, there is a
10 difference between the two RACs, though, one says to
11 not delegate that authority and the other one is saying
12 delegate that authority so there's a difference of the
13 Regional Advisory Council's position on who has the
14 authority for in-season management. So that's the
15 difference here. And then one supporting it and one's
16 kind of not supporting it so.....
17
18 MS. COOPER: Two support it.
19
20 MR. CHRISTIANSON: Or two to one,
21 so.....
22
23 MS. MORRIS LYON: Correct. But we're
24 just talking across the table here and we decided that
25 on the last one, with the State doing the permit system
26 they were suggesting the other one, you don't have a
27 problem with the State doing the permit system; is that
28 correct, and that's basically what this comes down to?
29
30 MR. ROCZICKA: No, we do not.
31
32 CHAIRMAN TOWARAK: Jennifer.
33
34 MS. YUHAS: Thank you, Mr. Chairman.
35 Just to clarify procedurally. The Bristol Bay RAC
36 Chair stated that their conservation concerns were
37 already satisfied, it almost might be worth,
38 procedurally, to just bifurcate the question. The only
39 question here is the delegated authority, which the
40 RACs are saying they don't necessarily need, so when
41 they met they had voted to support the proposal because
42 the conservation concerns were in there. You separate
43 that out and it's already been satisfied, the only
44 question is delegated authority.
45
46 CHAIRMAN TOWARAK: Go ahead.
47
48 MS. MORRIS LYON: And if that is still
49 confusing people, the question about who got the
50 authority was, should it be a State registration permit

1 or should it be -- yes, and so we decided in the last
2 one that it should be a State registration permit, we
3 got concurrence, I think everybody agrees.

4
5 MS. YUHAS: Through the Chair. They
6 agreed to take no action, Madame Chair.

7
8 MR. CHRISTIANSON: I'm ready to make a
9 motion.

10
11 CHAIRMAN TOWARAK: Is there a need to
12 change the motion.

13
14 MR. KESSLER: There's no motion.

15
16 CHAIRMAN TOWARAK: Oh, I'm sorry.

17
18 MR. CHRISTIANSON: There's no motion on
19 the floor but.....

20
21 CHAIRMAN TOWARAK: Okay. Let's open --
22 let's open the floor for -- does the Staff have
23 comments.

24
25 (Pause)

26
27 MR. CHRISTIANSON: Do we just make a
28 motion in the positive here so we could either vote it
29 down or do we just take no action.

30
31 MS. COOPER: She's got a motion that
32 she's.....

33
34 MR. CHRISTIANSON: Oh, she's crafting
35 it, okay.

36
37 CHAIRMAN TOWARAK: I think the motion
38 maker is working on a solution. The floor is open for
39 board action.

40
41 MS. JACOBSON: Mr. Chairman. I move to
42 take no action.

43
44 MS. K'EIT: Second.

45
46 CHAIRMAN TOWARAK: You heard the motion
47 and the second. Any discussion. Go ahead, Steve.

48
49 MR. KESSLER; So just to clarify. The
50 reason for taking no action is because of the action

1 taken on the previous proposal; is that correct?
2
3 MS. JACOBSON: Mr. Chairman. Yes,
4 that's correct.
5
6 MR. KESSLER: Thank you.
7
8 MR. CRIBLEY: I second -- maybe not.
9
10 (Laughter)
11
12 CHAIRMAN TOWARAK: Go ahead, Greg.
13
14 MR. ROCZICKA: Thank you, Mr. Chairman.
15 And, you know, this really didn't come up as a major
16 point of discussion when we were dealing with this
17 proposal, but the intent of the RAC regarding this is
18 they wanted one permit to be done under one permit and
19 not have to get the multiple permit scenario that was
20 suggested in there with the.....
21
22 CHAIRMAN TOWARAK: So not taking any
23 action will.....
24
25 MR. ROCZICKA:joint, so that --
26 that's fine, yes.
27
28 CHAIRMAN TOWARAK:take care of
29 that situation.
30
31 MR. ROCZICKA: Yep.
32
33 MR. KESSLER: Question.
34
35 CHAIRMAN TOWARAK: Question's been
36 called for. All those in favor of the motion say aye.
37
38 IN UNISON; Aye.
39
40 CHAIRMAN TOWARAK: Any opposed, say
41 nay.
42
43 (No opposing votes)
44
45 CHAIRMAN TOWARAK: Motion passes
46 unanimously. We will continue then on with the next
47 proposal, which is, I think 14-27.
48
49 MR. MCKEE: No, Mr. Chair, that one was
50 moved to consensus and then we took no action on 28

1 based on action you took on 23, so the next one should
2 be 32, I believe.

3

4 CHAIRMAN TOWARAK: Okay. We're on 14-
5 32.

6

7 MR. C. BROWER: Mr. Chair.

8

9 CHAIRMAN TOWARAK: Yes.

10

11 MR. C. BROWER: Just a question, is the
12 person that we're waiting for with Harry here yet
13 or.....

14

15 CHAIRMAN TOWARAK: Yes. Okay. Would
16 you prefer to go straight to 14-51 -- okay, we'll do
17 14-51 first and then we'll go back to 32 and 49. We'll
18 start with the Staff analysis.

19

20 MR. MCKEE: Thank you, Mr. Chair. The
21 Staff analysis for WP14-51 begins on Page 336 of your
22 booklet. Proposal WP14-51 was submitted by the State
23 of Alaska and requests that the Red Sheep and Cane
24 Creek drainages be opened to non-Federally-qualified
25 subsistence users August 10th through September 20th in
26 the Arctic Village Sheep Management Area of Unit 25A
27 and that persons hunting within the Red Sheep Creek,
28 Cane Creek portion of the sheep management area of 25A
29 possess proof of completion of the Department approved
30 hunter ethics and orientations course to include land
31 status and trespass information upon hunting in this
32 area.

33

34 The proponent states that the Red Sheep
35 and Cane Creek drainages were closed unnecessarily and
36 that the are was closed because of user conflicts
37 focused mainly on issues of trespass.

38

39 The Alaska Board of Game adopted an
40 ethics and orientation course requirement to safeguard
41 against user conflicts in this area March of 2012. The
42 proponent states that an ethics and orientation course
43 would alleviate the need for closing these areas to
44 non-Federally-qualified sheep hunters.

45

46 There is a long history associated with
47 the opening and closing of the area in question dating
48 back to 1995. In January of 2012 the Federal
49 Subsistence Board adopted Wildlife Proposal 12-76 to
50 close Red Sheep and Cane Creek drainages to non-

1 Federally-qualified subsistence users for sheep
2 hunting. Both the Eastern Interior and North Slope
3 Regional Advisory Councils supported this closure.

4
5 Surveys were conducted in 2006 through
6 2008 and 2012 within the Red Sheep and Cane Creek
7 drainages and densities of sheep have remained stable
8 with a density of 1.7 sheep per square mile in 2006 and
9 1.8 sheep per square mile in 2012. In 2006 a total of
10 188 sheep were counted from Red Sheep and Cane Creek
11 while 197 sheep were counted in 2012. Although
12 densities of sheep in that area are low relative to
13 other areas in the Brooks Range this is probably more
14 of a reflection of the poor habitat quality of the
15 area. In 2008 during a sheep population composition
16 survey 130 sheep and 20 groups were observed with a
17 ratio of 59 lambs per 100 ewes suggesting good
18 productivity. In 2012 a survey from Red Sheep Creek to
19 Cane Creek counted 113 ewe like animals, 35 lambs and
20 then 35 other rams along with 14 mature rams.

21
22 There are significant differences in
23 sheep abundance and distribution within the Arctic
24 Village Sheep Management Area, specifically the region
25 north of Cane Creek has supported a sheep density of
26 approximately eight times greater than the region
27 between Crow Nest and Cane Creek. This is probably
28 related to differences in geology and vegetation.
29 Shelf formations that occur more commonly north of Cane
30 Creek support more vegetation and, therefore, more
31 sheep.

32
33 Data on the reported use of the sheep
34 management area by Federally-qualified users is sparse
35 and just how many sheep are harvested by Federally-
36 qualified subsistence users in the sheep management
37 area is not known. Compliance with the harvest permit
38 system is generally low for residents of Arctic Village
39 which is consistent with harvest reporting in other
40 areas of rural Alaska. A total of six Federal permits
41 to harvest sheep in the management area were issued
42 between 1991 and 2004 and none of these were returned.
43 Between 2005 and 2007 27 Federal registration permits
44 were issued for the sheep management area, four sheep
45 were reported harvested and 23 harvest reports were not
46 returned. No permits were issued in 2008 and 2009.
47 Four permits were issued in 2010 and of these only one
48 sheep was reported harvested.

49
50 Harvest success by non-Federally-

1 qualified hunters in Red Sheep and Cane Creek drainages
2 averages 69 percent from 2006 to 2009. Sheep harvest
3 under State regulations range from two to seven sheep
4 annually between 2006 and 2009, however, between 2006
5 when the Red Sheep and Cane Creek drainages were
6 reopened and 2009 a total of 18 rams were harvested by
7 non-Federally-qualified hunters.

8
9 If adopted, this proposal would open
10 the August 10 to September 20th sheep hunting season to
11 non-Federally-qualified hunters in Red Sheep and Cane
12 Creek drainages and require all sheep hunters,
13 including Federally-qualified users in these drainages
14 to possess proof of completion of the Alaska Department
15 of Fish and Game approved hunter ethics and orientation
16 course incorporating State regulations directly into
17 Federal regulations. The State has not developed this
18 course, which makes it difficult to anticipate any
19 affects on subsistence users. Details of the State
20 course are needed prior to adopting any proposals based
21 on such a course. Adopting this proposal and opening
22 this area to non-Federally-qualified users may
23 adversely affect subsistence user's access and ability
24 to harvest sheep in the area, and, thereby, fail to
25 provide a meaningful preference for qualified
26 subsistence users.

27
28 If adopted, this proposal would not
29 affect the dall sheep population in the proposed area,
30 the most recent population surveys indicate good
31 productivity of the sheep population. Allowing sheep
32 hunting by non-Federally-qualified users in these
33 drainages is not a conservation concern because non-
34 Federally-qualified users would be limited to one full
35 curl ram during the hunting season. The harvest of
36 full curl rams would not be expected to reduce the
37 productivity of the local sheep population.

38
39 The proposal under consideration
40 addresses the subsistence use clause of Section .815 of
41 ANILCA, which provides the basis for the Board's action
42 to close the area to non-Federally-qualified sheep
43 hunters in 2012.

44
45 So while there may be no clear
46 conservation reasons to close the Red Sheep and Cane
47 Creek drainages to non-Federally-qualified users, there
48 are reasons based on potential adverse affects to
49 subsistence users to do so. Arctic Village residents
50 have testified that allowing non-Federally-qualified

1 users to harvest sheep in these areas during the August
2 10 to September 20 period adversely affects their
3 ability to hunt in their traditional hunting area and
4 impairs their ability to successfully harvest sheep.
5 While the efforts of the proponents to require hunter
6 education and ethics orientation are recognized as good
7 faith efforts, such efforts do not go far enough to
8 assure that Arctic Village residents have continued
9 opportunity to harvest sheep in the Red Sheep and Cane
10 Creek drainages and receive the benefits of a
11 subsistence priority.

12
13 In addition, adopting this proposal
14 would require Federal qualified users to take a State
15 approved hunter ethics and orientation course which to-
16 date has not been developed. However, the State
17 intends to work with the affected users to develop this
18 course.

19
20 So with all that being said, the OSM
21 conclusion is to oppose Proposal WP14-51.

22
23 And that's it for the analysis.

24
25 David Jenkins is also here to add some
26 comments as well.

27
28 DR. JENKINS: Mr. Chair. David
29 Jenkins. I'm the subsistence policy coordinator for
30 OSM. I'm also an anthropologist and I worked on the
31 proposal analysis from 2012 and I'd like to make a
32 couple of points that Chris mentioned, but I think
33 deserves some emphasis.

34
35 The State argues that the issue is
36 mainly a user conflict and a trespass issue, but a
37 review of the testimony over the last 20 years from the
38 Arctic Village residents and a review of the
39 ethnographic literature and the historical literature
40 indicates that it's not a trespass issue but it's an
41 issue of access that these people have been describing,
42 and apparent access to this particular resource.

43
44 And I'd like to reference, as well, the
45 substantial Board discussion from 2012 which resulted
46 in a motion from the Regional Director from US Fish and
47 Wildlife and I'd like to put this on this record, too.
48 And he made a motion to support the closure with the
49 following justification, he said:

50

1 Pressure from non-local hunting is
2 affecting the use of and access to
3 traditional prime sheet hunting areas
4 and camp areas. The State's proposal
5 to require hunter education and ethics
6 orientation did not go far enough. The
7 activities in the area by non-
8 Federally-qualified users have resulted
9 in displacement of sheep pushing them
10 out of range which has then prevented
11 Federal subsistence hunters from being
12 able to harvest sheep and the Arctic
13 National Wildlife Refuge Staff supports
14 the closure.

15
16 And in 2012 the Board passed a motion
17 to keep that closure in place.

18
19 And what I'd like to do is just remind
20 the Board of the substantial discussion that the Board
21 had in 2012 and place that as part of this record.

22
23 Mr. Chair.

24
25 Thank you.

26
27 CHAIRMAN TOWARAK: Thank you. Are
28 there any questions of the Staff.

29
30 (No comments)

31
32 CHAIRMAN TOWARAK: Thank you for that
33 analysis. We will then move on to the summary of
34 public comments from the Regional Coordinator.

35
36 MS. PATTON: Mr. Chair. Members of the
37 Board. Eva Patton, Council Coordinator for both the
38 North Slope and Eastern Interior Regional Advisory
39 Councils.

40
41 We have several comments. One is a
42 written public comment, which is in your meeting
43 materials. And submitted comments to the Board from
44 the Fairbanks Advisory Committee, the Yukon Flats
45 Advisory Committee.

46
47 We have one written public comment
48 submitted by Donald Woodruff of Eagle in opposition to
49 Proposal 14-51. He states as a RAC member we met in
50 this area and have dealt with sheep in this area over

1 and over again. The current regulations are good and
2 have sound reasoning with years of discussions with
3 people of this area. The people of Arctic Village
4 depend on this resource and the State fails to listen
5 to their testimony.

6

7 We have a letter that's submitted to
8 the Board from the Fairbanks Fish and Game Advisory
9 Committee and this letter is in your supplementary
10 materials packet. It's two pages. I will summarize
11 the key points.

12

13 The Fairbanks Fish and Game Advisory
14 Committee has considered Wildlife Proposal 14-51 to
15 reopen Red Sheep and Cane Creek drainage within the
16 Arctic Sheep Village Management Area to non-Federally-
17 qualified users currently before the Federal
18 Subsistence Board and recommends adoption of this
19 proposal for the following reasons: They state:

20

21 Clearly the current closure falls well
22 outside the authority of the Federal
23 Subsistence Program as outlined under
24 ANILCA 8.15 and there is absolutely no
25 documented or predicted conservation
26 concern as evidenced by both scientific
27 data supplied by both the State and
28 Federal managers at public meetings and
29 by public comments made by Federal
30 officials and Regional Advisory Council
31 members at this meeting.

32

33 Nothing within the Federal authorities
34 grants the Board an ability to close
35 hunting to non-Federal qualified users
36 or to prevent the possibility of
37 vandalism or trespass.

38

39 They go on to state: Questioning
40 ANILCA 8.15 can be used to incorporate
41 any form of (cultural preservation for
42 local residents) who have testified
43 that it is not their culture to hunt
44 with any outsiders in the area and they
45 question whether -- to preserve culture
46 by this means is in the authority of
47 the Board.

48

49 They comment on the State's proposal to
50 provide hunter education and state the State has been

1 clear they would insure that the interests of the local
2 people with regards to reports of trespass would be
3 reported and any final product -- and committed to work
4 with the local users rather than simply impose
5 bureaucratic scheme upon them which may not address the
6 problem.

7

8 Next the Fairbanks AC recognizes that
9 this hunting closure for non-Federally-qualified users
10 does nothing to serve the intent of the Board. The AC
11 states the area is closed to non-Federally-qualified
12 users for the purposes of hunting and is not closed to
13 other users. Sheep hunting by non-Federally-qualified
14 users in this area is documented and the Board is aware
15 that the numbers are minimal. And they question that
16 there's other uses in the area that have been
17 documented such as hikers, rafters who may also come
18 into interaction with sheep in that area.

19

20 In short, this closure does nothing to
21 actually serve the Federally-qualified sheep hunter.
22 If the Federal Subsistence Board is looking for a way
23 to simply keep people out because locals don't want
24 them there this is not the way to do that. This
25 closure only to the State qualified sheep hunters is
26 outside the Board's authority and fails to address the
27 issues intended to -- and the Board -- and fails to
28 address the issue the Board intends to address. It
29 ignores the efforts of the State of Alaska to
30 compromise to find a solution for the benefit of users.

31

32 In conclusion, please adopt 14-51 and
33 lift this unnecessary and illegal closure which sets an
34 indefensible precedent and is open to challenge.

35

36 And, again, Mr. Chair, members of the
37 Board, this letter was submitted by the Fairbanks Fish
38 and Game Advisory Committee.

39

40 We have one more comment from the Yukon
41 Flats Advisory Committee.

42

43 The Yukon Flats Advisory Committee
44 considered WP14-51 and opposes this proposal. The vote
45 was unanimous to oppose 14-51. And the AC noted that
46 the importance of the hunt area and the resource to the
47 people of the Arctic Village.

48

49 That concludes submitted written public
50 comments.

1 Thank you.

2

3 CHAIRMAN TOWARAK: Thank you. Are
4 there any questions of the comments.

5

6 (No comments)

7

8 CHAIRMAN TOWARAK: Not hearing any then
9 we will open the floor to public testimony.

10

11

12 (No comments)

13

14 CHAIRMAN TOWARAK: We don't have anyone
15 in the building that wants to testify, is there anyone
16 on the phone that would like to testify on Proposal 14-
17 51.

18

19 Mr. Chair,

20

21 (No comments)

22

23 CHAIRMAN TOWARAK: Assuming there isn't
24 anyone -- if there is anyone that would like to testify
25 hit star one and we will put you on the floor but at
26 this point we will then continue to the Regional
27 Council recommendations. Is -- is.....

28

29 MR. H. BROWER: Flip a coin, sir, Mr.
30 Chair, to -- two Councils, it's a crossover proposal
31 between Western Interior -- or Eastern Interior and the
32 North Slope.

33

34 CHAIRMAN TOWARAK: Let's go ahead with
35 your recommendations. And then if Jack is on the phone
36 we'd like to hear from him also.

37

38 MR. PELTOLA: Sue.

39

40 CHAIRMAN TOWARAK: Sorry, Sue
41 Entsminger. Go ahead, Mr. Brower.

42

43 MR. H. BROWER: Thank you, Mr.
44 Chairman. Good morning everyone.

45

46 The North Slope Regional Advisory
47 Council's justification on the proposal, WP14-51.

48

49 The Council discussed concerns of the
50 region's needs and noted the other activities to impact
51 access to important resources for subsistence.

1 Deflection or disturbance of sheep by sporthunters and
2 aircraft flight make it difficult for the community to
3 reach the sheep for subsistence hunting.

4
5 The Council noted that the cultural
6 concerns regarding this hunt have been expressed at
7 previous public meetings. Kaktovik has C&T for sheep
8 in this area, so the proposal comes before the North
9 Slope Regional Advisory Council. The Council noted
10 that there were previous -- the previous Chair, Fenton
11 Rexford of Kaktovik, has specifically been very engaged
12 in testimony on Red Sheep Creek area in the past.
13 Council members with connection to this hunt area noted
14 that these sheep are a very important subsistence food
15 shared in the community. Even if the local harvest
16 numbers are not high, effort to reach the animals are
17 considerable and sharing of the meat and organs is
18 widespread and important. They also stressed that
19 these sheep and location have special cultural and
20 medicinal values due to the history and relationship of
21 the community as well as mineral licks that the sheep
22 frequent in this area, which make their meat contain
23 unique qualities.

24
25 That's the extent of the comments from
26 the North Slope Regional Advisory Council, Mr. Chair.

27
28 CHAIRMAN TOWARAK: Thank you. Are
29 there any questions of the Chair from the North Slope.

30
31 (No comments)

32
33 CHAIRMAN TOWARAK: Is Sue Entsminger on
34 the phone.

35
36
37 (No comments)

38
39 CHAIRMAN TOWARAK: Okay. I understand
40 that Andrew Firmin from the Eastern Interior RAC is on
41 the phone. Andrew, do you have any comments on this
42 proposal.

43
44 MR. PELTOLA: Ask him to star one.

45
46 CHAIRMAN TOWARAK: My understanding is
47 that in order to get hooked onto this system, Andrew,
48 you need to hit star one.

49
50

1 (No comments)

2

3 (Pause)

4

5 REPORTER: Have the operator open the
6 line, we are connected.

7

8 CHAIRMAN TOWARAK: Operator, is there
9 an open line that Andrew Firmin can connect to our
10 conference.

11

12 (Pause)

13

14 MR. FIRMIN: Hello, this is Andrew.

15

16 CHAIRMAN TOWARAK: Andrew, this is Tim
17 Towarak, the Chair of the Federal Subsistence Board.
18 We are at the point of asking the Eastern Regional RAC
19 to give us recommendations on Proposal 14-51, the floor
20 is yours.

21

22 MR. FIRMIN: Yes. Okay. Thank you,
23 Mr. Chair.

24

25 I believe the Council unanimously
26 opposed this one. But our Council heard plenty of
27 testimony from Arctic Village, Venetie and Fort Yukon
28 and they all were in opposition of this. I believe
29 this is the third time that the State is, or the
30 proponents have brought it to the Federal Subsistence
31 Board in the last 10 years or two cycles. And, our
32 Council -- again, this issue has come up and a lot of
33 this has to do -- a reason a lot of people are in
34 opposition to it is it's a big issue of trespass, you
35 know, user conflict in the area. It's one small area
36 in the entire Brooks Range that's near Arctic Village
37 and this area is also -- it's not that accessible to
38 people in the village but they do access it and it's a
39 hardship for them to go there and when they do get
40 there there's airplanes sitting in their camp spots
41 and, you know, like they said that they scare a lot of
42 the sheep up and away from them and they just have a --
43 you know, they have a hard time using it when other
44 people are involved in it. So this little window of
45 time for them and opportunity allows them to go and
46 harvest sheep in an area that's, you know, mainly --
47 you know a lot of it nowadays is from an airplane and
48 most people don't own airplanes so for these people to
49 still harvest and, you know, conduct their traditional
50 activities with their families, to get sheep, it's hard

1 for them to get around, the air traffic disturbance,
2 and there's been other cases of, you know, trespass and
3 littering and all kinds of stuff on people's Native
4 allotments in the area.

5
6 And we've heard so much testimony at
7 our last couple of meetings that this has gone on that
8 our Council is in unanimous opposition to it.

9
10 CHAIRMAN TOWARAK: Thank you, Mr.
11 Firmin. Are there any questions of Mr. Firmin.

12
13
14 (No comments)

15
16 CHAIRMAN TOWARAK: Thank you for your
17 comments, Andrew. We will then go to the Department of
18 Fish and Game comments.

19
20 MS. YUHAS: Thank you, Mr. Chairman.
21 Jennifer Yuhas for the Alaska Department of Fish and
22 Game.

23
24 And I've really behaved myself at your
25 meeting here with my very brief comments but if you'll
26 indulge me today, this is the State's proposal and
27 we're building a legal record here when we're making
28 this vote and it's a very important issue.

29
30 It is a longstanding discussion with
31 whether sheep is open or closed in this area. And when
32 I first came on the scene four years ago it seemed very
33 simple, look at the data and saw that there's no
34 conservation concern so you think the answer's very
35 simple. And I've listened to a lot of public testimony
36 and it wasn't okay what we were hearing. It is not
37 okay to go and disrespect someone else's land and to
38 litter and to trespass and all of the things that we
39 heard needed to be addressed.

40
41 But we took a look at what we're able
42 to address in this arena, and this Board hears a lot of
43 testimony about pollock, about marine mammals, about
44 things that you can't address in this arena and we do
45 our best, we want to do something for the users.

46
47 We heard that the State hadn't listened
48 to the testimony of the people two years ago and we
49 went back and we did a lot of Staff work and I know
50 some people think I might be emotionally invested in

1 this just because I did a lot of work. That's not the
2 case. I'm a public servant. I do a lot of work at the
3 same level that I did on this, that this Board never
4 sees, that's what we do, we try and lay everything out
5 for you, the same way the Staff did for the .804
6 analysis yesterday and you adopt it or you don't.
7 That's what we do as public servants.

8
9 The State still contends that this
10 decision is outside the Board's authority. And some of
11 you have the privilege today of sitting in your Board
12 member's seat and it's very rewarding to make decisions
13 that affect people's lives. Much of the decisions in
14 this book are important, but they're fairly
15 inconsequential to the process, an extra week on the
16 season here, an extra bag limit there, it's not
17 consequential to the process but has a great affect on
18 people's lives after the meeting's over and it's very
19 rewarding to vote for those things and make a
20 difference in somebody's life.

21
22 We want to make a difference here on
23 Red Sheep Creek, and coming back to the State, we
24 looked and said what is within our authority. We're
25 hearing about trespass, we're hearing about vandalism,
26 we're hearing about things that aren't okay but what
27 can we do as a Department. Well, the only thing we can
28 manage are the hunters going up there so we came back
29 and said, well, what about an ethics and orientation
30 class. Two years ago the justification Mr. Jenkins
31 read into the record was based on not going far enough
32 because the Board of Game hadn't met to adopt that and
33 Mr. Haskett also put on the record, we don't know what
34 they'll do, they're meeting a week after us, there's no
35 guarantee they'll adopt this. The new information here
36 is they did. The State adopted this. You've heard
37 some Staff discussion, well, we can vote to oppose this
38 and just keep it close because the State doesn't have a
39 class in place; that's a fairly contrived answer.
40 There's no incentive for the local people to work with
41 us when this is what they want, they want people out,
42 so why would you work with us to reopen an area if the
43 -- if the condition is, once the class is in place then
44 it can be reopened, then where's the incentive for
45 that. No agency is going to expend the Staff time or
46 the finances to put a class in place the locals don't
47 want.

48
49 There's really no reference here to
50 conservation, and that's the authority afforded the

1 Board under ANILCA .815. Someone brought up yesterday
2 with the Saxman issue, do we really think we'll be
3 challenged on this, who's going to challenge making
4 Saxman rural; that's the truth, who's going to
5 challenge that. You're making decisions here to set
6 precedent to close an area to sheep hunters. The AC
7 Chairman's letter is correct, it doesn't close the area
8 to everyone. It'd be hard pressed to find a National
9 Park, a Refuge, a Forest or many of the BLM holdings
10 that are held in trust for the general public that
11 isn't associated with a place that's special to people
12 near the area. There are ways to address this outside
13 the Board's authority.

14

15 If the local people don't want others
16 in the area you can actually go through a rulemaking
17 process and swap out the land. If this has to be held
18 special just for the local people, there's ways to do
19 that. Keeping this area closed to a few sheep hunters,
20 maybe seven a year, just as the AC Chairman's letter
21 stated doesn't keep out the eight parties of other
22 people who walked through the area this year. Rafter's,
23 sheep hunters going to a different area. He referred
24 to posie sniffers. But people are using the area who
25 are not sheep hunting. If the contention is we need to
26 keep others out of the area because it's not their
27 culture to hunt with others in the area, this proposal
28 doesn't do that.

29

30 The State is petitioning to have the
31 area reopened for possibly seven people who might go
32 there to hunt sheep. Those sheep hunters are much more
33 aware of their surroundings than people who are not
34 hunting sheep trying not to disturb the sheep in the
35 area. Blaming the possible seven people who might use
36 the area for everything else that's happening goes a
37 little too far. So it is a matter of precedent that
38 you're setting here if you close the area for no
39 conservation concern.

40

41 We're open to questions, Mr. Chairman.

42

43 CHAIRMAN TOWARAK: Thank you. Are
44 there any questions of the State.

45

46 Kristin.

47

48 MS. K'EIT: Thank you, Mr. Chair.

49 Jennifer, I have a question on, was there any
50 discussion or any work on the impact of the airplane

1 noise on the sheep herds and I -- I ask that because I
2 recall in, I believe it was the 2012 or 2011 RAC
3 meeting in Fairbanks I heard a lot of testimony from
4 residents of Arctic Village and the area that another
5 piece of the concern beyond the trespass on Native
6 allotments and other private lands, another concern was
7 that as hunters and planes were coming in, they would
8 fly over the area and that would actually push the herd
9 further from this Red Sheep Creek, so further away from
10 the local user of Arctic Village or Venetie. Did you
11 have any discussions around that or work on that.

12

13 Thank you, Mr. Chair.

14

15 MS. YUHAS: Mr. Chairman to Ms. K'eit.

16

17 That question has come up previously.
18 We all know that there are studies that show airplanes
19 disturb sheep in general, I mean, so we know that
20 principle. Currently the area is closed to sheep
21 hunters and airplanes are using the area. We also know
22 that for any State-qualified user the season's very
23 short and that they might use an airplane to get there.
24 For the Federally-qualified users, they have a 271 day
25 season and most of their harvest occurs with
26 snowmachines in the winter when the airplanes are not
27 in the area. They have an extremely lengthy season
28 compared to the possible State hunters who might use an
29 airplane at the beginning of the season. We don't
30 think that that's a factor to closing the area to a
31 possible maximum of seven hunters.

32

33 CHAIRMAN TOWARAK: Any further
34 questions.

35

36 (No comments)

37

38 CHAIRMAN TOWARAK: Thank you for your
39 comments. We will continue then on with the
40 InterAgency Staff Committee comments.

41

42 MR. ARDIZZONE: Mr. Chair. Just the
43 standard comments for this one as well.

44

45 CHAIRMAN TOWARAK: Standard comments,
46 thank you. Tribal consultation comments.

47

48 MR. LORRIGAN: Thank you, Mr. Chair. A
49 Fort Yukon representative opposed WP14-51 stating there
50 are problems with trespass and litter. Felt a half hour

1 hunter ethics class was inadequate in dealing with the
2 problems. The caller also felt that non-local hunters
3 flying into the area contributed to sheep moving higher
4 and making them less accessible.

5
6 And just a recap of the consultation on
7 Tuesday morning, Sarah James from Arctic Village stated
8 that the Red Sheep Creek valley is a sacred place of
9 the community and the Gwich'in Nation. The red rock
10 mineral licks is like medicine and the sheep in this
11 area are special for this reason. The meat of the
12 sheep is like medicine for elders and it is used in
13 special times and ceremonies. The Gwich'in have great
14 respect for the land and trash -- great respect for the
15 land, and trash or disturbance of sheep is of great
16 concern. Sheep are so respected here that the special
17 ways they are taken care of, traditionally sheep were
18 brought back in the back door of a skin hut. She also
19 noted it takes a long time to be a ram and like the
20 lake trout it can take many years to become mature, up
21 to four years to become a ram. So they take care of
22 and respect in their harvest.

23
24 And Howard of Eagle called in and noted
25 the support -- he supports the community of Arctic
26 Village and he understands the importance of the sheep
27 for his community and how far they have to travel to
28 harvest them.

29
30 Mr. Chair.

31
32 CHAIRMAN TOWARAK: Thank you. Are
33 there any questions of the Staff.

34
35 (No comments)

36
37 CHAIRMAN TOWARAK: We will then open
38 the floor for any further discussions between the
39 Council Chairs and the State liaison.

40
41 (No comments)

42
43 CHAIRMAN TOWARAK: Not hearing any then
44 I will open the floor for Board action.

45
46 MS. JACOBSON: Mr. Chairman. I move to
47 adopt Proposal 14-51 and will provide my justification
48 as why I intend to vote against the motion if I get a
49 second.

50

1 MS. COOPER: Second.

2

3 CHAIRMAN TOWARAK: The motion has been
4 moved and seconded.

5

6 The floor is open for discussion.

7

8 MS. JACOBSON: So as we've heard
9 there's been extensive testimony and a long established
10 administrative record on this issue. I understand how
11 important this area is culturally for subsistence
12 harvest of sheep for residents of Arctic Village and
13 Venetie. The importance of this area is also shown by
14 the number and locations of Native allotments, cultural
15 sites and ethnographic studies documenting the long
16 history of use in this area.

17

18 I've heard that subsistence users
19 attempts to harvest sheep in this area may have been
20 interfered with by aircraft and other non-Federally-
21 qualified hunter's activities. The message was clear
22 and I'm convinced that the activities in this area by
23 non-Federally-qualified users has resulted in
24 displacement of sheep pushing them out of range which
25 then prevented Federal subsistence hunters from being
26 able to harvest sheep.

27

28 I believe that keeping this closure in
29 place will help insure the subsistence use of sheep are
30 continued for residents of Arctic Village and Venetie
31 in the Red Sheep and Cane Creek drainages.

32

33 For these reasons I intend to vote
34 against the motion.

35

36 CHAIRMAN TOWARAK: Any further
37 discussion.

38

39 MR. CHRISTIANSON: I also will choose
40 to vote in opposition of it, just based on the cultural
41 significance of the people of the area. You know a lot
42 of times places that are scared to us are continually
43 just managed as if it's just a management area and a
44 lot of times that connection to the land and the
45 resource to the people in the area is generally lost
46 due to trying to provide an opportunity for other
47 people to come in and share that resource in that area.

48

49 So I really support the people in their
50 testimony and the long record that they've established

1 on how important that is culturally to them and just
2 would like to see that opportunity continue for them.

3

4 CHAIRMAN TOWARAK: Go ahead, Steve.

5

6 MR. KESSLER: Thank you, Mr. Chairman.

7

8 I will also oppose this proposal. I
9 have reviewed this year's proposal and the comments and
10 recommendations received. I also listened carefully to
11 the testimony in 2012 from when the Board previously
12 reviewed this proposal. That testimony seemed very
13 helpful to the Board in their 2012 deliberation. We
14 didn't have any public testimony at this meeting
15 probably, in part, because of our ever changing agenda
16 and extension of our meeting to today, so I would like
17 that previous comment to be part of the record.

18

19 My vote, based on the OSM analysis and
20 conclusion, the recommendations of the two Regional
21 Advisory Council and overwhelming public comment from
22 all the times we've considered this proposal is to
23 oppose this proposal.

24

25 I justify my vote based on ANILCA
26 Section .815 paragraph three which allows for a closure
27 to continue Federal subsistence uses.

28

29 Thank you.

30

31 CHAIRMAN TOWARAK: Thank you. Any
32 further discussions.

33

34 Mr. Cribley.

35

36 MR. CRIBLEY: Yeah, I just want to also
37 indicate that I'm going to vote to oppose this
38 proposal.

39

40 Part of it being, I think, that we had
41 just put it into place, it's only been in place for two
42 years and I think we need more information to indicate
43 whether the change that we've made here and the
44 restrictions we put into place are actually
45 accomplishing what their intent was from the standpoint
46 of relieving some of the issues that Arctic Village has
47 indicated as far as conflicts, but also I think we need
48 to be very cognizant of the testimony that we heard and
49 the comments that we heard from those who put this
50 proposal in front of us and pay attention to that from

1 the standpoint of identifying if, in fact, this change
2 has been effective and is creating relief for the folks
3 in Arctic Village. We want to make sure that we are
4 respecting the subsistence users and meeting their
5 needs, but we don't want to be putting regulations in
6 place or restrictions in place that really aren't
7 making a difference or changing things.

8

9 So I think we need to continue with
10 this, the limitation on -- or restriction only to
11 subsistence hunters in this area but also be cognizant
12 that -- or to make sure that what we're doing here is
13 effective, and we're not putting regulations in place
14 that really aren't doing any good. So I think as the
15 years go on we need to be seeing if we are helping them
16 out or if as, in fact, is being mentioned that there's
17 other uses that are still continuing and whether Arctic
18 Village is seeing this problem continuing regardless of
19 what we do. So I think that needs to be paid attention
20 to in the future.

21

22 CHAIRMAN TOWARAK: Thank you. Any
23 further discussion.

24

25 Kristin.

26

27 MS. K'EIT: Mr. Chair, thank you.

28

29 I will also be voting in opposition of
30 this proposal for a couple of important reasons.

31

32 Although I hear the effort that the
33 State has made to address concerns that have been
34 brought forward in the past years. I think back to the
35 2012 testimony, both at the RAC meetings and also at
36 the Federal Subsistence Board meetings and one of the
37 clear issues was beyond the trespassing and planes
38 landing on Native allotments and things left behind, a
39 primary issue was the noise of the planes.

40

41 And I can personally testify, I live by
42 Lake Hood, so this isn't exactly a rural area but, you
43 know, I'm about a half a mile from Lake Hood which has
44 a lot of float plane usage and I can be inside my house
45 on the phone and people hear the planes taking off and
46 coming in for landing.

47

48 So I really heard and I think I
49 understood the user's testimony about plane noise
50 affecting the sheep and the movement of the sheep away

1 from the areas that they've traditionally hunted them.

2

3 The other thing is there were comments
4 by one of the Fish and Game Advisory Committees that
5 said there were other users in the area, other hunters
6 on foot, hikers, rafters and so-called, as they called
7 them posie sniffers, I'm not sure if there's posies up
8 there but, you know, just to lighten things up, you
9 know, I still contend that a plane coming in and
10 landing in the area, you know, within just a few miles
11 of the hunting area is a lot louder, it's going to have
12 a greater affect on the sheep population.

13

14 The other thing is that recalling some
15 of the testimony of local users that I had not heard
16 that they hunt in the winter. My recollection and
17 notes from that time actually describe them pooling
18 their resources either in the fall or the spring,
19 depending on the water heights of the creeks to pick
20 their best hunter, to send them up river by boat, that
21 it was a journey of a few days. One of those who
22 testified described going up there as a child and her
23 parents would prepare them, they'd pack food for a few
24 days -- actually more than a few days because they'd be
25 camping while then the hunter actually scaled up the
26 side of the mountain and the cliff there to get to the
27 sheep population.

28

29 So that's what I recall from the
30 testimony about timing of year.

31

32 And this is Federal land, Federally-
33 managed land. The Board can vote to close those lands
34 and make them only accessible to Federally-qualified
35 users, both to protect the sheep population but also to
36 meet subsistence needs and provide for that
37 opportunity.

38

39 So for those reasons I'll be opposing
40 this proposal.

41

42 Thank you, Mr. Chair.

43

44 CHAIRMAN TOWARAK: Thank you. Any
45 other comments. Go ahead.

46

47 MR. ADAMS: Thank you, Mr. Chairman. I
48 am, you know, the Southeast Regional Advisory Council's
49 representative on the Wrangell-St. Elias Subsistence
50 Resource Commission.

1 And several years ago we started
2 dealing with this issue of trespass on Native
3 allotments and ANCSA Corporation lands. And I found
4 out during, you know, our discussion that we had no
5 authority to control that from, you know, sport people
6 coming in and hunting and they were squatting on the
7 land and leaving, you know, garbage and, you know,
8 trash all over the place, that -- because they are
9 private land that they fell under the jurisdiction of
10 the State. Now, I have to sympathize with the State
11 because there just wasn't enough Troopers in the area,
12 you know, to control that and I think that issue still
13 stands today.

14
15 But I throw this out, you know, for
16 future consideration as this issue possibly comes up
17 again, you know, that there is some serious problems
18 there with outsiders coming in and trespassing on
19 private lands and unable to, you know, adequately deal
20 with them.

21
22 So just for the record I thought I'd
23 share that with you, Mr. Chairman.

24
25 CHAIRMAN TOWARAK: Thank you. And the
26 State has jurisdiction over private lands, including
27 ANCSA and Native allotments, you are right.

28
29 I'd like to point out one thing that
30 unless the Regional Advisory Council's are convinced to
31 change this regulation I personally cannot vote against
32 what the Regional Advisory Council's want and I would
33 suggest to the State that perhaps that's where you need
34 to convince people to change the regulation.

35
36 We've been mandated by the Secretary of
37 Interior, who ultimately has the authority over
38 anything that we do to defer as much as possible to the
39 Regional Advisory Councils and it would be hard for
40 Charlie, myself and Tony to vote otherwise from what
41 the Regional Council's are telling us how to vote. So
42 I wanted you to understand that's the position we've
43 taken.

44
45 Go ahead.

46
47 MS. YUHAS: Thank you, Mr. Chairman.
48 And we certainly understand that deference and
49 understand -- sometimes the State is bound to something
50 that might seem silly to the Board when we have a

1 certain position and -- and there's legal reasons
2 sometimes that we're bound to that position.

3

4 You have -- the Board does have the
5 conservation issue as a means for not deferring to a
6 RAC. And we certainly sympathize with the local area
7 on what they want. We don't think that we will have
8 any success in changing the opinion of what people
9 want. We know what people want. And as I stated
10 before, people want things with pollock, and they want
11 things with marine mammals that don't fall within this
12 Board as well. The State knows probably what's going
13 to happen with this vote, we understand that. Do just
14 want to remind the Board that this is precedent setting
15 because there is no conservation concern and that the
16 two outs for the vote are conservation concern and not
17 within our authority. So that is available to you.
18 But we know how things will proceed.

19

20 CHAIRMAN TOWARAK: Thank you. Any
21 further discussion. Mr. Christianson go ahead.

22

23 MR. CHRISTIANSON: I guess the
24 foundation of this testimony that we heard is that it's
25 the cultural and spiritual connection that the people
26 have with the resource, that's what I'm hearing from
27 that region. And as I look through here there is no
28 clear conservation concern, and if you listen to all
29 the testimony over the last couple of days, the level
30 of spirituality people have in the act of subsistence,
31 that's the underlying theme that keeps coming forward
32 from the residents of the land, is that, they have care
33 for the resource, they put their heart and soul into
34 this and it's clearly in this one, the sheep is
35 something that the people hold in high esteem and my
36 believe is when you do that, the population reacts to
37 that care. There's a general feeling in our
38 communities that, you know, when you give that
39 reverence to the resource, the resource will pay you
40 back in return.

41

42 And I think we all, generally, as
43 humans believe that underlying principle. And I think
44 that it is a testament to why there isn't a
45 conservation concern in that region is because the
46 people there care about the resource and they're
47 willing and have come forward and spoke to that care
48 about it. And I think there's something to that and
49 you hear it over and over and over. I've been here for
50 almost two years now and that's what the people say and

1 I'm going to have to stick to that. Whether or not
2 there's a conservation concern, I think the resource is
3 responding to the people in the region who care about
4 the resource.

5

6 CHAIRMAN TOWARAK: Go ahead.

7

8 MS. CAMINER: Good morning, Mr. Chair.
9 Thank you so much and I'm sorry to be late this
10 morning.

11

12 I was involved in some of these
13 discussions probably eight to 10 years ago. And I'm
14 glad to hear there's not a conservation concern, but
15 definitely a concern of the Board and the RACs is
16 whether this proposal could be detrimental to
17 subsistence users and because of the conflicts, because
18 of this education potential course, I think that's a
19 valid reason for this Board to use.

20

21 Thank you.

22

23 CHAIRMAN TOWARAK: Thank you. Any
24 further discussion. Go ahead.

25

26 MS. COOPER: Yeah, Mr. Chair. I'd just
27 like to echo Mr. Cribley's concern. It's only been two
28 years, I'd like to see how this is going to play out
29 and work so I intend to oppose this -- this proposal.

30

31 Thank you.

32

33 CHAIRMAN TOWARAK: Any further
34 discussion.

35

36 (No comments)

37

38 MR. KESSLER: Question.

39

40 CHAIRMAN TOWARAK: Question's been
41 called for. Let's have a roll call vote on this one.

42

43 MR. PELTOLA: Thank you, Mr. Chair.

44

45 US Fish and Wildlife Service.

46

47 MS. JACOBSON: Aye.

48

49 (Laughter)

50

1 MS. JACOBSON: No.
2
3 MR. PELTOLA: National Park Service.
4
5 MS. COOPER: Oppose.
6
7 MR. PELTOLA: Bureau of Land
8 Management.
9
10 MR. CRIBLEY: Oppose.
11
12 MR. PELTOLA: Bureau of Indian Affairs.
13
14 MS. K'EIT: Oppose.
15
16 MR. PELTOLA: Anthony Christianson,
17 public member.
18
19 MR. CHRISTIANSON: Oppose.
20
21 MR. PELTOLA: Charles Brower, public
22 member.
23
24 MR. C. BROWER: Oppose.
25
26 MR. PELTOLA: US Forest Service.
27
28 MR. KESSLER: Oppose.
29
30 MR. PELTOLA: Mr. Chair.
31
32 CHAIRMAN TOWARAK: Oppose.
33
34 MR. PELTOLA: Zero in support, eight in
35 opposition.
36
37 CHAIRMAN TOWARAK: Thank you. We have,
38 what, two more proposals WP14-32 and 14-49; is that it.
39
40 MR. PELTOLA: Yes.
41
42 CHAIRMAN TOWARAK: Mr. Brower.
43
44 MR. H. BROWER: Yes, thank you, Mr.
45 Chair. Thank you for the action that you've taken to
46 all the Board members and Council and State for
47 providing all the information.
48
49 Mr. Chair, I had requested to leave
50 before 10:00 but now it's after 10:30, if I could be

1 excused at this time I'd greatly appreciate it, Mr.
2 Chair.

3

4 CHAIRMAN TOWARAK: Thank you.

5

6 MR. C. BROWER: Wait for me.

7

8 (Laughter)

9

10 CHAIRMAN TOWARAK: I'd like to comment
11 real briefly while we're in kind of a recess and I want
12 to thank the Regional Advisory Council, I know that
13 your time is voluntary to this process and I really
14 respect that and I know that each of you are here
15 because of your interest in the process and doing a
16 service for the people that you represent and it really
17 makes me feel well that we are deferring to you as much
18 as possible and appreciate your participation.

19

20 We're going to take a five minute
21 break. We might have Wayne, I think, on the phone and
22 he's got commitments after 11:00 so I'd like to make
23 this a short recess, maybe 10 minutes, at 20 to 11:00
24 I'd like to put the Forest Service on to discuss the
25 ETG -- ETJ process. So come back at 20 to 11:00 and
26 we'll start immediately.

27

28 MR. ROCZICKA: Mr. Chairman. While
29 we're still on the record I just wanted to place for
30 the record for the RAC, since I have to leave as well
31 and the YK Delta RAC as far as Proposal 32, which is
32 one of the crossovers there, we would defer to the
33 Western Interior's position on that.

34

35 MR. CHRISTIANSON: I got that.

36

37 (Laughter)

38

39 (Off record)

40

41 (On record)

42

43 CHAIRMAN TOWARAK: I'd like to
44 reconvene. We're going to call the meeting back to
45 order so we could -- I'd like to make a little switch.
46 We're going to do the extraterritorial jurisdiction
47 issue first. And I'd like to turn the floor over to
48 Mr. Owen who I think is on the phone, and I assume
49 Jennifer's going to participate in this discussion
50 also. I'd turn the floor over to the two.

1 Is Mr. Owen on the floor.

2
3 MR. OWEN: Yes, Mr. Chairman. Can you
4 hear me.

5
6 CHAIRMAN TOWARAK: Yes, we can. The
7 floor is yours.

8
9 MR. OWEN: Great. Thank you. I was
10 being outsmarted by my telephone.

11
12 So thank you, Mr. Chair. Members of
13 the Board for accommodating my schedule. And I'd also
14 like to thank Mr. Kessler for being able to sit in for
15 us while we're attending to other business.

16
17 So I think we can do this pretty
18 quickly. Before you in your supplemental binder, one
19 of the latter tabs, it says ETJ, and there is a one-
20 page, two-side briefing. And I'll jut go over this
21 quickly.

22
23 On the front side on a briefing paper
24 at the bottom, it says December 2013, is the -- is a
25 briefing paper that has been before you twice before
26 regarding part two of the Environmental -- the
27 Institute for Environmental Conflict Resolution's
28 recommendations for resolving the issues at stake in
29 the extraterritorial jurisdiction petition, that being
30 economic development within the Community of Angoon.

31
32 And I'd like to give just one update on
33 the status of those bullets which are all sort of
34 ongoing. And down towards the bottom, the Kanalku fish
35 barrier modification project. The State Department of
36 Fish and Game and the U.S. Forest Service have been out
37 at that site earlier this week or late last week to
38 evaluate the success in how much foliage has been, and
39 they are right now writing that up. You know, I've
40 seen a little report from the State, and I've seen a
41 report from the Forest Service. And so, you know, we
42 don't know exactly where we are on that, but we have
43 seen a significant change in terms of the leap pool
44 that's there for the sockeye to get back up into
45 Kanalku.

46
47 So the question I think before us is,
48 are we going to do anything more there, or does there
49 need to be anything more down.

50

1 So that's where we are on that. And
2 that's the only modification to that.

3
4 On the reverse of that sheet, the part
5 one of the assessment for Angoon suggested that working
6 through the Board of Fish to propose a series of
7 regulatory changes that would better provide the
8 residents of Angoon with the amount -- the subsistence
9 necessary for them. We have a number of proposals that
10 I'd like to just really briefly touch base with you on,
11 and sort of modify one of the sections that we have
12 there.

13
14 So Bert Adams and the Southeast RAC
15 submitted three separate proposals to the Board of Fish
16 on April 10th. They are described there, you know, in
17 some detail for you.

18
19 The Community -- or the Angoon
20 Community Association, the tribal government proposed
21 one regulatory change. It is described there for you.

22
23 The Kootznoowoo, Incorporated, the
24 tribal corporation for the Community of Angoon and
25 Admiralty Island, they had been working on as many as
26 -- and, you know, I'm not sure if I have the exact
27 number right, but I believe that I saw up to nine
28 separate proposals had been worked on, or were in
29 various stages.

30
31 The State of Alaska informs me that in
32 the end Kootznoowoo, Incorporated submitted four
33 regulatory proposals for the Board of Fish. I do not
34 know what those were right now. I have not been able
35 to get that information. We're working on getting that
36 from Kootznoowoo, and Ms. Yuhas has told me that, you
37 know, when that information becomes available in that
38 process, that she'll be coordinating with the Forest
39 Service. So we're grateful for that assistance.

40
41 And the community, the city government
42 of Angoon also made two proposals, neither of which are
43 sockeye related, but go to address the larger
44 subsistence needs of the community. And you see those
45 presented there for you.

46
47 There's one proposal that we had
48 expected to be submitted that is unaccounted for. We
49 expected Grand Camp to submit a proposal on a community
50 harvest. We're not sure if -- you know, if that

1 happened, or if that ended up as one of the Kootznoowoo
2 proposals, or where exactly that is, so we're a little
3 uncertain about that. But right now it looks like we
4 have -- it looks like we have 10 proposals that we can
5 account for to the Board of Fish, and the process is
6 now that the Department of Fish and Game will be
7 staffing those. It's my understanding that the Forest
8 Service will have an opportunity to contribute to the
9 'Staff analysis, and we will go forward with the Board
10 of Fish proposals.

11

12 So in a nutshell, that is where we are
13 right now, and I would be more than happy to address
14 any questions directed at me or I'm sure Ms. Yuhas
15 would be happy to respond to any questions that are
16 specific to the Department of Fish and Game.

17

18 Thank you.

19

20 CHAIRMAN TOWARAK: Thank you, Mr. Owen.

21

22

23 We'll hear then from Ms. Yuhas.

24

25 MS. YUHAS: Thank you, Mr. Chairman.
26 And I reiterate everything that Mr. Owen said. We've
27 been working very closely together. I don't want to
28 paint a picture for anyone on the outside that it's too
29 cozy, or anything like that, but we've just had very
30 good staff collaboration, keeping each other updated
31 early and often so that we're not surprising each
32 other.

33

34 As Mr. Owen stated, we are trying to
35 filter through exactly all of the proposals. The
36 Federal process goes through the same thing when they
37 all come in, and our executive director for our Board
38 of Fish was trying to assist us with that, but they
39 also had a Board of Fish work session the same time you
40 were meeting, and two days prior to that, and so he was
41 trying to do that remotely to get to us exactly what
42 was submitted. So we're not sure if the Grand Camp
43 proposal we were expecting came from an individual, and
44 we can't find where it is on the list.

45

46 But I'm very happy to report for the
47 record that we've been talking about this for a few
48 years, there's been a lot of discussion from the RAC
49 and from others that they didn't see what was
50 happening. And at the RAC meeting that Mr. Adams

1 chaired just a month and a half ago used the analogy
2 that they've got a lot of plant starts in the window,
3 too. And they keep watering them, putting light on
4 them, we don't see anything. Well, we finally have
5 sprouts, Mr. Chairman. We have sprouts of about 10
6 proposals. And as Mr. Owen said earlier this week when
7 we were collaborating, you know, now the work starts.
8 Now the horses are out of the gate, so you'll be seeing
9 much more activity, but this does show all those times
10 I came before you and said, we're doing something, you
11 just don't see it, here it is.

12
13 The other issue was whether or not the
14 Angoon area had an advisory committee. This process
15 defers to the RACs and the Board of Fish doesn't
16 necessarily defer, but provides much more privilege to
17 the ACs, and just this last week the Angoon Community
18 Association, which is the tribe representative, voted
19 to act as the AC, so that body will not be sending more
20 people around with more hats to more meetings. They'll
21 simply meet as the tribal association, and be the
22 advisory committee. So we're in the process of doing
23 the Staff work to get that on paper for them.

24
25 CHAIRMAN TOWARAK: Thank you.

26
27 Are there any questions.

28
29 (No comments)

30
31 CHAIRMAN TOWARAK: I'm assuming that
32 both you and Mr. Owen feel that you're receiving all
33 the support and coordination of the local community
34 along with the trawlers.

35
36 MS. YUHAS: Mr. Chairman. We are
37 supporting the community, so I would go ahead and just
38 reverse that, that the Center for Environmental
39 Conflict Resolution, that was hired by the Forest
40 Service to be a neutral third party to investigate
41 things, made the recommendation, and everyone has
42 agreed with that. The solutions have to come from the
43 local community.

44
45 And so with regards to the trawlers, we
46 don't interact with them on the same individual basis,
47 but the working group that is comprised of some of the
48 commercial fishing interests are aware of the
49 proposals. They were aware they were being submitted,
50 and we have not heard -- it hasn't been contentious.

1 Nothing has surfaced to oppose things at this juncture.
2 The Department is not aware of outrage on behalf any
3 other portion of the community. So we'll just continue
4 to support the local area in the process.

5

6 CHAIRMAN TOWARAK: Thank you.

7

8 MR. OWEN: Mr. Chairman. You know,
9 referring back to my comments about the Kootznookoo
10 proposals, you know, as we've been going forward the
11 nature of the proposals within Angoon has been very --
12 or highly variable over time. There have been lots of
13 things talked about and proposed and thought about,
14 and, you know, honestly we have not engaged the
15 commercial fishing people, because of the volatility of
16 -- well, the -- I don't mean volatility as in
17 something, you know, angry or red, but, you know, in
18 the lack of stability around actual proposals. It is
19 our intention, and I'm sure that it's the intention of
20 Fish and Game that once we have these sort of, you
21 know, the first line vetted, to start communicating
22 this now that we know what the proposals actually are,
23 to get feedback from the commercial fishing group, as
24 I'm sure that would be a natural part of the vetting
25 process. But it is our intention to sort of reach out
26 to those groups ahead of time now that we know what the
27 actual proposals are.

28

29 CHAIRMAN TOWARAK: Thank you. Are
30 there any other -- or any questions from the Board
31 regarding the ETJ process.

32

33 (No comments)

34

35 CHAIRMAN TOWARAK: Does that conclude
36 your report to the Board, Wayne.

37

38 MR. OWEN: If the Board is satisfied
39 with the report, we can conclude this briefing.

40

41 CHAIRMAN TOWARAK: Go ahead, Steve.

42

43 MR. KESSLER: Thank you, Mr. Chairman.
44 Steve Kessler.

45

46 One thing that we do need to do is to
47 provide an update to the Secretaries on this process.
48 They ask for an update every six months on where things
49 were. And what my recommendation is, is that Staff
50 formulate an update based on this briefing paper that

1 you have and some of the discussion, put that together
2 as an update which will then come under your signature
3 to the Secretaries, if that's okay with the Board.

4
5 CHAIRMAN TOWARAK: Okay. And I'm sure
6 the Staff will follow up on that.

7
8 If there isn't anything further, then
9 we will go on to the next agenda topic.

10
11 Thank you, Mr. Owen, and Jennifer, for
12 the report. And I'm personally glad that there's some
13 steps being taken toward some resolution in the future.
14 Thank you.

15
16 MR. OWEN: We find it very gratifying
17 as well. And thank you for the opportunity to testify
18 via phone. And I will mute and enjoy the rest of the
19 discussion.

20
21 CHAIRMAN TOWARAK: Thank you. We don't
22 have the option of mute here.

23
24 (Laughter)

25
26 CHAIRMAN TOWARAK: We will -- the next
27 item on the agenda is -- I think we wanted to finish
28 the proposals, so we'll go back to Proposal 14-49, is
29 it?

30
31 DR. JENKINS: It's 49 and 32.

32
33 CHAIRMAN TOWARAK: And 32. And I
34 understand that we have two other fish proposals right
35 after that.

36
37 DR. JENKINS: Special actions.

38
39 CHAIRMAN TOWARAK: Special action.

40
41 DR. JENKINS: And the Stikine River
42 (indiscernible).

43
44 CHAIRMAN TOWARAK: And then the Stikine
45 River after that. And then we will get into the
46 Secretarial appointments, and I understand Mr. Pourchot
47 would like to be here for that.

48
49 So we will get into -- take care of the
50 proposals at this point.

1 MR. McKEE: Mr. Chair, do you want to
2 start with 32 or 49.

3
4 CHAIRMAN TOWARAK: We'll start with 32.

5
6 MR. McKEE: Okay. The executive
7 summary for WP14-32 begins on Page 310 of your booklet.

8
9
10 WP14-32 was submitted by Robert Walker,
11 and requests a modification of the Paradise Controlled
12 Use Area boundary in Unit 21E under Federal
13 regulations, which would extend the eastern boundary
14 two miles along the east bank of the Innoko River and
15 along the east bank of Paimiut Slough.

16
17 The proponent states that transporters
18 and guides are accessing lakes within two miles of the
19 current boundary east of the Innoko River via aircraft
20 to circumvent the present Paradise controlled use area
21 boundary to hunt moose.

22
23 The proponent states that the
24 controlled use area was created to protect resources
25 for the villages of Holy Cross, Anvik, Grayling, and
26 Shageluk, and that the proposed boundary changes would
27 lessen the impact of those hunter on the moose
28 population.

29
30 The moose population in this portion of
31 Unit 21E has been stable, and limited composition data
32 shows bull/cow ratios have remained fairly high,
33 between 62 and 74 bulls per 100 cows under the current
34 harvest pressure. Calf/cow ratios have met the State
35 management objectives in most years, except for 2009,
36 and twinning rates were estimated at 32 percent in
37 2013.

38
39 Reported harvest by Federally-qualified
40 subsistence users has remained relatively stable while
41 non-local harvest has declined. You can see that on
42 Figure 2 on Page 318 of the booklet.

43
44 The proposed modification to the
45 controlled use area would not adequately address the
46 proponent's concerns about non-Federally-qualified
47 users accessing lakes within two miles of the current
48 boundary. The expanded portion of the controlled use
49 area is a mix of Federal and non-Federal lands, and
50 Federal regulations would not apply to approximately 43

1 percent of the area.

2

3 While the Federal Subsistence Board can
4 technically create or modify controlled use areas under
5 Federal regulations, they cannot modify State
6 definitions. To be effective in areas of mixed land
7 jurisdiction like the affected area, both State and
8 Federal controlled use area provisions need to be in
9 place.

10

11 There are no conservation concerns to
12 justify other actions such as a Federal closure.

13

14 So for these reasons the OSM conclusion
15 is to oppose Proposal WP14-32.

16

17 And that's the end of my analysis.

18

19 CHAIRMAN TOWARAK: Thank you. Are
20 there any questions of the Staff.

21

22 (No comments)

23

24 CHAIRMAN TOWARAK: We will then move to
25 summary of public comments from the regional
26 coordinator.

27

28 MS. BURKE: Thank you, Mr. Chair. For
29 the record, Melinda Burke, Western Interior Regional
30 Subsistence Advisory Council coordinator.

31

32 I also wanted to note for everyone in
33 the room that Mr. Reakoff, the Western Interior Chair
34 is on the phone and ready to participate in the
35 discussion.

36

37 We had four written public comments
38 from -- the first one, from the
39 Grayling/Anvik/Shageluk/Holy Cross AC, and wanted to
40 note that the full comments are in your supplemental
41 folder. I'll just give a short summary of each.

42

43 The GASH AC did not take any action on
44 this proposal, but did want to pass along that they
45 discussed the implications of having a different
46 Federal regulation than a statewide regulation. And
47 also there was concern expressed, by extending the
48 boundary two miles instead of using natural drainages
49 for boundaries.

50

1 The Kuskokwim Native Association
2 supports the proposal modification as outlined in WP14-
3 32. This proposed modification clarifies the original
4 intent of the controlled use area, and would close a
5 loophole within the existing boundary which is
6 contradictory to the original purpose of this area,
7 which is to prevent aircraft from being used to access
8 moose hunting opportunities in the designated area,
9 which is to prevent aircraft from being used to access
10 moose hunting opportunities in the designated area.

11
12 Tanana Chiefs Conference supports the
13 expansion of the controlled use area to clarify the
14 original intent.

15
16 Native Village of Chuathbaluk has very
17 similar concerns. They support the expansion. The
18 current boundary line allows for aircraft to land right
19 next to the Innoko River or Paimiut Slough for access,
20 and this is contradictory to the original purpose of
21 the controlled use area.

22
23 Thank you, Mr. Chair.

24
25 CHAIRMAN TOWARAK: Thank you.

26
27 Are there any questions of the Staff,
28 or the regional coordinator.

29
30 (No comments)

31
32 CHAIRMAN TOWARAK: Thank you.

33
34 We'll open the floor for public
35 testimony. And I don't see any requests from within
36 the building, so is there anyone on the phone that
37 would like to testify in regards to 14-32. If you
38 want.....

39
40 OPERATOR: If you want to testify,
41 press star-one.

42
43 (No comments)

44
45 CHAIRMAN TOWARAK: I am assuming there
46 isn't anyone on the phone who wants to testify, so we
47 will go to the Regional Council. And is Mr. Reakoff on
48 the phone you said?

49
50 The floor is yours, Mr. Reakoff.

1 MR. REAKOFF: All right. As I stated
2 yesterday before I left, the Western Interior Regional
3 Council feels this proposal would be beneficial to
4 alleviate a user conflict for the eligible subsistence
5 users.

6
7 As you can see from the local comments,
8 many people in that area feel that this is a growing
9 issue of aircraft access immediately to -- on the
10 eastern and southern edge of the controlled use area,
11 and they feel that the aircraft dropping off hunters
12 that then enter the river, immediately into the river,
13 are competing with local users where the -- you know,
14 the main corridor for the local people is along the
15 river.

16
17 And so because of the significant
18 amount of Federal wildlife refuge land, BLM land, the
19 Western Interior Council agreed and feels that the
20 Federal Subsistence Board can restrict non-subsistence
21 uses or regulate them downward, and so we feel that a
22 question for the Solicitor is, it's been stated several
23 times that the Federal Subsistence Board can restrict
24 non-subsistence uses, and we feel that this would be
25 appropriate for this restriction for non-subsistence
26 use.

27
28 Thank you, Mr. Chair.

29
30 CHAIRMAN TOWARAK: Thank you, Mr.
31 Reakoff.

32
33 Are there any questions of the Regional
34 Advisory -- or RAC Chair. Go ahead.

35
36 MS. CAMINER: Mr. Chair. Jack, this is
37 Judy, and I'm not very familiar with the process of how
38 to change these boundaries, and it sounds like from the
39 preliminary analysis, you know, it's not something the
40 Board has done in the past, but it sounds like this is
41 maybe a little bit of a flag to this Board that perhaps
42 it's worth looking into what it would take to change a
43 boundary, or, as the RAC said, maybe put in a proposal
44 to the Board of Game about it. But maybe some further
45 analysis is warranted here.

46
47 MR. REAKOFF: Mr. Chair. Can you still
48 hear me.

49
50 CHAIRMAN TOWARAK: Yes. Go ahead,

1 Jack.

2

3 MR. REAKOFF: While we feel -- the
4 Western Interior Council feels that there would be
5 virtually no chance of expansion with the current Board
6 of Game that we have. There was a diminishment of the
7 Kanuti Controlled Use Area. And we were told that the
8 Federal boundary that was in place with the Kanuti
9 Controlled Use Area was still in effect. That's why we
10 feel that the Federal areas, if they remain in effect
11 for the Kanuti, that this can actually be expanded on
12 the Paradise Controlled Use Area.

13

14 Thank you, Mr. Chair.

15

16 CHAIRMAN TOWARAK: Are there any
17 questions of the Chair.

18

19 (No comments)

20

21 CHAIRMAN TOWARAK: Not hearing, then we
22 will hear from the Department of Fish and Game.

23

24 MR. CRAWFORD: Mr. Chair. Drew
25 Crawford, Alaska Department of Fish and Game.

26

27 The State is opposed to Wildlife
28 Proposal 14-32.

29

30 CHAIRMAN TOWARAK: Thank you.

31

32 Any questions of the State.

33

34 (No comments)

35

36 CHAIRMAN TOWARAK: Thank you. Then we
37 will go to the InterAgency Staff Committee comments.

38

39 (No comments)

40

41 CHAIRMAN TOWARAK: Standard comments.

42 Thank you.

43

44 Any tribal consultations.

45

46 (No comments)

47

48 CHAIRMAN TOWARAK: No tribal

49 consultations.

50

1 We're back down to the Board
2 discussions with Council Chairs and State liaison, if
3 there are any further questions. Go ahead, Tony.

4
5 MR. CHRISTIANSON: My question is just
6 on -- I see in here that, you know, we're talking about
7 moving boundaries and some statements are made about
8 whether or not the Federal Board has that right to do
9 that, and I thought that's what we just did in the last
10 proposal with sheefish. Similar, but not -- we didn't
11 move lines, but we restricted access to a user group.
12 I mean, that's what this is about is about expanding an
13 opportunity and a boundary, so that the people, like
14 the Regional Advisory Council Chair, can get an
15 increased opportunity for the resource. So I just
16 wanted clarification on that, if there's some type of
17 stipulation that we can't move boundaries to increase
18 the opportunity.

19
20 MR. LORD: Mr. Chair. Ken Lord here.

21
22 The Board does have the authority to
23 move boundaries of controlled use areas. A controlled
24 use area typically has a flight restriction associated
25 with it. The Board has never done that. The
26 controlled use areas that we have in regulation now
27 were adopted at the time that the program -- the
28 Federal program took over from the State, and they were
29 originally put in place by the State. But that is not
30 to say that the Board does not have the authority to do
31 that. The Board could move those boundaries.

32
33 In this particular case, the proposal
34 would move the boundary outside of Federal lands, and
35 it would encompass about 43 percent of State lands as
36 well. That's where the problem is. Even though we
37 move the boundary, this Board has no authority to
38 restrict access onto those State-managed lands. And so
39 even though we have a flight restriction in place on
40 the Federal lands if that boundary were to be moved,
41 people could still land planes on the State lands, and
42 so the impact -- that's basis for the OSM's conclusion
43 that really moving the boundary would not have the
44 positive impact that the proposer hopes that it would.

45
46 MR. CHRISTIANSON: So how far is the
47 boundary movable? Is there a description of that? Is
48 there -- I mean, if it moves so far over, is there an
49 area where the State land stops, and that we can
50 suggest maybe an amendment to it to bring in -- no? I'm

1 seeing no's here. I guess I didn't read the map.

2

3 (Laughter)

4

5 MR. CHRISTIANSON: Oh, I see, it's a
6 patchwork.

7

8 MR. REAKOFF: Mr. Chair. May I speak
9 to the issue.

10

11 CHAIRMAN TOWARAK: Sure. Go ahead.

12

13 MR. REAKOFF: If you look at the
14 Federal lands, which you should have this colored map,
15 there's Federal lands closest to the communities.
16 Yukon Delta Wildlife Refuge lands, BLM lands, those
17 patchworks are actually made of corp land. And so gets
18 into another issue, but the bottom line is some of the
19 lands closest to the Yukon drainage that people utilize
20 are actually in this conflict area with all of the
21 lakes ends (ph), and then you get up there by Shageluk,
22 again you get into lots of Federal lands for those
23 communities.

24

25 So what I'm stating is that the State-
26 controlled lands are more distant, and the -- from the
27 communities, and the communities have access to Federal
28 lands where this would apply.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN TOWARAK: Any further
33 questions.

34

35 MR. CHRISTIANSON: I do, Mr. Chair.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MR. CHRISTIANSON: I would just ask the
40 Chairman of that Board, there a resounding statement
41 from the people that are hunting that they're not
42 meeting their need. Or is it just that there's
43 competition.

44

45 MR. REAKOFF: Mr. Chair. The main
46 issue here is that there's building competition. You
47 know, there's more and more hunters that are flown in
48 and float. They use air taxis. They get flown in and
49 then they float. These are -- it's a high use area
50 along the Innoko drainage, and so there's becoming a

1 building user conflict issue. That's what this
2 proposal is seeking to -- it's annoying for people to
3 see a float plane land just off the river, and dumping
4 off boats that then just come right over the boundary
5 and right into the river and start hunting and
6 (indiscernible). They feel that this is a growing
7 problem, and they would like to -- at least our Council
8 members felt this was a way to alleviate that.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN TOWARAK: Go ahead, Mr.

13 Cribley.

14

15 MR. CRIBLEY: Well, I guess I'd refer a
16 question back to the State, and whether they see this
17 as a problem seeing as how they don't support this
18 proposal. Is this not a problem from the State's
19 perspective.

20

21 MR. CRAWFORD: Excuse me, I reading
22 (indiscernible - mic not on)

23

24 (Laughter)

25

26 MR. CRIBLEY: No, I was just curious.
27 You said you -- the State testified that they were
28 opposed to this, but without any discussion on that.
29 And I'm just curious, does the State not see, well, the
30 problem that the RAC has identified from the standpoint
31 of the competition that this is creating by float
32 planes being able to come in adjacent to the river and
33 drop off clients, and then they're floating into the
34 river. Is that not a concern on the part of the State,
35 and that's why they're opposed. Or what is -- is there
36 a little bit more rationale why you're opposed to this.

37

38 MR. CRAWFORD: Sure. I'll be glad to
39 provide that.

40

41 We feel that this proposal will do
42 nothing to change the hunter access to any lands in
43 Unit 21E for either subsistence users or other users.

44

45 We also feel that this proposal will
46 complicate the Federal regulations and can confuse
47 hunters.

48

49 There's other options within that two-
50 mile range that they're talking about extending it, but

1 it's not going to solve your problem.

2

3 MR. CHRISTIANSON: Mr. Chair.

4

5 CHAIRMAN TOWARAK: Go ahead, Tony.

6

7 MR. CHRISTIANSON: It seems like then
8 the conflict is cruising down the river in your skiff
9 and shooting at a moose. I mean, that's the conflict,
10 and I think that's a similar conflict we're used to in
11 our area, of people coming in and riding the roads to
12 shoot a deer. I mean, it's the same concept where
13 pretty soon you have 60 cars on the same road shooting
14 at the same deer. And, yeah, there's enough resource,
15 but it is a direct conflict between the users on the
16 land, and maybe the proposal needs to be recrafted,
17 that sometime -- some language be created that provides
18 a better opportunity for the local resident to meet
19 their need and puts a little bit more burden on the guy
20 flying in on the airplane to walk up the hill a little
21 bit.

22

23 CHAIRMAN TOWARAK: Go ahead.

24

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

26

27 Jack, this is Nanci, and I just am
28 really curious to see how this one moves forward,
29 because we've struggled with this in our area as well,
30 especially with multiple different lands being
31 involved, as well as we've been cautioned very strongly
32 by our law enforcement about how difficult it is to
33 enforce a corridor like this. And I'm just -- I really
34 don't want to derail this process, but I'm curious to
35 know if you talked at the RAC level about those issues
36 and what kind of response you heard.

37

38

39 Thank you.

40

41 MR. REAKOFF: My response to the
42 discussion that the burden would be on the air taxis,
43 that the certain way those State-controlled lands.
44 But that then also have to have approval to land on the
45 Native corp lands. Most of the Native corp lands are
46 actually closed to non, so they would be trespassing on
47 the State-controlled lands. Those are corp lands, and
48 so they would be trespassing.

49

50 The reality is it's not the subsistence

1 user. They're just going down the river,
2 (indiscernible). It's the aircraft, air taxis would
3 have to discern where this additional boundary is and
4 stay outside of that. And the hunters, the
5 sporthunters. This does not put a burden on the
6 subsistence people at all. It just basically moves the
7 sportshunters away from the river corridor which is a
8 user conflict, (indiscernible). Because, yeah, there
9 might be a real high bull/cow ratio, but there's only a
10 certain amount of moose that are bulls that are near
11 the river, and so that's the problem. The problem is
12 everybody's trying to hunt the same river, and so
13 there's more and more of these floaters coming and
14 floating that river. That's become a big -- you read
15 about that in magazines all the time about floating
16 rivers for moose hunting.

17

18 Thank you, Mr. Chair.

19

20 CHAIRMAN TOWARAK: Go ahead, Tony.

21

22 MR. CHRISTIANSON: Yeah. So again I
23 guess we have a couple of proposals we've dealt with
24 over the last couple of days, a similar concept, a lot
25 of resource, a lot of take, lots of user group, no real
26 conservation concern. But we made proposal or motions
27 and passed them as a Board to provide an opportunity
28 for the local resident to meet their need if there's a
29 growing competition for it. I'm not saying today we're
30 going to deal with it, but maybe a proposal needs to be
31 put forth by the RAC that gives a window of opportunity
32 to the local user rather than changing lines and moving
33 this and that, that we skew the date a week here, a
34 week there, or provide an opportunity or a window
35 within a peak season, and then try to alleviate the
36 competition, the concern of the people. Just a
37 suggestion.

38

39 CHAIRMAN TOWARAK: Further discussion.

40

41 (No comments)

42

43 CHAIRMAN TOWARAK: If not, then we --
44 I'll open the floor for Board action.

45

46 MS. JACOBSON: Mr. Chairman. I move to
47 adopt 14-32 as recommended by the Western Interior
48 Council. And I will provided my justification as to
49 why I intend to vote against the motion if I get a
50 second.

1 MR. C. BROWER: Second.

2

3 CHAIRMAN TOWARAK: The motion seconded
4 by Charlie Brower.

5

6 Further discussion.

7

8 MS. JACOBSON: The proposed
9 modification to the Paradise Controlled Use Area in
10 Unit 21E would not adequately address concerns about
11 non-Federally-qualified subsistence user accessing
12 lakes within two miles of the present boundary.
13 Federal regulations would not apply on the remaining 43
14 percent of the expanded area that consists of non-
15 Federal land, which means that moose hunters would
16 still be permitted to land airplanes within the area
17 where the proponent is seeking to exclude them. While
18 the Federal Subsistence Board can create or modify
19 controlled use areas under Federal regulations, it does
20 not have the authority to restrict aircraft access on
21 State-managed land.

22

23 There are currently no conservation
24 concerns that would justify a Federal closure to the
25 affected area. The moose population has been stable
26 and limited composition data suggests it can sustain
27 current harvest levels. Reported harvest by Federally-
28 qualified subsistence users has remained relatively
29 stable, while non-local harvest has declined.

30

31 Therefore I intend to vote against the
32 motion as I believe the proposal is not supported by
33 substantial evidence.

34

35 CHAIRMAN TOWARAK: Any further
36 discussion. Go ahead, Tony.

37

38 MR. CHRISTIANSON: I'm trying hard to
39 find a way to support the Regional Advisory Council
40 again, going back to deference is supposed to be given
41 on the taking of wild game, and for that mandate alone,
42 I'm going to have to support this, period, because --
43 whether it causes a problem or not, and potentially
44 we're going to vote it down anyway.

45

46 (Laughter)

47

48 MR. CHRISTIANSON: That's my position.

49

50 CHAIRMAN TOWARAK: Go ahead, Kristin.

1 MS. K'EIT: Thank you, Mr. Chair.

2

3 Although I understand the concerns
4 being brought forward by the proponent, Mr. Walker, and
5 have heard the rationale from Western Interior RAC, I
6 will be opposing the proposal today. I don't see
7 evidence of a conservation concern that would justify
8 this in the affected area at this time. There's been a
9 stable moose population.

10

11 I hear the concern of non-local users
12 coming in and accessing the area by the river, but this
13 is a difficult situation were we only have -- you know,
14 we know, we have less than 60 percent Federal land, and
15 more than 40 State. And then we've got the aircraft,
16 you know, the flight areas, flight boundaries for the
17 aircraft.

18

19 And being that, you know, there's
20 State-management here, and they would be responsible
21 for law enforcement, or enforcement on the State-
22 managed ANCSA, corporation lands, knowing the lack of
23 resources of that type in this part of the State, I can
24 see it pretty difficult to enforce on that side of
25 things as well.

26

27 Thank you, Mr. Chair.

28

29 CHAIRMAN TOWARAK: Mr. Kessler.

30

31 MR. KESSLER: Thank you, Mr. Chairman.

32

33

34 I'm sort of bouncing back and forth a
35 little bit on this one, because of everything we've
36 heard. And what I'm bouncing back and forth was, in
37 particular, is that what I hear is to continue
38 subsistence uses, that this would be an important
39 proposal to adopt. So when we think about our closure
40 authority under .815(3), and this is not really a
41 closure, because we're not actually stopping anybody
42 from harvesting; we're just stopping people from using
43 a certain access method there. So it doesn't really
44 fit very well under .815(3), but at the same time, you
45 know, it's a way to help with subsistence uses. So I'm
46 really sort of bouncing back and forth in my own mind
47 how this works.

48

49 Thank you.

50

1 CHAIRMAN TOWARAK: Mr. Brower.

2

3 MR. C. BROWER: Mr. Chairman. Thank
4 you.

5

6 I also will support the Advisory
7 Council recommendation to support this proposal 14-32
8 for that reason.

9

10 Thank you.

11

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

14

15 MR. CHRISTIANSON: I was just kind of
16 wondering if there was some way, through the Chair,
17 that you look what -- I mean every permit has hunter
18 unit effort I guess you say; is that the term they use?
19 They've got a permit and I went out 10 days and I got
20 one moose. Is there some type of data there that shows
21 that conflict rising? Because I look at the table here
22 and it shows in 2010 that Federally-qualified users and
23 Alaska residents met in the middle. So, I mean, they
24 basically took the same amount of moose in 2010, but
25 considerably high was the other Alaska residents for
26 most of that time. Is there a hunter unit effort, and
27 is that qualified percent -- for the Federal user, is
28 that time starting to go up, you know, because that
29 would be, I guess, substantial data that we would need.

30

31 CHAIRMAN TOWARAK: Go ahead, Judy.

32

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

34

35 It might also be really useful, I don't
36 know how difficult it would be. I mean, it's one thing
37 to say well, it's 57 percent and 43 percent, but really
38 where are most of these landings taking place? And
39 then maybe there could be a little bit more focus to
40 how to manage this a little bit better.

41

42 And also, just looking at the map, it
43 sure looks like, aside from around a couple of the
44 communities, it is Federal land. So there may be some
45 benefit to extending it were we can.

46

47 CHAIRMAN TOWARAK: Go ahead.

48

49 MR. McKEE: Mr. Chair.

50

1 I'd just like to respond to Tony's
2 comment, that this is not a permit hunt, so we really
3 don't have access to the information that you were
4 asking about.

5
6 MR. CHRISTIANSON: So I guess really
7 all we have, through the Chair, all we have to go on is
8 that the people are saying it's getting harder and
9 harder and harder to shoot a moose in the corridor. I
10 mean, that's the statement we're hearing from the
11 Regional Advisory Council.

12
13 And again up or down with this
14 proposal, I think that opportunity still needs to be
15 looked at and some type of proposal put forth or a
16 recommendation to try to bring that opportunity back to
17 the user.

18
19 Thank you.

20
21 MR. REAKOFF: Mr. Chairman. May I
22 speak to the proposal again.

23
24 CHAIRMAN TOWARAK: go ahead, Jack.

25
26 MR. REAKOFF: I wanted to remind the
27 Board that the land, the other lands that are under
28 State-management control are actually closed. You've
29 got to remember that those lands are closed by the
30 corporation. Those are corp lands. And so the reality
31 is the only lands that are currently actually open are
32 the Federal lands for -- that we're talking about here.
33 And so the issue is that the Federal lands that are
34 currently open are actually, if the air taxis are
35 abiding by trespass law, are the only lands that are
36 actually opened currently to them to land and dump
37 hunters out. Because you have to remember that those
38 are corp lands, and they are closed. Doyon closes
39 their land.

40
41 Thank you, Mr. Chair.

42
43 CHAIRMAN TOWARAK: Go ahead.

44
45 MR. LORD: Jack, this is Ken. A quick
46 question. I assume that some of those lands, or a
47 number of those lands border the river, and in that
48 case, does that mean that the State also manages the
49 river off those lands, even if the corporation closes
50 the land itself. Because is that where planes would

1 land?

2

3

MR. REAKOFF: It's my understanding
4 that the river was within the controlled use area, but
5 I'm not exactly clear on that. But if the State indeed
6 is the river, the entirety of the river has a closure,
7 then the State has also closed the river to -- you
8 know, included it into the controlled use area. But
9 I'm not -- wasn't exactly clear, because we didn't have
10 anybody at our meeting that could -- that I can find
11 that would respond to that question.

12

13 Thank you, Mr. Chair. And I appreciate
14 the Board wrestling with this proposal. I appreciate
15 the quandary that this puts you in.

16

17 CHAIRMAN TOWARAK: Go ahead, Steve.

18

19 MR. KESSLER: Thank you, Mr. Chairman.

20

21 It shows in our book exactly what the
22 boundaries of the Paradise Controlled Use Area is, so
23 if you look on Page 312 and 313, it indicates that it
24 is on the east bank of the Innoko River, at least the
25 way I read this, near the bottom of page 312. So the
26 river would be a part of that controlled use area right
27 now.

28

29 MS. COOPER: Mr. Chair.

30

31 I'd just like to state for the record
32 that the Park Service will be in support of the RAC on
33 this one. It seems like this type of land ownership
34 pattern and the complicated nature of it, that you
35 really have to have a knowledge of the land on the
36 ground rather than looking at a map. It's just very
37 confusing at this stage, unless you went out and
38 visited it.

39

40 And for that reason, I'll be deferring
41 to the RAC.

42

43 Thank you, Mr. Chair.

44

45 CHAIRMAN TOWARAK: Further comment.

46

47 (No comments)

48

49 CHAIRMAN TOWARAK: I, too, will have to
50 defer to the RAC at least for the portions of the lands

1 that we have control over. I don't think it could go
2 beyond that. But I will defer to the RAC with my vote.

3

4 Any further discussion.

5

6 (No comments)

7

8 MR. CHRISTIANSON: Question.

9

10 CHAIRMAN TOWARAK: The question's been
11 called for. I think there's enough reason for us to
12 have a roll call vote. Roll call vote, please.

13

14 DR. JENKINS: Mr. Chair. Yes. This is
15 for Wildlife Proposal 14-32.

16

17 Ms. K'eit.

18

19 MS. K'EIT: Oppose.

20

21 DR. JENKINS: Mr. Cribley.

22

23 MR. CRIBLEY: Opposed.

24

25 DR. JENKINS: Mr. Towarak.

26

27 CHAIRMAN TOWARAK: I'll support it.

28

29 DR. JENKINS: Mr. Brower.

30

31 MR. C. BROWER: Support.

32

33 DR. JENKINS: Mr. Christianson.

34

35 MR. CHRISTIANSON: Support.

36

37 DR. JENKINS: Mr. Kessler.

38

39 MR. KESSLER: Support.

40

41 DR. JENKINS: Ms. Cooper.

42

43 MS. COOPER: Support.

44

45 MS. JACOBSON: Due to the testimony
46 that I've heard and good discussion by the Board, I'm
47 going to change mine to support.

48

49 DR. JENKINS: Mr. Chair. We have two
50 no's and six in support of this proposal.

1 CHAIRMAN TOWARAK: The motion passes.
2 Thank you.
3
4 We will continue then with -- is it 49?
5
6 DR. JENKINS: Yes.
7
8 CHAIRMAN TOWARAK: 14-49. On Page 323,
9 322?
10
11 MR. McKEE: Yeah, 322. Proposal WP14-
12 49 was submitted by Gillam Joe and requests
13 modification of the fall season dates for the Unit 12
14 caribou hunt that takes place east of the Nabesna River
15 and Nabesna Glacier and south of the winter trail, and
16 also request the establishment of a winter hunt and a
17 meat-on-the-bone requirement.
18
19 The proposal requests that the fall
20 season be changed from September 1 to 30th to August
21 10th to September 20th, and a February 1 to March 31st
22 winter season be established.
23
24 The proponent states that the fall
25 season dates should be adjusted to provide Federally-
26 qualified users an opportunity to harvest caribou
27 before the run. As the rut approaches in late
28 September, meat quality declines significantly.
29
30 Additionally the proponent states that
31 establishing a winter hunt would give subsistence
32 hunters more opportunity and easier access to hunt the
33 Chisana Caribou Herd since the affected area is remote
34 and difficult to access without the aid of a
35 snowmachine.
36
37 Further the proponent states that a
38 meat-on-bone-requirement will ensure that all edible
39 meat is removed from the field.
40
41 A five-year management plan for the
42 Chisana Caribou Herd has been developed through a
43 cooperative effort between the Government of the Yukon,
44 ADF&G, White River First Nation, Kluane First Nation,
45 the Park Service, and the U.S. Fish and Wildlife
46 Service. The plan was finalized in October of 2012,
47 and provides a framework for monitoring the caribou
48 population and criteria for implementing a hunt through
49 2015.
50

1 In addition to a stable and increasing
2 population trend, the plan also requires the observe
3 bull/cow ratio to be no less than 35 bulls per 100
4 cows, and with a three-year calf/cow ratio above 15
5 calves per 100 cows. If the population falls below
6 these guidelines, no harvest will be allowed. If
7 population goals indicate a harvest is sustainable, the
8 plan calls for an annual bulls-only harvest not
9 exceeding two percent of the estimated population with
10 the harvest being equally distributed among the Yukon
11 and Alaska.

12
13 The Chisana Caribou Herd increased
14 through the 1980s and reached a peak of 1900 caribou in
15 1988. Beginning in 1990, the herd experienced a
16 decline in population size. Concerns over the decline
17 led to implementation of an intensive captive rearing
18 program in Canada, which was conducted between 2003 to
19 2006 by the U.S. Geological Service and the Canadian
20 Wildlife Service.

21
22 Past declines were attributed to poor
23 calf recruitment and high adult mortality associated
24 with adverse weather conditions, poor habitat, and
25 predation.

26
27 Results from the 2010 census show the
28 Chisana Caribou Herd population was stable with an
29 estimated herd size of 682 animals. The three-year
30 average bull/cow ratio of 43 per 100 is above the
31 minimum 35 per 100 ratio stated in the management plan.
32 The number of calves in the herd increased in 2010, but
33 decreased again in 2011 and 2013; however, the three-
34 year average calf/cow ratio of 18 per 100 is above the
35 minimums set in the management plan.

36
37 A population estimate for 2013 is not
38 yet complete, so the use of four-year-old data to make
39 management decisions must be done with caution.
40 However, I understand the estimates should be available
41 before the start of the hunt in the fall.

42
43 Between 1990 to '94, the -- 43 percent
44 of hunters participating in hunting this herd were non-
45 residents, and they took 58 percent of the harvest.
46 Local subsistence users accounted for nine percent of
47 the harvest during that time period.

48
49 At its January 2012 meeting, the
50 Federal Subsistence Board authorized a limited harvest

1 of this herd consistent with the management plan. The
2 Board delegated authority to the Wrangell-St. Elias
3 National Park and Preserve superintendent to open the
4 season, announce the harvest quota, the number of
5 permits to be issued, and the reporting period, and to
6 close the season.

7
8 Based on the estimated population size
9 and the guidance in the management plan, the harvest
10 quota for 2012 was set at seven animals. Nine permits
11 were issued, and two were harvested in -- two animals
12 were harvested in 2012. In 2013 nine permits were
13 issued and three animals were harvested.

14
15 The latest data on the Chisana Caribou
16 Herd indicate that the population is stable. In
17 addition, bull/cow and cow/calf ratios are above the
18 minimum thresholds established in the management plan
19 for the herd. However, the most recent population
20 estimate is four years old and management decisions
21 should be conservative in nature.

22
23 Moving the fall season dates to earlier
24 in the season would satisfy the proponent's concerns
25 about quality of meat so close to the rut.

26
27 A winter hunt would provide easier
28 access to hunters, and thus increase hunter success;
29 however, establishment of a winter season is not
30 advisable at this time due to the lack of more recent
31 population estimates, and the potential for additional
32 stress to the herd during a time when they are under
33 nutritional constraints.

34
35 So the OSM conclusion is to support
36 WP14-49 with modification to change the fall season
37 dates to the dates requested in the proposal, but not
38 establish a winter season. The modified regulation can
39 be found at the end of the analysis on Page 329.

40
41 There is the issue of the meat-on-bone
42 requirement that we did not remove, since that was part
43 of the intent of the original proponent. We understand
44 that the Eastern Interior RAC met on this and they
45 decided to remove this meat-on-bone requirement, so we
46 don't really have a problem with that from a
47 conservation standpoint.

48
49 So that's all I'm going to say on this
50 analysis.

1 CHAIRMAN TOWARAK: Any questions of the
2 Staff.

3
4 (No comments)

5
6 CHAIRMAN TOWARAK: Thank you. Do we
7 have a summary of public comments from the regional
8 coordinator.

9
10 MS. PATTON: Mr. Chair and members of
11 the Board. Eva Patton, Council coordinator for the
12 Eastern Interior Regional Advisory Council.

13
14 We have several written comments from
15 the public, one in support, one opposing this proposal,
16 and one neutral to the proposal, but providing comment.
17 We have statements from Wrangell-St. Elias Subsistence
18 Resource Commission, and additional public comment
19 that's in your supplemental materials from a resident
20 of the hunt area.

21
22 On Page 323 you will find written
23 public comments, one is from AHTNA, Incorporated
24 Customary and Traditional Use Committee. AHTNA,
25 Incorporated writes in support of Proposal 14-59 [sic].
26 We support proposal 14-59 [sic] to modify the season
27 dates for Unit 12 caribou hunt that takes place east of
28 Nabesna Road and Glacier and south of the Winter Trail,
29 with a fall season from August 10th to September 20th
30 and adding a winter season from February 1st to March
31 31st. Changing the Unit 12 caribou season dates in
32 this area will provide for subsistence needs.
33 Federally-qualified subsistence users will be able to
34 access hunting areas to harvest a caribou during the
35 winter months. Snowmachines could be used to hunt with
36 during winter months to harvest Unit 12 caribou in this
37 remote and inaccessible area. Again that is a proposal
38 from AHTNA, Incorporated in support.

39
40 We have a proposal submitted by Jessie
41 Braga of Ptarmigan Lake, which is also within the hunt
42 area. Jessie Braga states she's neutral on Proposal
43 14-49, but requests that if the proposal submitted by
44 Gillam Joe recommending an additional winter hunt
45 period is adopted, that the language similar to WP14-45
46 be added which includes all qualified residents of the
47 hunt area in any future hunts.

48
49 We have one proposal in opposition to
50 WP14-49, and this is from Jim Hannah of Chitina. Jim

1 Hannah states there should not be a Chisana Caribou
2 Herd harvest for the following reasons. There's
3 limited biological data, and the current caribou hunt
4 in Unit 12 should not take place. The recent lack of
5 -- the lack of recent bull/cow or cow/calf ratios does
6 not support a harvest, let alone a proposed winter
7 hunt.

8
9 The past history of poor calf
10 populations, adverse winter weather conditions, limited
11 winter habitat and calf predation do not support this
12 hunt with limited biological data.

13
14 He states, the continued harvest of
15 Chisana caribou would reduce the current small
16 population. And he notes there has not been any
17 caribou hunting since 1994 due to the declining
18 population, and that Canada First Nations have stopped
19 harvest.

20
21 Harvest information indicates that most
22 of the past harvest was taken by non-residents.

23
24 And he further notes the proposed
25 winter hunt is questionable with only three-year-old
26 data, and that a winter hunt may potentially displace
27 the caribou from their winter habitat.

28
29 If proposed hunt takes place, AHTNA
30 Native members should be given priority for customary
31 and traditional use of caribou, similar to the First
32 Nations people in Yukon territory.

33
34 And that's Jim Hannah, Chitina.

35
36 We have another comment in your
37 supplementary materials from Adam Smitholum (ph) who
38 lives in Chisana. He writes that he disagrees with the
39 proposal to change the season dates to August 20th to
40 September 20th -- pardon me, August 10th to September
41 20th for two reasons.

42
43 First, it would be more difficult for
44 subsistence users to keep meat, seeing that they don't
45 have a freezer, and, as well, in August it would not
46 keep in the meat shed for a very long time.

47
48 He cans his meat to preserve it, and
49 eat as much as he can while it hangs fresh. If
50 anything, a later season would allow them to keep meat

1 in the shed without having to can it.

2

3 Second, changing the dates to align
4 with the sheep season, even if that was not the intent,
5 would encourage more trophy hunters, not subsistence
6 hunters to hunt the herd. He says, as he has said in
7 other comments, if you have a charter plane and rent
8 horses, you are a trophy hunter, and not a subsistence
9 user.

10

11 He further notes he disagrees with the
12 proposed idea to this season or create a second one
13 from February 1st to March 31st, noting that there are
14 so few animals to be allowed to be taken, he doesn't
15 see how the permits could be split up. Which season
16 would come first if the fall quota was met, and which
17 season would be canceled.

18

19 So he questions how a winter hunt would
20 be able to be arranged.

21

22 And that is from Adam Smitholum writing
23 to oppose 14-49.

24

25 And we have submitted written comments
26 from the Wrangell-St. Elias Subsistence Resource
27 Commission. And the Wrangell-St. Elias National Park
28 Subsistence Resource Commission unanimously supports
29 the proposal with the following modifications:

30

31 (A) The fall season would be opened on
32 August 10th and close on September 30th;

33

34 (B) The winter season would not be
35 adopted; and

36

37 (C) The meat-on-the-bone requirement
38 would not be adopted.

39

40 Expanding the fall season would provide
41 additional subsistence opportunity, and hunter who
42 prefer to hunt during August, well before the rut,
43 would be able to do so. Hunters for whom meat storage
44 is easier later in the season when the weather is
45 cooler, could hunt in late September.

46

47 Establishing a winter season is not
48 supported at this time due to the small harvest quota
49 and lack of good data about where the animals are
50 during the winter.

1 Regarding the meat-on-the-bone
2 requirement, there's no evidence of a meat spoilage
3 problem, and SRCs members agree that individual hunters
4 should be able to decide whether or not to keep meat on
5 the bone. Hunters who make use of the bones or
6 otherwise prefer to keep the meat on the bone would
7 have the option to do so, but hunters who harvest meat
8 in locations that require long distance packing would
9 have the option of leaving some bones behind.

10

11 They thank the Board for the
12 opportunity to comment, and again this is Wrangell-St.
13 Elias Subsistence Resource Commission.

14

15 Thank you. That is all.

16

17 CHAIRMAN TOWARAK: Thank you.

18

19 Are there any questions on the public
20 testimony. Comments

21

22 (No comments)

23

24 CHAIRMAN TOWARAK: Not hearing any,
25 then we open the floor for public testimony.

26

27 DR. JENKINS: Mr. Chair. Gloria
28 Stickwan indicated she would like to address the Board
29 on this proposal. I don't see her here however.

30

31 MS. MORRIS LYON: Excuse me, Mr. Chair.
32 She did have to leave yesterday afternoon/evening.

33

34 CHAIRMAN TOWARAK: Okay.

35

36 DR. JENKINS: Is she on line? I don't
37 know.

38

39 CHAIRMAN TOWARAK: Is there anyone on
40 line that would like to testify on 14-49. Hit star-one
41 if you want to testify.

42

43 (No comments)

44

45 CHAIRMAN TOWARAK: Not hearing any,
46 then we will continue on with the Regional Council
47 recommendation. We have the Eastern Interior Regional
48 Council. Jack are you still on? Oh, Andrew. I'm
49 sorry.

50

1 MS. ENTSMINGER: No, this is Sue.
2 Andrew took on that last proposal and I'm taking on
3 this one.

4
5 CHAIRMAN TOWARAK: Okay. Go ahead,
6 Sue.

7
8 MS. ENTSMINGER: All right. Thank you.
9

10
11 The Eastern Interior Regional Advisory
12 Council voted to support the proposal with the
13 following modifications, which are also recommended by
14 the Wrangell-St. Elias Subsistence Resource Commission.

15
16 And I wanted to tell the Board that I
17 serve on that Subsistence Resource Commission as a RAC
18 appointment. And I will let you know that we met prior
19 to the Eastern Interior, that being the Subsistence
20 Resource Commission, and met with the proponent of the
21 proposal and spent a lot of time with him and agreed --
22 and he agreed with our following recommendations.

23
24 And one is, the fall season would open
25 August 10th and close September 30. The winter season
26 would not be allowed. And the meat-on-the-bone
27 requirement would not be adopted.

28
29 And I would say the Chisana Caribou
30 have been one of the most talked about subjects since
31 it's been open that I've been involved in both with the
32 Eastern Interior RAC, with the SRC, and with the local
33 advisory committee.

34
35 The Council supported extended fall
36 hunting season opportunity since the total harvest is
37 controlled by limiting of the permits. But the hunt
38 area is very difficult to access, and the extended
39 season would support local hunters taking a caribou in
40 cooler weather, but it's still before the rut.

41
42 The Council also expressed concern that
43 a winter hunt would cause additional stress to the
44 caribou during an already difficult time of the year,
45 and concurred with the Park Service that loss of
46 antlers in the winter makes it even more difficult to
47 determine male and female.

48
49 The Council also expressed concern over
50 the small population size of this herd, and the ongoing

1 conservation efforts in both U.S. and Canada.

2

3 There is an ongoing caribou management
4 plan for the Chisana Herd that has been going on for a
5 long time, and these numbers that have come up with are
6 recognized within that management plan.

7

8 The Council also feels that individuals
9 should be able to decide whether to keep meat on the
10 bone, and should not have to be required to do so.
11 There's not been any meat spoilage, and any record of
12 it. And the animals are large, and the remote location
13 would be difficult, because this requires a lot of
14 packing for the person who is successful.

15

16 So that would be the end of it. Thank
17 you.

18

19 CHAIRMAN TOWARAK: Thank you.

20

21 The Southcentral region.

22

23 MS. CAMINER: Thank you, Mr. Chair, and
24 our coordinator reminded me that Gloria did read into
25 the record before she left yesterday her comments from
26 AHTNA Subsistence, and those will be consistent with
27 what the SRC and both of our RACs recommended.

28

29 Just a brief note on subsistence
30 resource commissions, any parks or monuments open to
31 subsistence have an advisory board like this Board,
32 like the RACs. Subsistence resource commissions, as
33 Sue mentioned, the RACs appoint a person, and so we've
34 appointed Gloria and Southeast has appointed Bert to
35 the Wrangell-St. Elias Subsistence Resource Commission.

36

37 So the Southcentral Regional Advisory
38 Council, and we do pay attention to what the
39 commissions say, supported with modification based on
40 the Subsistence Resource Commission modifications, to
41 make the fall season August 10th to 30th. There would
42 be no winter season, because we felt that was a
43 conservation concern. And there would be no meat-on-
44 the-bone requirement.

45

46 The proposed regulation certainly would
47 be beneficial to subsistence users. Conservation of
48 the herd is not a concern for adding those few days in
49 the fall. As I mentioned, we did not support a winter
50 portion, and that by not supporting that winter

1 portion, that takes away any conservation concern there
2 might have been.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Any questions of the
7 Chairs. Go ahead.

8

9 MR. KESSLER: Well, just a question for
10 the Chairs. I think as far as I can tell, that Eastern
11 Interior and Southcentral recommendations are the same.
12 Is that what everybody else has figured out.

13

14 MS. CAMINER: Mr. Chair.

15

16 MS. ENTSMINGER: That's correct.

17

18 MS. CAMINER: Yes. Thank you, Sue.
19 You're correct, Steve. And as was mentioned, it does
20 differ from the OSM recommendation which was in the
21 book, which was I think before all of our Councils got
22 together, so we'd just have you look carefully at that
23 meat-on-the-bone requirement, please.

24

25 MR. KESSLER: Thank you.

26

27 CHAIRMAN TOWARAK: And the Staff did
28 report that they didn't see any conservation issues
29 with the meat-on-the-bone question.

30

31 Any further discussion from -- with the
32 Chairs.

33

34 (No comments)

35

36 CHAIRMAN TOWARAK: If not, we'll get
37 the Department of Fish and Game comments.

38

39 MR. CRAWFORD: Yes, Mr. Chair. Drew
40 Crawford, Alaska Department of Fish and Game.

41

42 The State's recommendation for Wildlife
43 Proposal 14-49 is we support with a modification to
44 change the fall season dates as requested, but do not
45 adopt the winter season. We are neutral on the meat-
46 on-the-bone requirements, but feel it is not necessary
47 for sustained yield management.

48

49 I can also support Sue Entsminger's
50 statement that there have been no reported instances of

1 meat spoilage in the field.

2

3 CHAIRMAN TOWARAK: Thank you. Are
4 there any questions of the State.

5

6 MR. KESSLER: Just sort of the same
7 question. I think that the State concurs then with the
8 two Councils, that's my understanding I know that it
9 is neutral on the meat on bone, but it seems like you
10 concur with their recommendation.

11

12 MR. CRAWFORD: Correct.

13

14 MR. KESSLER: It sounds like consensus
15 to me.

16

17 CHAIRMAN TOWARAK: No more discussions.

18

19 (No comments)

20

21 CHAIRMAN TOWARAK: Okay. We will go on
22 then to the InterAgency Staff Committee comments.

23

24 MR. ARDIZZONE: Mr. Chair, the standard
25 comments apply.

26

27 CHAIRMAN TOWARAK: Standard comments.
28 No tribal consultation comments.

29

30 (No comments)

31

32 CHAIRMAN TOWARAK: Is there any further
33 discussion between the Chairs, the State liaison and
34 the Board.

35

36 (No comments)

37

38 CHAIRMAN TOWARAK: If not, then the
39 floor is open for Board action.

40

41 MS. COOPER: Mr. Chair. I would like
42 to make a motion.

43

44 CHAIRMAN TOWARAK: Go ahead, the floor
45 is yours.

46

47 MS. COOPER: I move that we adopt
48 WP14-49 as modified by the Eastern Interior RAC, the
49 Southcentral RAC, and the Wrangell-St. Elias
50 Subsistence Resource Commission. After a second, I

1 will speak to my motion. Mr. Chair.

2

3 MR. BROWER: Second.

4

5 MS. JACOBSON: Second.

6

7 MS. COOPER: Both relevant RACs as well
8 as the Wrangell-St. Elias SRC supported the same
9 modification to the proposal. The Eastern Interior RAC
10 recommendation is found on Page 331, and would result
11 in the following three things:

12

13 The fall season would open on August
14 10th and close on September 30.

15

16 Secondly, the winter season would not
17 be adopted.

18

19 And, third, the meat-on-the-bone
20 requirement would not be adopted.

21

22 The extended fall season would provide
23 additional opportunity for local hunters to harvest a
24 caribou. Maintaining the September 30th closing date,
25 assuming the quota has not yet been harvested, responds
26 to concerns about being able to hunt later in September
27 when the weather is cooler and meat storage is easier
28 for those who live off the grid.

29

30 This is a new hunt on a small herd.
31 While the herd size appears stable, it is close to the
32 minimum population parameters for holding a hunt, and
33 we do not believe a winter hunt is advisable.

34

35 We're not aware of any issues regarding
36 meat spoilage and do not see a need to impose a meat-
37 on-the-bone requirement at this time.

38

39 Thank you, Mr. Chair.

40

41 CHAIRMAN TOWARAK: Further discussion.

42

43 (No comments)

44

45 MR. KESSLER: Question.

46

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

49

50 IN UNISON: Aye.

1 CHAIRMAN TOWARAK: Any opposed say nay.

2

3 (No opposing votes)

4

5 CHAIRMAN TOWARAK: The motion passes

6 unanimously.

7

8 I think this concludes the

9 non-consensus agenda proposals. And.....

10

11 MR. CHRISTIANSON: Mr. Chair. Is this

12 the time where we would just make a motion to approve

13 the consensus agenda items as presented by the Staff.

14

15 CHAIRMAN TOWARAK: It would be

16 appropriate.

17

18 MR. CHRISTIANSON: Okay. I guess I was

19 jumping quick, and the Staff brought me a thing to make

20 sure that we add to the consensus agenda for the record

21 08, 36, 41, 27, and add the changed recommendation for

22 14-44 to support, the word was object on the bottom of

23 that proposal.

24

25 MR. C. BROWER: 8, 36, and what, 48?

26

27 MR. CHRISTIANSON: 08, 36, 41 and 27,

28 just -- yeah. And that's to mirror my original

29 proposal at the start of the meeting to make sure we

30 move those from one agenda to the next.

31

32 CHAIRMAN TOWARAK: Is that your motion?

33

34 MR. CHRISTIANSON: That's my motion.

35

36 MR. C. BROWER: Second.

37

38 CHAIRMAN TOWARAK: You heard the motion

39 and the second. Any discussion on the motion. Steve.

40

41 MR. KESSLER: I guess I would just like

42 to thank everybody for working on these and seeking

43 consensus on so many of these proposals, you know,

44 working among the RACs, the Staff, the Alaska

45 Department of Fish and Game. I think it's a great

46 thing.

47

48 Thank you.

49

50 CHAIRMAN TOWARAK: We also need to

1 point out that Proposals 24 and 25 were removed from
2 the -- was it the non-consensus?
3
4 DR. JENKINS: No, the consensus pending
5 the outcome of the.....
6
7 CHAIRMAN TOWARAK: The consensus,
8 pending the outcome of I think it was 21. For the
9 record.
10
11 DR. JENKINS: From the outcome of 23.
12
13 CHAIRMAN TOWARAK: From the outcome of
14 Proposal 23. Correction.
15
16 We have two.....
17
18 MR. C. BROWER: Question. Oh, sorry.
19
20 CHAIRMAN TOWARAK: I'm sorry.
21
22 MR. C. BROWER: (Indiscernible - mic
23 not on) I'm sorry.
24
25 CHAIRMAN TOWARAK: Was the question
26 called for?
27
28 MR. CHRISTIANSON: Oh, I was just
29 talking to him, to get it -- and then he started
30 talking. I'm sorry, Mr. Chairman.
31
32 CHAIRMAN TOWARAK: Okay. The
33 question's been called for. All those in favor of the
34 motion say aye.
35
36 IN UNISON: Aye.
37
38 CHAIRMAN TOWARAK: Any opposed same
39 sign.
40
41 (No opposing votes)
42
43 CHAIRMAN TOWARAK: Motion passes.
44
45 Is it okay if we just continue and
46 conclude the meeting; work right through lunch, or
47 would people like to take a break for lunch and come
48 back? I'd prefer to just go through it and get it done
49 and go home.
50

1 (Council nods affirmatively)

2

3 CHAIRMAN TOWARAK: Okay. We will
4 continue then as quickly as possible.

5

6 We've got two special action proposals.
7 Can we have the Staff report, please.

8

9 Thank you.

10

11 MR. PAPPAS: Thank you, Mr. Chair.
12 George Pappas, and also from the Office of Subsistence
13 Management, Kay Larson-Blair, one of our razor sharp
14 fisheries biologists.

15

16 You said quickly as possible. I can
17 accommodate that.

18

19 So Federal Special Action No. 14-01.
20 Dave Cannon on behalf of the -- it's also in your
21 supplementary book under the tab FSA14-01, near the
22 back.

23

24 Dave Cannon on behalf of the Kuskokwim
25 Salmon River Salmon Management Group submitted this
26 special action, petitioning the Board to add dipnets as
27 legal gear to harvest salmon in the Kuskokwim River
28 with an effective date of the 24th of May. Also part
29 of the request is the inclusion to require all king
30 salmon caught with a dipnet must be released alive to
31 the water.

32

33 The Working Group is requesting the use
34 of dip net to be allowed to target other salmon during
35 times when the Work Group described as this critical
36 period when king salmon numbers are at all time lows.
37 The tail end of the Chinook salmon run overlaps with
38 the first part of the chum and sockeye salmon runs to
39 the Kuskokwim River, and authorizing dipnets will help
40 facilitate Chinook salmon conservation.

41

42 Historically people living along the
43 Kuskokwim River drainage harvested fish using methods
44 including gillnets, fish spears, fish traps,
45 fishwheels, and dipnets. Currently people use dipnets
46 to harvest fish at particular times and places where
47 dipnets provided to be an advantage over other methods.
48 And as you heard from the RAC member Trapper John
49 yesterday, people commonly report using dipnets to take
50 smelt during the springtime runs. And additionally

1 dipnets have been documented for harvest of whitefish
2 from behind fence-like weirs.

3

4 In 2009 some of the elders from the
5 Lower Kuskokwim River recalled that in their youth
6 salmon were harvested primarily using dipnets and set
7 nets. The elders explained that the traditional --
8 they traditionally used dipnets, because the Kuskokwim
9 River was much smaller -- or narrow at that time near
10 their fish camps and were much more abundant, and they
11 could take them in near-shore waters.

12

13 I'll skip the biological background
14 that Don presented yesterday. Bottom line everybody
15 here understands that the Kuskokwim Chinook salmon
16 returns are low right now and conservation is
17 necessary.

18

19 Additionally, the Alaska Board of
20 Fisheries met in March 2014 and approved the use of
21 dipnets to harvest salmon in the Kuskokwim River
22 drainage for 120 days in 2014. The Board of Fish also
23 authorized the Commissioner of Fish and Game to allow
24 dipnets in the future during times of conservation
25 concern. So right now it is a legal gear type in State
26 regulation.

27

28 The Office of Subsistence Management's
29 conclusion is to support this Special Action FSA14-01
30 with modification, to specify that all Chinook salmon
31 caught in a dipnet be released immediately. And then
32 it also contains the regulatory language.

33

34 And justification for this position, it
35 is projected that the 2014 Kuskokwim River Chinook
36 salmon run will not provide a significant, if any,
37 harvestable surplus, and a directed Chinook salmon
38 subsistence fishery will likely be not to take place
39 this summer. And allowing the use of dipnets for
40 Federally-qualified users will provide some additional
41 harvest opportunity for sockeye and chum during times
42 when Chinook, sockeye, and chum are in the river at the
43 same time, and requiring the release of incidentally-
44 caught Chinook salmon from dipnets will also help.

45

46 Also, dipnets have been utilized
47 historically to harvest salmon in the Kuskokwim River
48 drainage, and are currently legal type to harvest non-
49 salmon species of fish in Federal regulations.

50

1 Additionally, two proposals have been
2 submitted to the Federal Subsistence Board to authorize
3 the use of dipnets, and that's going to be entering
4 this regulatory cycle, and you'll be hearing this and
5 deliberate on it next year.

6
7 And that's what I have for you. Thank
8 you, Mr. Chair.

9
10 CHAIRMAN TOWARAK: Thank you.

11
12 And is there a summary of public
13 comments from the regional coordinator.

14
15 MR. MIKE: Mr. Chair.

16
17 CHAIRMAN TOWARAK: Well, let's open the
18 floor first for questions from the Board.

19
20 MR. KESSLER: George, I guess I have a
21 question. I'm looking at the language on Page 7, which
22 is the OSM preliminary conclusion, and it says, you can
23 take fish by all these different methods, and then it
24 says, you may also take salmon by dipnet in the
25 Kuskokwim River drainage with the provision that all
26 Chinook salmon caught with a dipnet must be released
27 immediately to the river.

28
29 And so this doesn't stop anybody from
30 using those other methods, right? So how does this --
31 is it that we give the in-season manager the authority
32 to cut out all those other methods and just keep the
33 dipnet, or how does that work? Because those other
34 methods aren't cut out.

35
36 MR. PAPPAS: Correct. As I understand
37 it, this would add a tool to the toolbox for the in-
38 season delegated manager who has the authority, a
39 delegated authority to regulate methods and means, and
40 if, as we discussed yesterday as part of the fisheries
41 scenario for the upcoming season in FSA14-03, if it's
42 determined that conservation is necessary and we
43 potentially could allow -- the managers identified
44 could allow additional harvest of other species, you
45 could restrict the fishery to this methods and means.
46 So just because the tools are all -- all these tools
47 are in the toolbox doesn't mean all of them will be
48 used at once.

49
50 Thank you, Mr. Chair.

1 CHAIRMAN TOWARAK: Nanci.

2

3 MS. MORRIS LYON: If I may, just for
4 Mr. Kessler's benefit, currently it is my understanding
5 dipnets are not allowed to be used in this fishery.
6 And it was identified yesterday as potentially another
7 tool that could be used. So basically what they're
8 doing is putting that -- making that tool available to
9 users.

10

11 MR. KESSLER: Well, thank you. I
12 understand that; I was just trying to figure out how
13 this operates, and my understanding now is that the in-
14 season manager would have the authority to not allow
15 those other uses, other methods, and could have just
16 only the dipnet method if the in-season manager thought
17 that that was appropriate. But that if it goes to only
18 dipnet, then it can only be used -- then the Chinook
19 would have to be returned immediately. So it's sort of
20 a method that's got a caveat to it.

21

22 MR. PAPPAS: Through the Chair.

23

24 Mr. Kessler, that is correct. The idea
25 is to have a non-selective gear type -- or, excuse me,
26 a selective gear type available in comparison to a
27 gillnet which may be non-selective. To have that
28 option.

29

30 Thank you, Mr. Chair.

31

32 CHAIRMAN TOWARAK: Are there further
33 questions.

34

35 (No comments)

36

37 CHAIRMAN TOWARAK: And for the record,
38 these special orders are considered emergency, so they
39 have not gone to the Regional Advisory Councils yet,
40 but the Board is allowed to take action on them.

41

42 MR. PAPPAS: Correction, Mr. Chair.
43 The Western Interior Regional Advisory Council
44 discussed this action at their February 25th and 26th
45 meeting in Aniak. The motion to support the request
46 did pass from the Western Interior RAC.

47

48 The Yukon-Kuskokwim Delta Subsistence
49 Regional Advisory Council discussed this FSA 014 during
50 their March 5th and 6th meeting held in Bethel, and no

1 motion was generated, so the Council did not -- was
2 neither in favor of it nor against the request.

3

4 CHAIRMAN TOWARAK: Go ahead, Steve.

5

6 MR. KESSLER: And I guess another
7 question for us, is this an emergency action or a
8 temporary special action. So is it for 60 days or is
9 it for the rest of the regulatory year.

10

11 MR. PAPPAS: Thank you for that
12 question. The proponent was contacted, the proponent
13 clarified looking for up to 60-day action, so it would
14 be an emergency special action beginning May 24th, and
15 it would go for two months -- or excuse me -- yeah, two
16 months, which would cover the entirety of the vast
17 majority of the Chinook return to the Kuskokwim River.

18

19 Thank you, Mr. Chair.

20

21 CHAIRMAN TOWARAK: Go ahead.

22

23 MR. RABINOWITCH: This is Sandy
24 Rabinowitch of the Park Service.

25

26 Just to make sure I understand the
27 recommended OSM preliminary conclusion when I compare
28 it to the proposed language on Page 3, and I look at
29 the conclusion on Page 7, would I be correct to think
30 that the OSM modification focuses on the word
31 immediately.

32

33 MR. PAPPAS: Correct. The proposed
34 language, must be released alive to the water, it's a
35 very minor detail, but released immediately to the
36 water, if you end up with a fish in your dipnet, it
37 gets roughed up and died, the regulation requires you
38 to release them immediately to the water -- excused me,
39 to the water alive. If you have a dead king in your
40 dipnet, somebody could interpret that as, well, it's
41 not alive, so I'm going to take it home. That's not
42 the intent. It's very minor.

43

44 We don't have State regulation crafted.
45 There was -- it should be published very soon. I don't
46 know exactly how they're going to put their language
47 in, but the conclusion was immediately. As soon as you
48 get them, the least damage as possible, least stress as
49 possible to prevent any type of spawn detractors or
50 injuries, because it will cause stress.

1 Thank you, Mr. Chair.

2

3 MR. KESSLER: I understand. Thank you.

4

5 DR. JENKINS: Mr. Chair, let me ask
6 George a couple of questions here.

7

8 In this special action, it has a date
9 of May 24, an effective start date, and I think
10 yesterday the Board delegated the authority for the
11 start of the -- to the in-season manager for any kind
12 of Chinook dates. So I'm wondering about that
13 provision in this special action.

14

15 And also yesterday the Board did talk
16 about 25 fish, Chinook, available possibly for 32
17 villages, but in this special action it says that all
18 Chinook caught must -- with a dipnet must be released
19 immediately back to the water. And I'm wondering how
20 that 25 fish provision for each village would be
21 affected under this special action.

22

23 MR. PAPPAS: Thank you, Mr. Chair.

24

25 We've had several meetings recently
26 with folks in Bethel, you know, with the public
27 hearings. We've had a lot of sidebars with folks here.
28 That was brought up. What if you allow the use of
29 dipnets to potentially target those 25 Chinook salmon
30 for the 25 fish cultural practices special Federal
31 permit.

32

33 Very little discussion, but some of the
34 answers I received was, well, if this is a cultural,
35 you know, practices, since dipnets would be fairly new,
36 and a lot of folks probably do not have them, have not
37 used them before, you know, maybe the Board at a future
38 date might authorize those for such use, but at this
39 time, these are specifically for non-Chinook salmon.

40

41 CHAIRMAN TOWARAK: So my understanding
42 on this then is just for the Board to pass a motion to
43 approve this special order 1. Is that the right
44 process.

45

46 MR. LORD: Yes, Mr. Chair.

47

48 But also there's the other part of
49 David's question which is the start date of May 24th.
50 My guess would be that the Board would want to have

1 that run concurrently with yesterday's special action,
2 but that's something we should clarify on the record.

3

4

MR. CHRISTIANSON: Mr. Chair.

5

6

CHAIRMAN TOWARAK: Go ahead.

7

8

MR. CHRISTIANSON: I think really the
9 in-season manager pretty much has all the authority to
10 say yes or no to how something happens, whether, you
11 know, he's going to open it or close it. And those 25
12 fish may or may not be available, and how they catch
13 them, I don't know, is really of concern, whether they
14 set a net or use a dipnet or anything, I think that in-
15 season manager has the authority to say yes or no to
16 the harvest of the fish. I think -- which probably
17 won't occur, but I don't think it really matters. And
18 probably using a dipnet would be a way to make sure
19 that you don't catch more than 25, because you could
20 drift your net down there and catch 100, and they're
21 dead.

22

23

MR. PAPPAS: Mr. Chair.

24

25

CHAIRMAN TOWARAK: Go ahead.

26

27

MR. PAPPAS: I was brought to my
28 attention a recommendation to address exactly what you
29 pointing out there. If you put at the end of the
30 proposed modified language a comma, and write unless
31 authorized under federal permit. That would allow
32 using dipnets during the 25 fish, during the community
33 harvest. It would be more selective than the 50-fathom
34 gillnet, very good point. So if you wanted to meet
35 that idea, you would want to put a comma, unless
36 authorized under Federal permit. So that could be a
37 permit stipulation the in-season manager could put on
38 the community harvest permit, the traditional practices
39 permit. That would possibly -- an authorization, and
40 that would keep another tool in the toolbox. It
41 doesn't mean it has to have all the time, but it would
42 be available.

43

44

Thank you very much.

45

46

CHAIRMAN TOWARAK: Are there any
47 objection to adding the language.

48

49

(No comments)

50

1 CHAIRMAN TOWARAK: Not hearing any, we
2 will include that language.

3
4 Any further discussion. I guess there
5 isn't a motion that were -- it's all informational. I
6 am bone tired, guys.

7
8 (Laughter)

9
10 CHAIRMAN TOWARAK: I've been given the
11 impression that we don't need to follow the process.
12 That it's just a special action by the Board, and it
13 will just be for whatever time period the instate --
14 the manager feels it needs. Is that right.

15
16 DR. JENKINS: Well, I think it's wise
17 to ask the Department of Fish and Game under these
18 circumstances, and I think the special actions require
19 the Board to actually consult with the State, and if
20 possible with Regional Advisory Councils.

21
22 CHAIRMAN TOWARAK: Okay. We will ask
23 the Department of Fish and Game and then we will revert
24 to the Regional Councils, if they are available.

25
26 MR. CRAWFORD: Yes, Drew Crawford,
27 Department of Fish and Game. I've been advised that we
28 are okay with these fishery special actions and the
29 modifications that I've heard -- standby.

30
31 (Laughter)

32
33 MS. YUHAS: It's not an official
34 position. It's just a Staff note that I was leaving
35 the room and would be back that we're -- yeah. One of
36 them simply validates the Board of Fish's recent
37 action, the other one is unnecessary due to yesterday's
38 action.

39
40 CHAIRMAN TOWARAK: Okay. And I don't
41 think we have anyone from the -- this refers primarily
42 to the Kuskokwim so I don't think we have anyone
43 available from the Regional Advisory Council -- go
44 ahead.

45
46 DR. JENKINS: Mr. Chair. Perhaps I can
47 just give you the language for an emergency special
48 action. It says:

49
50 If the timing of a regularly

1 scheduled meeting of the
2 affected Regional Council so
3 permits, without incurring
4 undue delay, the Board may seek
5 Council recommendations on the
6 proposed emergency special
7 action.

8
9 Such a Council recommendation,
10 if any, will be subject to the
11 requirements.....

12
13 And then it cites 242.18(a)(4).

14
15 Thank you.

16
17 CHAIRMAN TOWARAK: Thank you. And we
18 were given word from the Staff that they did discuss
19 this and that they approve of the special action.

20
21 MR. PAPPAS: Thank you, Mr. Chair. The
22 Western Interior RAC approved it with the
23 justification, replacing of gillnets or non-selected
24 gear it would definitely help. And the Yukon Kuskokwim
25 Delta -- YKD RAC did not make a motion, they did not
26 take action on this so we cannot say if they're in
27 support or opposing it. Public testimony included it's
28 not a traditional means for some folks. Also keep in
29 mind that at the mouth of the river where it might be a
30 couple miles wide, 90 feet deep, a dipnet may not be
31 functional, while other folks said it might. So there
32 was -- didn't actually make a solid decision.

33
34 Thank you, Mr. Chair.

35
36 CHAIRMAN TOWARAK: Thank you. Any
37 further discussion or any other comments by anyone in
38 this room or on the phone.

39

40

41 (No comments)

42

43 CHAIRMAN TOWARAK: Not hearing any,
44 then the floor is open for Board action.

45

46 MR. CHRISTIANSON: I'll make a motion
47 to support the special action as presented by the Staff
48 with the modified language to leave that authority in
49 the in-season manager's -- at his discretion.

50

1 MR. C. BROWER: Second.
2
3 CHAIRMAN TOWARAK: You heard the motion
4 and the second. Any further discussion.
5
6
7 (No comments)
8
9 CHAIRMAN TOWARAK: Question's been
10 called for, all those in favor of the motion say aye.
11
12 IN UNISON: Aye.
13
14 CHAIRMAN TOWARAK: Those opposed, say
15 nay.
16
17 (No opposing votes)
18
19 CHAIRMAN TOWARAK: Motion passes
20 unanimously.
21
22 We have No. 2.
23
24 MR. PAPPAS: Thank you, Mr. Chair.
25 George Pappas again. This is a non-action item so this
26 will be easy. This is under FSA 02 tab -- 14-02 tab
27 there.
28
29 The Kuskokwim Management Workgroup
30 submitted a request to the Federal Subsistence Board to
31 add gear restrictions -- allow -- add a gear
32 restriction to allow 25 fathom length gillnets to
33 harvest salmon in the Kuskokwim River drainage only
34 when the need for chinook salmon conservation warrants
35 such restriction as determined by the in-season Federal
36 manager.
37
38 It was determined by our solicitor, the
39 current delegated authority to the in-season manager,
40 he or she does have the ability to use something less
41 than 50 fathoms.
42
43 The framework established by the Board
44 was up to a 50 fathom net but if it is deemed necessary
45 for conservation it can be shrunk down somewhere lower
46 than that. Additionally, the Alaska Board of Fisheries
47 did adopt this proposal allowing the in-season manager
48 to have a net of 25 fathoms. And the affect of this
49 would slow down the fishery, potentially reduce some
50 chinook salmon harvest and the harvest power of the

1 subsistence fleet.

2

3 So this is just a for your information
4 only, no action is necessary.

5

6 Thank you, Mr. Chair.

7

8 CHAIRMAN TOWARAK: Thank you. Are
9 there any comments anyone want to make on it.

10

11

12 (No comments)

13

14 CHAIRMAN TOWARAK: That concludes then
15 the special actions.

16

17 We have the Stikine River comments on
18 the agenda next. Who -- who is leading that -- oh, I'm
19 sorry, Robert Larson. Robert.

20

21 MR. LARSON: Good afternoon. My name
22 is Robert Larson, I work for the Forest Service. There
23 is a summary of current events regarding management of
24 the Stikine River, it starts on Page 667 of your Board
25 book.

26

27 As background, Stikine River is a
28 subsistence salmon fishery that was first implemented
29 under Federal rules in 2004, that was for sockeyes
30 only. There's the chinook and coho fishery that were
31 added in 2005. If the Board wishes to change
32 regulations there's a process and it's initiated by
33 action of the Board to make a proposed change. That
34 proposed change is -- the words are in -- in
35 cooperation with the Pacific Salmon Commission is what
36 they've normally -- is what we have done in the past.
37 So the Board's action is reviewed by the TransBoundary
38 Panel and subsequently any actions are adopted by the
39 Pacific Salmon Commission, and ultimately then the
40 Pacific Salmon Treaty is changed.

41

42 So the subsistence fishery is contained
43 in Annex 4 of the Pacific Salmon Treaty.

44

45 In 2013 the Board closed the
46 subsistence chinook salmon fishery prior to the start
47 of the fishery. In that case there was a forecast of
48 22,400 large chinook salmon. I would like to note that
49 regarding the TransBoundary rivers which is the Alsek
50 and the Taku and the Stikine, we only deal with large

1 chinook salmon, those are salmon that are greater than
2 30 inches in length. The in-season manager was given
3 authority to reopen that fishery and he opened that
4 fishery on June 15th when there was an in-season
5 forecast of 24,635 fish. Last Friday the Board closed
6 the season again in 2014 when the preseason forecast
7 was 26,000 large chinook salmon.

8

9 The subsistence fishery, according to
10 the Pacific Salmon Treaty is only allowed when there is
11 a preseason forecast of 28,100 large chinook salmon or
12 when the in-season estimate is 24,500 chinook salmon.

13

14 Let me just touch base on the sockeye
15 salmon, we'll talk about the deferred proposal in just
16 a minute.

17

18 The proposed forecast for this year is
19 152,000, which gives the US allowable catch of about
20 44,000 fish.

21

22 2013 there was 124 households, they
23 harvested two large chinook salmon during the chinook
24 salmon season 1,457 sockeyes and 174 cohos. In the
25 context of discussions of the Treaty we only talk about
26 those fish that are within the season of the directed
27 fishery. So there is more fish, of course, taken in
28 those -- as incidental fish. For instance, last year
29 there was 59 chinook salmon taken but during the
30 directed fishery there was only two.

31

32 If you look there's -- one of the
33 Treaty provisions is that we, meaning me, write an
34 annual fishing summary report and provide that to the
35 TransBoundary Panel. You can see last year's report on
36 Page 670 in your Board book. So that gives a
37 historical summary of catches and a little more detail
38 about conduct of the fishery.

39

40 At their March 2013 meeting, the
41 Southeast Alaska Subsistence Regional Advisory Council
42 sent a letter to the Board asking for assistance in
43 changing the chinook salmon subsistence fishery to a
44 fishery that's defined as something other than a
45 directed fishery. The issue there is, unless there's
46 an allowable catch there is no directed fishery. So
47 that doesn't mean that there's no fishing going on, the
48 mid-season -- or the mid point of the escapement plus
49 7,100 other fish is the requirement for starting at
50 zero. So you have to have the mid point of the

1 escapement and it changes preseason or in season to
2 account for the imprecision of that estimate, but the
3 7,100 is called the base level catch. And because we,
4 meaning the subsistence fishery, occurred after the
5 calculation of a base level catch, we're not included
6 in that. So we have to only conduct our fishery after
7 the base level catches and escapements that are above
8 the mid point of the escapement range.

9
10 There are two subsistence fishery
11 proposals that have been submitted that ask for changes
12 in the management of the Stikine River subsistence
13 fisheries. The Board will meet in Wrangell where most
14 of the permittees reside, meet October 21 and the
15 Council will deliberate those two proposals. And they
16 include changes in how to identify and account for
17 guideline harvests, whether there should be daily
18 fishing periods, whether or not nets should be closely
19 attended. There's a range of varieties that both the
20 Council will see this fall and the Board will see next
21 January.

22
23 The post season meeting of the
24 US/Canada Bilateral TransBoundary Panel of the Pacific
25 Salmon Commission occurred this year in Portland,
26 Oregon on January 14th to 16th. I represented the
27 Federal Subsistence Program at that meeting. This is
28 the annual meeting where the US and the Canadian
29 fisheries managers get together and discuss conduct of
30 the fisheries. So I would like to note that although
31 we have three TransBoundary rivers in Southeast Alaska,
32 and we're not speaking to the other TransBoundary
33 River, which is the Yukon River, so we're only speaking
34 to the Alsek and the Taku and the Stikine, there's a
35 very small fishery on the Alsek, there's no subsistence
36 fishery on the Taku, it's actually closed, and there is
37 an only -- subsistence only -- Federal subsistence
38 managed only fishery on the Stikine River. So there's
39 no State subsistence fishery there.

40
41 So the Canadian sections has an
42 interest in the conduct of fisheries that target
43 Canadian bound origin salmon and in this case their
44 interest in the US subsistence fishery consists
45 entirely upon accountability of the harvest that are --
46 those fish that are killed in conduct of this fishery.
47 The Canadians, and especially the Canadian Co-Chair,
48 Mr. Steve Gotch (ph) made a point of complimenting us
49 on our abilities to provide accurate and verifiable
50 data regarding the number of fish that are actually

1 retained in the fishery. Their interest is in fish
2 that may not be retained but are part of fishing
3 mortality and that's specifically fish that may be
4 harvested out of nets by seals or fish that may drop
5 out of nets after they die and they're not retained.

6
7 So we're not talking about allocations
8 between user groups, we are part of the US allocation,
9 but in this context it's confusing where we do not have
10 a directed fishery allocation that's different for
11 cohos and sockeyes the same way we do for king salmon,
12 king salmon we have this base level harvest that needs
13 to be accounted for and it becomes a little confusing.

14
15 In 2013 we met with the tribe prior to
16 closing the fishery. The tribe sent a letter to the
17 Board, actually it was after the fact that the Board
18 received it, it was some time after the fact, it was
19 unclear where this letter was for a month or so, but
20 they did end up getting a letter to the Board and they
21 recommended that the Board not close the subsistence
22 fishery. We attempted to meet with them prior to this
23 meeting and prior to closing the fishery this year and
24 it was not part of their schedule. We're scheduled to
25 meet with them on May 20th and we'll have a more in-
26 depth and detailed briefing for them and be soliciting
27 their opinions about management of subsistence
28 fisheries as a whole, but specifically about management
29 of the Stikine River.

30
31 So that brings us back to deferred
32 Proposal 13-19.

33
34 So during our last fisheries cycle the
35 Board wanted to provide us an opportunity to coordinate
36 with the Pacific Salmon Commission and look at the
37 effects of what this proposal would do and what would
38 be appropriate action. We have done that and it's our
39 recommendation that Proposal 13-19 be deferred again
40 until the regular fisheries cycle, this time next year,
41 and we feel there's several good reasons why this is a
42 good idea.

43
44 First is that there's more proposals
45 dealing with exactly the same subject that will be on
46 the Board's agenda for next year.

47
48 The other is, is that we've been told
49 by our Alaska Commissioner that it's very unlikely that
50 the Pacific Salmon Commission is going to take up this

1 kind of an issue, meaning the guideline harvest level
2 out of their cycle. So the idea is that -- what we've
3 told them is that without regard to what the guideline
4 harvest level is if we have a US allowable catch, then
5 the subsistence fishery will not be restricted and that
6 seems to be fine for where we are at this point in
7 time. So if there's no harm, there's no foul, let's
8 put this into the right schedule so they can be
9 addressed at the appropriate time and now the
10 appropriate time is -- this is a protracted process.
11 The US Section will be developing their positions in
12 2017. There will be negotiations directly with the
13 Canadian government in 2018 and then the Treaty will be
14 rewritten and implemented in 2019.

15
16 So, furthermore, engaging in the
17 US/Canada process is hugely important to this to make
18 sure that not only do we have the State managers
19 involved but we have the stakeholders which make up the
20 members of the Panels involved, but we also involve the
21 Canadian stakeholders and fisheries managers, so they
22 understand what's happening on our side of the border
23 because they have to agree.

24
25 And I think that is probably
26 what I have to -- I can answer questions and we can get
27 into as much detail as you want to but I think that's
28 adequate for now.

29
30 (Chair microphone interruption)

31
32 CHAIRMAN TOWARAK: Woke me up.

33
34 (Laughter)

35
36 CHAIRMAN TOWARAK: Are there any
37 questions of Bob and the Stikine -- regarding the -- go
38 ahead.

39
40 MS. K'EIT: Mr. Chair. Thank you.
41 Just to clarify, so if the Board takes no action on
42 this deferred proposal at this time will the season be
43 closed until the in-season manager determines we've met
44 our allowable catch and we can open it. Escapement --
45 if we meet our escapement.

46
47 MR. LARSON: Mr. Chair. The preseason
48 forecast and we're speaking to the deferred proposal,
49 which deals only with sockeyes, that preseason forecast
50 is 152,000 fish, which, you know, by the way is --

1 that's about 40,000 below an average, but it still
2 allows for 44,000 fish to be taken by US fisheries, and
3 we are part of that group. So we will have a normal
4 opening and a normal prosecution of the subsistence
5 fishery for sockeyes.

6

7 If you take -- whether you take action
8 to defer this proposal again or take no action, which
9 tables it, and it just goes away, is really immaterial,
10 because there are proposals -- there's two proposals
11 that you will -- that have already been submitted that
12 we will be considering at our fall RAC meeting and at
13 the next January meeting.

14

15 MS. K'EIT: Okay.

16

17 MR. KESSLER: I just want to make this
18 comment, I'm not sure I agree with what Mr. Larson
19 said, because I do think we need to take some action
20 and eventually I'll make a motion to defer this longer.
21 But I think that's respectful of the RAC, this was the
22 Southeast Regional Advisory Council's proposal
23 originally and I think to be respectful of that we need
24 to continue to defer this and consider it as we
25 consider all the other proposals next January.

26

27 Thank you.

28

29 CHAIRMAN TOWARAK: Go ahead.

30

31 MS. K'EIT: Mr. Chair, follow on
32 question, thank you. So I still need some clarity
33 around the chinook salmon fishery because I'm looking
34 at the report in our Board book and there is reference
35 to the preseason terminal run size forecast for large
36 Stikine River kings at 26,000 and then further on in
37 that paragraph it states, if the Board closes the
38 fishery, the in-season manager should be given
39 authority to rescind the closure if the in-season
40 abundance estimate results in an allowable catch. So
41 is that -- what action, if any, does the Board need to
42 take on that portion of the fishery.

43

44 MR. LARSON: Through the Chair. It's
45 my understanding that the Board has already acted and
46 the -- I think the important concept here is that
47 during preseason, the mid point of the escapement goal
48 range plus the base level catches require that there be
49 a 28,100 large fish return to the river in order to
50 have a directed fishery. Our preseason escapement

1 estimate is 26,000, however, in-season harvest
2 estimates that are greater than 24,500, they allow an
3 allowable catch, a US allowable catch. So very likely
4 as soon as we're able to generate an in-season estimate
5 there will be sufficient fish for an allowable catch.

6

7 CHAIRMAN TOWARAK: Okay. Go ahead.

8

9 MR. CHRISTIANSON: And now is that for
10 sockeye or is that for the king salmon.

11

12 MR. C. BROWER; Chinook.

13

14 MR. CHRISTIANSON: For chinook.

15

16 MR. LARSON: It's -- that action is for
17 chinook, yes.

18

19 MR. CHRISTIANSON: Okay.

20

21 CHAIRMAN TOWARAK: What's the wishes of
22 the Board.

23

24 MR. CHRISTIANSON: I just have one more
25 question.

26

27 CHAIRMAN TOWARAK: Go ahead.

28

29 MR. CHRISTIANSON: So your
30 recommendation is just to defer this until the next
31 cycle and then the proposals will come forth on what it
32 is that the Regional Advisory Council really wants to
33 do.

34

35 MR. LARSON: It is our recommendation
36 that the Board defer. This is the Council's proposal.
37 I think that it's proper that the Board give adequate
38 time to discuss the Council's proposal and not rely on
39 someone else's proposal that deals with the same
40 subject. Now, the practical aspect of that is that no
41 matter what you do you're still going to talk about the
42 allowable -- not the allowable catch, but the guideline
43 harvest level, you know, a year from now. But it's our
44 recommendation that you defer so that the Council's
45 proposal is before the Board next January.

46

47 MR. CHRISTIANSON: Mr. Chair.

48

49 CHAIRMAN TOWARAK: Go ahead, Tony.

50

1 MR. CHRISTIANSON: Then I would go
2 ahead and make that motion to accept that
3 recommendation that we defer this proposal.
4
5 MR. C. BROWER: Second.
6
7 CHAIRMAN TOWARAK: You heard the motion
8 and the second. Any discussion on the motion.
9
10 Steve.
11
12 MR. KESSLER: Just one thing that I
13 think we have to defer to time certain so maybe we can
14 make sure that it's deferred to the January 2015 Board
15 meeting.
16
17 MR. CHRISTIANSON: Yeah. Mr. Chair --
18 through the Chair. I think that's what the
19 recommendation states here, so following the
20 recommendation listed in the book here, it states the
21 timeline in there.
22
23 CHAIRMAN TOWARAK: And the second
24 agrees with that.
25
26 MR. C. BROWER: (Nods affirmatively)
27
28 CHAIRMAN TOWARAK: Any further
29 discussion.
30
31
32 (No comments)
33
34 MR. KESSLER: Question.
35
36 CHAIRMAN TOWARAK: Question's been
37 called for. All those in favor of the motion, say aye.
38
39 IN UNISON: Aye.
40
41 CHAIRMAN TOWARAK: Any opposed, same
42 sign -- or say nay.
43
44 (No opposing votes)
45
46 CHAIRMAN TOWARAK: Motion passes
47 unanimously. So where -- what.....
48
49 DR. JENKINS: Secretarial appointments
50 and Pat Pourchot is here.

1 CHAIRMAN TOWARAK: Yeah. The next item
2 on my agenda is the Secretarial appointments and we've
3 got a couple of things we want to do. I guess we'll
4 get the same report from the Staff first -- or -- okay,
5 go ahead, I guess, Carl Johnson.

6
7 MR. JOHNSON: Thank you, Mr. Chair.
8 You confused me. Carl Johnson, I'm the Council
9 Coordination Division Chief for OSM.

10
11 And one of the things that things that
12 I spend time on probably every single month out of the
13 year is our annual nominations process. As you know we
14 have 109 seats on the 10 Regional Councils and every
15 year roughly one-third of those at a time are up --
16 expire and are up for appointment or reappointment, so
17 we have a process that's been in place for some time
18 where we undergo an annual outreach that begins in the
19 fall, goes through the winter meeting cycle. We have
20 InterAgency nominations panels that meet and conduct
21 interviews and come up with recommendations,
22 InterAgency Staff Committee, who then makes
23 recommendations to the Board. And this process carries
24 on through, in theory, appointment letters being issued
25 on December 3rd each year by the Secretary of the
26 Interior with the concurrence of the Secretary of
27 Agriculture.

28
29 Now, that's how things are supposed to
30 work, but if we can go to the next slide.....

31
32 Over the years some problems have
33 developed.

34
35 And most recently, in the last two
36 meeting cycles the appointment letters have not issued
37 on December 3rd, as they should have been. For the
38 2012 cycle the first letters were not issued until
39 January 5th and were not completed until May 3rd. So
40 that would be six months later than they should have
41 been.

42
43 For the 2013 cycle we did not receive
44 the first letters until January 15, and this was only
45 just for two regions, they've been staggered out
46 throughout that whole time and we are still, at this
47 time, waiting to hear the appointment decisions on four
48 individuals from four different regions.

49
50 Another.....

1 (Teleconference interruption)

2

3 MR. JOHNSON: And this issue,
4 particularly, has been raised by the Western Interior
5 Council, and this is in your supplemental folder under
6 Council appointments.

7

8 First the Western Interior Council
9 issued a letter on May 6th of last year addressed to
10 Secretary Jewell raising concerns about the late
11 appointments and how it impairs the Council's ability
12 to do their work for this program. A second issue --
13 letter was issued by the Council this year, on February
14 12th with an attachment of it's May 6th letter from
15 last year, again, to Secretary Jewell, raising concerns
16 about these late appointments.

17

18 In addition to that, right now we have
19 a system in place with the annual appointment cycle
20 where, while in the fall, when we are beginning to
21 conduct outreach to invite people to apply for the
22 Regional Advisory Councils we are still waiting to hear
23 back regarding the appointments from the previous
24 cycle. And in several cases this leads to confusion,
25 not only of new people from the public who are
26 interested in applying for the Councils, but sometimes
27 even the sitting Council members themselves, who are
28 confused about whether or not they need to apply this
29 year or next year or what the status is in the cycle,
30 and even in good years when we actually can issue a
31 press release in December announcing the new Council
32 members we still have an appointment cycle -- a new
33 recruitment cycle that's ongoing and some people then
34 assume, well, I don't need to apply they've already
35 announced the decisions for the Council appointments.
36 So that creates a lot of confusion.

37

38 Additionally, we do not currently have
39 a system in place where we have alternates that are
40 appointed to the Council. How we currently do things is
41 we submit names, based on the recommendations from the
42 InterAgency Staff Committee and the Board for
43 individuals who are identified to be vetted as
44 alternates but they are never notified that they have
45 been considered and vetted as alternates and,
46 therefore, kind of exist in this limbo state where they
47 don't know that they're on deck to possibly be
48 appointed to the Council, but they will be in the event
49 of an unanticipated vacancy. And even with this system
50 in place, typically in the past couple years where we

1 have actually had to call upon these vetted names to
2 appoint alternates it can take as long as two months to
3 get an appointment letter issued on a candidate who's
4 already been vetted as an alternate. So that takes
5 time and as a result sometimes even miss them
6 participating in a meeting cycle.

7

8 But, finally -- now, I bring this up as
9 an issue because this was expressed to me as a problem
10 from DC, that sometimes it's challenging for them to
11 handle, at the same time, a charter renewal as well as
12 an appointments package. So what I have come up with
13 are some suggested recommendations on how we can deal
14 with these problems.

15

16 You can go to the next slide.

17

18 One is let's change how we do our
19 appointment cycles.

20

21 The first suggestion is to change to
22 four year terms instead of three year terms. And for
23 this to make sense, we would also want to change to a
24 biennial cycle instead of an annual cycle.

25

26 Now, how will this help.

27

28 Well, it definitely address the second
29 problem of the confusion, the overlapping of the
30 appointment cycles. Secondly, it will allow more time
31 to conduct outreach so we can have more people
32 participating in the process because in the last decade
33 there has been a steady decline in the number of
34 applications that we have received from the public for
35 these Regional Advisory Councils. And, that, combined
36 with, you know, a lot of the different concerns people
37 have about public participation in subsistence
38 management, it's a bad combination of factors. So this
39 would allow us to have more time in between recruitment
40 cycles to conduct some public outreach.

41

42 And another issue, now this was
43 recommended, actually by the Western Interior Council,
44 and that is to address the specific problem of the
45 appointment letters not being issued on December 3rd,
46 would be to amend the charters to provide for carryover
47 terms. That is, in the event an appointment letter is
48 not issued on December 3rd, if there is a person who is
49 currently on the Council and their term was set to
50 expire, they would remain a member of the Council until

1 an appointment letter is issued, either reappointing
2 them or replacing them with someone else.

3

4 Now, what I have indicated in here is
5 one of the mechanisms that will be in place that we
6 would have to use in order to make these changes. And
7 if you'd refer to the recommended changes memo, the red
8 text refers to the mechanisms we would have to use in
9 order to implement these changes. So, for example,
10 changing to four year terms, that is in part B of the
11 regulations so that would have to be a Secretarial
12 regulation change, but it's also in the charters, so we
13 would also have to amend the charters to reflect that
14 change.

15

16 Changing to a biennial cycle, that is
17 something that's entirely an internal process. It's
18 not driven by statute, regulation or charter.

19

20 And then, finally, amending the
21 charters to provide for carryover terms, that would
22 have to be stated in the charter and it would also have
23 to -- I would suggest, be in the appointment letters as
24 well. Say, for example, when the appointment letter is
25 issued your term will expire on December 2, whatever
26 year, except as otherwise provided in the charter, and
27 then that way it could -- those two documents could
28 interrel -- interre (makes sound) -- inter react with
29 each other.

30

31 So that's that part of the piece.

32

33 The next recommendation would be to
34 actually conduct and request the Secretary appoint
35 formal alternates to the Councils.

36

37 One problem we do have, every meeting
38 cycle, is the potential of not establishing a quorum.
39 And we actually have heard reference to this at this
40 meeting as result of the government shutdown. The
41 Western Interior had some problems with establishing
42 quorum and had to defer to the YK Delta Council on some
43 of the wildlife recommendations. So if we had formally
44 appointed alternates, they actually would receive a
45 letter from the Secretary appointing them as an
46 alternate to the Council, and the intention would be
47 that they would not actually physical travel to the
48 Council meeting unless they were needed to preserve a
49 quorum for the meeting, but they would otherwise
50 interact with OSM Staff as a regular member of the

1 Council. They would receive any emails or
2 correspondence directed to the Council. They would
3 receive meeting materials. And they would be asked to
4 participate telephonically in the Council meetings so
5 that they could keep in touch with the Council's
6 business, be aware of what's going on and will be ready
7 to step in and assist the Council in its decisionmaking
8 process, if necessary.

9
10 Now, an additional benefit to this,
11 aside from insuring that we have quorum for each
12 meetings is that we now have an expanded pool of
13 individuals who are in touch with what is going on with
14 the Regional Advisory Council, who are participating in
15 subsistence management and who are also now,
16 additional, very active points of contact in their
17 communities, that can now interact with the Federal
18 Subsistence Program, on a meaningful level.

19
20 And then, finally, this again goes back
21 to the problem that DC noted, having the charter, and
22 the appointments occurring at the same time would be to
23 alternate the years so that we do not have charter
24 renewal going on at the same time as appointments.
25 Currently, charters are renewed on odd years and we
26 have an annual appointment process, so there's an
27 appointment process every year. It was actually
28 expressed to me that one of the reasons why DC was late
29 in the 2012 appointments was because it was a
30 Presidential election year.

31
32 So my recommendation to alleviate that
33 concern from DC would be to shift so that the charters
34 are renewed on even years and appointments are
35 conducted on the odd years. So that would relieve that
36 problem, and also would be beneficial to OSM, as a
37 Program, because currently we deal with fisheries
38 regulatory proposals on odd years, they're introduced
39 in even years but they are implemented in odd years and
40 that would, you know, possibly fit well within that.

41
42 Now, just as kind of a visual of
43 comparing an annual cycle with a biennial cycle, I
44 created a handy graph that shows currently how things
45 operate in a four year cycle with an annual appointment
46 process.

47
48 If we could go to the next slide.

49
50 Now, if you note we have at the very

1 top where it says nominations appointment process year
2 zero, that's essentially a previously existing,
3 previously started nomination cycle, with the news
4 releases of those appointments being issued in
5 December. But if you note we've already started the
6 next year back in August, so we're starting already
7 application period for year one and that continues on.
8 And you can see how those overlap. And if you look for
9 a two year process, under the annual cycle, in two
10 years we have 88 open Council seats, 130 applications,
11 62 agency Staff involved, and \$40,000 expended for
12 outreach about those nominations process. And on the
13 right is essentially the current schedule about when we
14 go through this process throughout the year. But if
15 you compare that with the next slide, which is how it
16 would look under a biennial process.....

17
18 If you can get whatever that is out of
19 the way.

20
21 (Pause)

22
23 OPERATOR: This is the operator, Jack
24 Reakoff's line is open.

25
26 MR. REAKOFF: Hello. Yeah, I'm
27 standing by, I'm just listening to Carl. I tried to
28 comment on the dipnet thing and I was starred out,
29 so.....

30
31 MR. JOHNSON: Okay, well, as much as I
32 -- you can find this graphic actually in the back of
33 your handout so we'll just go to that in lieu of the
34 technical challenges here.

35
36 As you can see there's a clear dividing
37 line between the two cycles. There's a lot of open
38 space there where there would be no confusion. The
39 news releases for one appointment cycle would be issued
40 in December and we wouldn't begin the next appointment
41 cycle until 8 months later. So there's plenty of clear
42 difference between the two appointment cycles, no
43 confusion.

44
45 You also look at the two year bottom
46 line. The cost and the time and the actual expense of
47 outreach is cut in half over a two year period.
48 Additionally, there is less -- there are fewer seats to
49 fill, fewer applications to process over a two year
50 period. Now, granted it may be a larger lump at one

1 time compared to the annual process, normally we have
2 around 42 or so, seats, to fill during the annual
3 cycle, we would have roughly 55 or 54 in a biennial
4 cycle, but by shifting, as you note on the schedule, by
5 shifting the timeline to where we get things to DC
6 roughly six weeks sooner, that would give them more
7 than enough time to process that. And, really, that,
8 in the scheme of things is really our biggest problem,
9 is doing whatever we can to make it easier for DC to
10 complete their process in time.

11

12 And we've been very busy and Pat
13 Pourchot is here and we've spent a lot of time, you
14 know, since November going back and forth with DC on
15 how to make this process better.

16

17 One of the things we've heard is if we
18 can get the materials to them sooner and there was a
19 suggestion from the White House liaison, who is the
20 person in the office of the Secretary, who is primarily
21 responsible for vetting and approving Council
22 applicants, who suggested that we submit these to them
23 in a staggered way over a period of time, but, quite
24 honestly if they actually did start processing these
25 packets when they were received they could complete
26 this on time. Even under -- you know, this last 20
27 years we've been doing this they were able to
28 accomplish these appointments in a timely manner up
29 until recently, so it's not like it's difficult to be
30 done and, quite frankly there's still a mystery to me
31 as to how they do things.

32

33 But the point of this presentation is
34 to make some recommendations to the Board on steps that
35 we can take that would improve it, not only for the
36 applicants, the people who are interested in applying
37 to this Council, it will improve things for the
38 Councils themselves so they don't have to worry about
39 whether or not they can conduct business. It would
40 improve things for all of the Staff who are involved,
41 because, again, this is a burden that's put on the five
42 agencies year in, year out and I think that everybody
43 would probably appreciate not only having a year off
44 from this process but if we start earlier then we don't
45 run into concerns of starting to impede on the
46 beginning of field work seasons for a lot of the agency
47 Staff who are doing work out in the field.

48

49 So my recommendation is to seek Board
50 approval on taking these recommended changes and

1 submitting them to the Councils for their input. And I
2 know that there are several of these things that are
3 recommended, that several of the Councils have already
4 expressed opinions on, one of these changes comes from
5 the Western Interior Council, the Northwest Arctic
6 Council has expressed an interest in longer terms for
7 appointment. I've already had discussions with Fish
8 and Wildlife's personnel in DC who handle FACA issues
9 and they have essentially given pre approval to many of
10 these changes, not only to the charter but also that
11 there would be no objection from the Secretary about
12 expanding to four year terms. So really the big piece
13 is to just get the go ahead from the Board to take this
14 to the Regional Advisory Councils and to hopefully get
15 their approval and maybe -- probably even some
16 additional recommendations. I do note one thing that
17 the Councils have expressed interest in is having
18 something like a mentorship or a youth seat on the
19 Council. And one idea I came up with as to how this
20 could be accomplished would be, you know, much like
21 this Board has, by regulation, the designated members
22 as well as designated liaison and one thing could be to
23 have like a youth liaison to the Councils. But it
24 would take some interest from the Councils to do that
25 and figuring out what the mechanism would be required
26 in order to make that change.

27

28 But timeline, what we're looking at is
29 -- I've been informed it would take roughly a year to
30 accomplish the Secretarial regulatory change. The next
31 appointment -- the next charter amendments or charter
32 approvals, the timeline for that is the charters
33 currently in place expire December the 2nd, 2015, so
34 if, for example, we were actually to get
35 recommendations approved by the Councils at this fall
36 meeting cycle, we can move forward with the process and
37 by the time the current charters expire we could have
38 these changes in place to ready to implement moving
39 forward.

40

41 One additional thing to note, as far as
42 my presentation, I've already had conversations with
43 the relevant people in the know, that the Western
44 Interior's recommended change to provide for carryover
45 appointments could be implemented immediately as
46 charter amendments, the charters would still just have
47 to be renewed on schedule on December 2nd, 2015, in
48 addition to that. But those charter amendments could
49 be accomplished rather quickly, they would not have to
50 wait, you know, another year and a half to be

1 completed.

2

3 And that's the essence of my
4 presentation and I am now open to any questions.

5

6 Thank you, Mr. Chair and members of the
7 Board.

8

9 CHAIRMAN TOWARAK: Go ahead.

10

11 MS. YUHAS: Thank you, Mr. Chairman. I
12 was hoping that Staff might be able to speak to how
13 unpredicted vacancies would be handled in an off year.
14 They occur. We lose people unexpectedly and would that
15 vacancy have to wait two years to be settled.

16

17 MR. JOHNSON: Thank you. And, through
18 the Chair. Ms. Yuhas.

19

20 So the current process in place is we
21 do have individuals who are vetted and if we do have an
22 unexpected vacancy, our current process does allow us
23 to request the Secretary to issue an appointment letter
24 for that individual. But as I mentioned, that takes
25 about two months. So the intention would be, if we
26 have formal appointed alternates, then the, in order of
27 their priority of alternate, designation alternate
28 number 1, alternate number 2, they would automatically
29 step in to permanently replace any unexpected vacancies
30 on the Councils immediately rather than having to go
31 through a process of requesting a new appointment
32 letter be issued by the Secretary.

33

34 CHAIRMAN TOWARAK: I'd like to maybe
35 hear from Pat, if we could.

36

37 MR. POURCHOT: Thank you, Mr. Chairman.
38 For the record, I'm Pat Pourchot, Special Assistant to
39 the Secretary of Interior in Anchorage.

40

41 I would say that, greatly appreciate
42 all the work and the comments that Carl's made, I
43 certainly agree with all of them. And I also want to
44 apologize to the RACs and to OSM that have been really
45 struggling with this problem, next to the RACs and OSM,
46 nobody's been more frustrated than I on this whole
47 appointment process and I appreciate Jack Reakoff and
48 the Western Interior RAC's letters to the Secretary. I
49 can't disagree with any of that. I've had numerous
50 conversations, both by telephone and in person in DC

1 with leadership in our department on this issue.

2

3 Two years ago, or last year we had
4 thought and Carl referenced this, that earlier
5 submission of nominations, maybe some pre-vetting work
6 here in Alaska using the court system access -- record
7 access might help and speed up the situation. As Carl
8 mentioned, I don't think that had any affect at all on
9 this last year's appointment process. If I were
10 characterizing the problem I would say it's a capacity
11 issue right now in the Department, there just aren't
12 more than one, or one and a half people working on this
13 and when they're out, as they were last year, nothing
14 gets done. I would also say that, like many of you, I
15 look at the world pretty small, just around Alaska and
16 I'm reminded when I'm back there, that the same people
17 are involved in appointments all over the United States
18 throughout our Department, bureaus, advisory boards,
19 and those tend to clog up the system late in the year
20 and our nominations put right up in that same process.

21

22 I would also say -- and I was hear when
23 Jack mentioned perhaps this ought to be delegated to
24 me, I've been also reminded that the process that we
25 have in the Department of Interior is no different --
26 it's a White House driven process and it applies to all
27 departments throughout, as far as how vetting is done,
28 who does that vetting, it's a fairly formalized
29 controlled process and even though I've offered on
30 occasion to help, if we can do the vetting, and that
31 has been rejected out of hand, as not part of the
32 overall governmental process. So as much as I'm
33 sympathetic to that, that probably is not an option.

34

35 So I think that these alternatives,
36 these options that Carl's laid out are all worthy of
37 pursuit.

38

39 I'm less knowledgeable about the
40 charter approval process, I don't believe that that's
41 done by the same people that are doing the vetting of
42 our nominations. That's been kind of the focus of my
43 efforts but I think all of these make sense, should be
44 pursued.

45

46 I have talked with the White House
47 liaison person about possible changes in process, she
48 has been very open to suggested changes. I think as
49 the Board looks at these and the RACs look at these, as
50 they become more specific, I would want to take those

1 back and run them by again to answer the basic
2 question, will these help your work and, I think,
3 that's what we want to kind of measure these approaches
4 towards.

5
6 In the interim, I think that the
7 suggestion by the Western Interior RAC that Carl,
8 again, mentioned, of trying to affect charter changes
9 to have people continue in their jobs until, or their
10 appointments until new appointments are made is an
11 excellent one. Certainly would avoid perhaps some of
12 these critical quorum and travel arrangements that have
13 to be made, you know, in December for January and
14 February meetings, which is what we ran into this year.
15 I think that's excellent. I do worry about Secretarial
16 Part B regulation changes, just in terms of the length
17 of time, but sooner that would start the more it would
18 be in effect.

19
20 So, again, all those, I think, are
21 worthy of pursuit and to quote the cliché, the system
22 is broken now, it's not working and we got to do
23 something and I think in just approaching it from all
24 directions is warranted at this point in time.

25
26 Thank you, Mr. Chairman.

27
28 CHAIRMAN TOWARAK: Thank you. Are
29 there any comments from the Board.

30
31 MR. C. BROWER: Mr. Chairman.

32
33 CHAIRMAN TOWARAK: Sandy go ahead you
34 had your hand up first, I think.

35
36 MR. RABINOWITCH: We're all trying to be
37 gentlemen to each other.

38
39 I have four things. Three are
40 statements and one's a question.

41
42 So NPS appreciates the effort. We
43 certainly agree with trying to both adapt and improve
44 the process. I think that's a good thing. And
45 appreciate OSM's efforts to move that along.

46
47 That's good.

48
49 I also think your suggestion about
50 sending this out to the RAC is a good idea and support

1 that.

2

3 Let me now throw my question out. Was
4 this shared with the InterAgency Staff Committee, this
5 presentation, have they seen it.

6

7 MR. JOHNSON: Through the Chair. They
8 have not seen this as a committee, as a group. I -- I
9 -- this specific memo. I did roughly in last May or so
10 mention this because this -- this originally came from
11 a memo I submitted to the acting ARD last April, as in
12 April 2013, and I highlighted some of the things that I
13 wanted to bring to the ISC and I always envisioned this
14 to go through the ISC first before the Board but I can
15 just say that probably in light of the recent, yet,
16 again, delayed Secretarial appointments it was decided
17 that we'd move forward with this at a more expedited
18 process.

19

20 MR. RABINOWITCH: Mr. Chairman, if I
21 might continue.

22

23 CHAIRMAN TOWARAK: Go ahead.

24

25 MR. RABINOWITCH: Okay. So two final
26 comments.

27

28 One on the concept of carryover
29 appointments, if I'm understanding what you're
30 suggesting, I would share that this is something -- and
31 I'm sure you know this Carl, that's been done with NPS
32 Subsistence Resource Commissions for decades. We've
33 had carryover, they're in our charter. We've found
34 it's worked very, very well, and I think that's a great
35 idea, because you don't end up with those vacancies.
36 When someone drops off they continue on until there's a
37 new appointment. So we've had great success with that
38 and I think that would be a good addition.

39

40 And so then my last quick comment is, I
41 would suggest that this loop back through the Staff
42 Committee. I don't know whether they'll have any
43 suggested changes or not, but I think there's a lot of
44 minds that are familiar with the Program and I think
45 it'd be a good idea for them to look at this and see if
46 anything additional comes up.

47

48 With that said, I don't think that
49 needs to delay getting this out to the RACs in the
50 fall, at all, so I think those things could be

1 accomplished. It's probably a pretty minor step.

2

3 CHAIRMAN TOWARAK: Tony, and then
4 Charlie.

5

6 MR. JOHNSON: Mr. Chair.

7

8 MR. CHRISTIANSON: Well, he has a
9 response to that.

10

11 MR. JOHNSON: Just a quick response to
12 that. The timing would actually work very well if we
13 could do that with the ISC, when the ISC meets to
14 discuss this year's appointments, recommendations to
15 the Federal Subsistence Board and that would hopefully
16 be in June, that's been my request, but I don't know if
17 that's actually been discussed. And then that would
18 give us plenty of time to then have it ready to go in
19 the meeting books for the first meeting that occurs in
20 August.

21

22 CHAIRMAN TOWARAK: Go ahead.

23

24 MR. CHRISTIANSON: They kind of
25 answered my question. I was just going to make that
26 statement, the ISC would be looking at it anyway.
27 After the RACs vet it through their process it's going
28 to come back, here's the RAC recommendations, which is
29 what we've heard here exactly, all the RACs saying,
30 hey, we need to do something about these seats and
31 these appointments and I think most of these
32 recommendations do a good job at addressing the issues
33 that we've heard brought forth by the RAC and by the
34 Staff that have to deal with these appointment issues.
35 So I would look to just direct Staff to move forward,
36 get this to the RAC, and the ISC could vet it and make
37 these recommendations to whoever needs to make this
38 process run smoother.

39

40 CHAIRMAN TOWARAK: Go ahead.

41

42 MR. C. BROWER: I was just going to
43 say, do we need a motion to proceed with the
44 recommendations.

45

46 CHAIRMAN TOWARAK: Let's do it in a
47 motion, yeah.

48

49 MR. C. BROWER: I would so move to that
50 effect, Mr. Chair, that I made a motion to proceed with

1 the recommendation changes to the nomination
2 appointment process for Regional Advisory Council
3 members.

4

5 MR. CHRISTIANSON: I'll second that
6 motion with the idea that they also look to amend the
7 charter as soon as possible so that they can try to
8 alleviate some of the concerns of the Regional Advisory
9 Council.

10

11 CHAIRMAN TOWARAK: You heard the motion
12 and the second. Is there any discussion.

13

14 Go ahead.

15

16 MR. RABINOWITCH: I'll vote in favor of
17 the motion. It's my understanding that it would go
18 through the Staff Committee before it goes out to the
19 RACs just to see if there's any additional thoughts to
20 be added.

21

22 CHAIRMAN TOWARAK: Is there any
23 objection to that.

24

25 (No objections)

26

27 CHAIRMAN TOWARAK: If not then that
28 will be the process.

29

30 Any further discussion.

31

32 MR. CHRISTIANSON: Question.

33

34 CHAIRMAN TOWARAK: Question's been
35 called for. All those in favor of the motion, say aye.

36

37 IN UNISON: Aye.

38

39 CHAIRMAN TOWARAK: Any opposed, say
40 nay.

41

42 (No opposing votes)

43

44 CHAIRMAN TOWARAK: Motion passes
45 unanimously.

46

47 Thank you.

48

49 Okay, go ahead.

50

1 MR. JOHNSON: Thank you, Mr. Chair. I
2 just want to thank the members of the Board for their
3 contributions to this process and I want to stress
4 that, you know, there are a lot of very high profile
5 things that the Federal Subsistence Management Program
6 does, but I think that reaching out to the communities
7 and finding people who are passionate about
8 subsistence, who want to serve their communities by
9 being on the Regional Advisory Councils is one of the
10 very important things that we do. And I think that
11 whatever we can do to improve that process and get more
12 people actively engaged is important work. So I just
13 want to thank you.

14
15 And I will note that, just as kind of
16 an administrative point, I still think that we should
17 put the charter amendment the Western Interior Council
18 has suggested to the Councils at this fall meeting, but
19 my intention will be to submit that for essentially pre
20 approval from DC so that if the Councils all agree on
21 that, then that can be ready to be implemented before
22 the December 2nd deadline for the expiration of current
23 terms.

24
25 So, thank you, again, members of the
26 Board and Mr. Chair.

27
28 CHAIRMAN TOWARAK: Pat, you've got the
29 floor.

30
31 MR. POURCHOT: Thank you, very much. I
32 just wanted to add one thing, as the RACs and as the
33 Staff Committee may be looking at this and looking at
34 other options, fundamental to the problem from the DC
35 approval standpoint is the pure numbers of applications
36 or nominations coming in and it should be noted that
37 even a two year cycle, you're actually on that two year
38 cycle, are probably going to have more nominations that
39 particular year coming in and so looking at the
40 numbers, I think, is important in the review on -- and
41 if there were ways of reducing the pure numbers of
42 nominations seeking approval that would be helpful and
43 that would, of course, apply to the numbers of
44 potential standby people -- alternates, you know,
45 alternates add to the numbers.

46
47 And I hate to -- you know, this is
48 probably highly controversial but some of the -- the
49 Councils have lots of people on them and maybe that's
50 something to look at too, is just the number of people

1 on each Council. I mean that -- just things to think
2 about as the review proceeds.

3

4 CHAIRMAN TOWARAK: That's where Pat
5 comes in.

6

7 (Laughter)

8

9 CHAIRMAN TOWARAK: No, we will -- we
10 will take that and consider that. We've got a couple
11 of other things to do before it -- go ahead.

12

13 MR. ADAMS: Thank you, Mr. Chairman.
14 Before we go on any further on this issue, I would like
15 to bring up the problems that Councils have been
16 getting in receiving their final payments on their per
17 diem, sometimes months go by before we get them. I
18 forgot that I had one coming here, so several -- a
19 couple three months ago when I got an email from my
20 coordinator saying that the per diem from your last
21 meeting is on its way, and we experience that, you
22 know, quite often. So I think, you know, we need to be
23 reminded we are volunteers. And, you know, I don't
24 have any problems, you know, with surviving without it
25 but I think it would be good business sense to make
26 sure that those per diems, you know, were issued in a
27 timely manner.

28

29 Thank you, sir.

30

31 CHAIRMAN TOWARAK: I think that could
32 be -- should be administratively and I think the Staff
33 has heard that.

34

35 We've got a couple of other things to
36 -- go ahead.

37

38 MR. JOHNSON: I just want to make a
39 quick note that largely a lot of that has been a result
40 of us switching the different systems we use, both for
41 accounting and travel within the Department of
42 Interior, but I can say that a lot of that backlog has
43 been cleared and moving forward, we are -- we have
44 been, starting with this last meeting cycle, been very
45 successful in processing vouchers fairly quickly. So I
46 would like to say that moving forward the Councils can
47 look for vast improvement in that process.

48

49 Thank you.

50

1 CHAIRMAN TOWARAK: Thank you. We have
2 a brief report on the affects of the government
3 shutdown.

4
5 DR. JENKINS: Mr. Chair. Beth
6 Pendleton asked us to prepare a briefing on the affects
7 of the government shutdown for the Federal Subsistence
8 Program, and the short answer is that the government
9 shutdown threw the Federal Subsistence Program into
10 chaos.

11
12 (Laughter)

13
14 DR. JENKINS: The longer answer and it
15 will only take me about 60 seconds to go through this.

16
17 As you know on October 1st, 2013 with
18 no spending legislation enacted, the Federal government
19 was forced into a partial shutdown and one result was a
20 16 day furlough with a total of 6.6 million furloughed
21 days. The government was reopened on October 17th.
22 Consequences for our program included the following:

23
24 Federal employees were
25 furloughed in the Office of
26 Subsistence Management.

27
28 Importantly the shutdown
29 generated confusion for
30 subsistence users about whether
31 they could continue access to
32 Federal public lands.

33
34 Six Regional Advisory Council
35 meetings were cancelled and had
36 to be rescheduled.

37
38 60 Council members were
39 affected, their travel and
40 accommodation arrangements had
41 to be cancelled and rebooked.

42
43 Regional Advisory Council
44 meeting venues had to be
45 rebooked, often in inferior
46 locations.

47
48 Staff from State, tribal and
49 ANCSA and other programs who
50 participate in RAC meetings had

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to adjust to the rescheduling of all of those meetings.

Six public hearings on the rural review process were cancelled and five were rescheduled.

An extension to the public comment period on the rural review process had to be published in the Federal register.

The Western Interior Council was unable to establish a quorum because of the rescheduled meeting and had to schedule an additional telephonic meeting.

The shutdown pushed back the completion of Regional Advisory Council's fall agenda by about six weeks, thus greatly reducing the time needed to prepare for the winter meeting cycle.

The shutdown pushed back the completion of the summary and analysis that the public, RAC, tribal and ANCSA Corporation comments on the rural review process, thus greatly reducing the time needed to prepare for this meeting, which we managed to do.

And, of course, I should mention that our court reporter had to completely readjust the schedule of court reporting to accommodate the confusion that we were thrown into.

And then, lastly, one of the consequences is that we ended up meeting here instead of our usual venues.

1 Thank you, Mr. Chair.
2
3 CHAIRMAN TOWARAK: Any questions or
4 comments.
5
6 MR. CHRISTIANSON: Mr. Chair.
7
8 CHAIRMAN TOWARAK: Go ahead.
9
10 MR. CHRISTIANSON: Just a comment. I'd
11 just like to say good job Staff.
12
13 (Laughter)
14
15 CHAIRMAN TOWARAK: I'd like to commend
16 the Staff, too, for -- even with all of the backlash of
17 the shutdown, you know, I think we are getting the job
18 done and -- and it's because, I think the Staff has
19 been working some long hours, to my understanding. So
20 I would like to convey that, congratulations to the
21 Staff for keeping up with the missteps of the Federal
22 government.
23
24 MR. CHRISTIANSON: I got one more, Mr.
25 Chair.
26
27 CHAIRMAN TOWARAK: Yes.
28
29 MR. CHRISTIANSON: And I was just going
30 to apologize that we're past our 1:00 o'clock early out
31 and I know that's a sensitive issue being a government
32 employee myself, tribal government, but when you get
33 out at 1:00 it's a special thing. Sorry guys.
34
35 (Laughter)
36
37 CHAIRMAN TOWARAK: And I won't say it
38 but.....
39
40 (Laughter)
41
42 CHAIRMAN TOWARAK: I'd -- I'd like to
43 use this as a last comment, our next.....
44
45 MR. CHRISTIANSON: Jennifer has a
46 comment.
47
48 CHAIRMAN TOWARAK: Oh, go ahead.
49
50 MS. YUHAS: Not attempting to waste

1 time, Mr. Chairman, just wanted to add one piece to
2 that report that is important and the State also
3 compliments the Federal Staff, but there was a piece
4 that affected the ETJ. We had planned to travel
5 jointly with the Forest Service out to Angoon for one
6 of our trips and they were prevented from coming, their
7 Staff was even prevented from coordinating with us, the
8 two days prior to that trip, so there was one more
9 affect for that report.

10

11 CHAIRMAN TOWARAK: That brings to mind,
12 too, that we wouldn't have to go through this process
13 if the State would take over.

14

15 (Laughter)

16

17 MS. YUHAS: Every meeting.

18

19 (Laughter)

20

21 CHAIRMAN TOWARAK: Okay. I think the
22 only other thing that we've got is executive session
23 but I'd like to give this opportunity for Board members
24 to make comments to the Staff while they're here, and
25 I'll start.

26

27 Jack Lorrigan has been with us for a
28 couple of years but he just got reappointed to a
29 different position with the Federal government so we're
30 going to have to find a replacement for Jack and I've
31 appreciated all the work that he's done for, especially
32 myself, but he's done a lot of good things, I think,
33 for the Board also. We appreciate all the work that
34 you've done, Jack. We'll miss you but we understand
35 your reasons for moving on.

36

37 MR. LORRIGAN: Thank you, Mr. Chair.

38

39 MR. CHRISTIANSON: I'd like to echo
40 that, Mr. Chair. And, again, though I would like to
41 say to the Staff, Jack has been a vital part of the
42 lack of support that the rural members have. I mean we
43 do have a lot of support here at OSM, but Jack has
44 served basically as that liaison or that person that we
45 have contact with that's calling us and bugging us and
46 making us get on the email and answer the special
47 actions and all the other stuff that comes with our --
48 the off site work that comes with this position, and I
49 only hope that we can fill that sooner than later so
50 that we stay abreast of the concerns and wishes of the

1 public.

2

3 MR. C. BROWER: I would echo the same
4 thing, Mr. Chair. But he'll be closer up there in the
5 North Slope, so he'll be fine.

6

7 CHAIRMAN TOWARAK: Go ahead.

8

9 MR. KESSLER: Thank you, Mr. Chairman.
10 I just thought it was a very good meeting, an excellent
11 meeting. We had a huge agenda, especially considering
12 rural and taking -- and making those recommendations to
13 the Secretaries on how to move forward and I think
14 that's a big step. I was a little concerned that we
15 wouldn't have time to do that at this meeting but it's
16 been done. And I think there's been a lot of very good
17 actions taken by the Board.

18

19 I don't know if I'm going to be at the
20 next Board meeting, next January, because I may be
21 retired by then.

22

23 So, thank you.

24

25 CHAIRMAN TOWARAK: Go ahead.

26

27 MS. K'EIT: Thank you, Mr. Chair. I
28 don't have too much to add. I think I expressed my
29 support and thanks to Staff at OSM and our InterAgency
30 Staff Committee yesterday and just continue that
31 support. I do want to express my surprise at hearing
32 Jack is leaving and I'll be meeting with him later to
33 find out more about that.

34

35 (Laughter)

36

37 MS. K'EIT: And, you know, anything
38 that the Bureau of Indian Affairs can do with outreach
39 for that position when it's advertising we're happy to
40 help with that.

41

42 Thank you to our rural Board members
43 who are a really important addition and key to the
44 Board and really glad to have them as well.

45

46 Thank you.

47

48 CHAIRMAN TOWARAK: Cindy.

49

50 MS. JACOBSON: Thank you, Mr. Chairman.

1 This is my first day being here at the table but I have
2 been observing over the last couple of days and very
3 impressed with the Staff and how professional and
4 knowledgeable and what a great job they're doing
5 supporting this Board. I also want to thank the Board
6 for being so kind to me today, my first day, so thank
7 you.

8

9 (Laughter)

10

11 CHAIRMAN TOWARAK: Could you tell us
12 what position you hold with Fish and Wildlife.

13

14 MS. JACOBSON: Currently I'm the acting
15 Deputy Regional Director but my regular job is
16 Assistant Regional Director for Science Applications.

17

18 CHAIRMAN TOWARAK: Go ahead.

19

20 MR. CRIBLEY: Well, reinforce what
21 everybody else has said. Thanks to Jack for everything
22 he's done for us and also to everybody else who helps
23 support the Board and making these meetings happen and
24 making us productive in making decisions and such. And
25 also just, particularly to the Staff and to the
26 Regional Advisory Council members. The work we're
27 doing here is very, very important work, it's critical
28 work. We have, I guess I feel a privilege to be able
29 to sit on this Board and get involved with these issues
30 and be able to help influence that and help the rural
31 residents of Alaska to maintain their lifestyles and
32 stuff and appreciative of everything that goes into it,
33 their efforts and the Staff's efforts to make us
34 productive and making good decisions here and stuff. I
35 look forward to continuing to stay involved with it.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MR. ADAMS: Thank you, Mr. Chairman.
40 My congratulations to Jack for, you know, moving on,
41 I'm sure he'll -- as already expressed will be missed
42 here but also, you know, good luck in your new job.
43 I've known Jack, you know, for some time now so I know
44 of his commitment to the work that he engages himself
45 in. And to, Gene, you know, I'd say welcome to the
46 fold here. As I mentioned to you earlier, you know,
47 it's good to see more of our people getting involved in
48 this process.

49

50 And to you, Tim, you know, thanks for

1 hanging in there with us all these years, it's been,
2 you know, a learning experience for you as well as it
3 is for us. So -- and thanks to, you know, to the
4 Federal Subsistence Board.

5
6 I think two major things have occurred
7 here this week.

8
9 Number 1 is Saxman, you know, going
10 back to retaining its rural preference -- I mean as a
11 rural community.

12
13 And then the issue that I heard
14 yesterday, you know, with king salmon on the Kuskokwim
15 River.

16
17 I thought those are two major things
18 that I will remember as I move on.

19
20 My term, you know, is expiring here,
21 you know, pretty soon. I reapplied but there's, you
22 know, no telling whether I'll be reappointed again or
23 not. I hope I will. But -- because it's been a
24 pleasure working, you know, with all you people all
25 these years, it's been a neat experience for me. And
26 then sharing some of the thoughts that I have, you
27 know, has been very, you know, enlightening to me as
28 well.

29
30 I'd like to pay tribute to one of our
31 Council members, Mr. Chairman. Mr. Floyd Kookesh, as
32 you may well know, had been battling cancer for a long
33 time and he walked into the forest, you know, a few
34 weeks ago. We were appointed on the Regional Advisory
35 Council about the same time and we always used to sit
36 together, you know, during Council meetings and then
37 when I got appointed Chairman, you know, we never sat
38 together. But, you know, as we sat and listened and
39 talked and made comments and so forth, as Board
40 members, we noticed that there were people, you know,
41 coming to testify from Staff and so forth who had
42 doctors degrees, you know, it was doctor so and so and
43 doctor so and so and doctor so and so and so he asked
44 me -- edged me one time and he said, Bert, do you have
45 a degree and I said, yeah, I -- I went to college, I
46 got a degree and he says, well, what's your degree in
47 and I said, well, I got a bachelor of science, you
48 know, and he thought there a while and he mentioned the
49 fact that everyone, you know, that there were a lot of
50 doctorates, people who have doctorates, you know, in

1 the system here and he said, okay, ladies and
2 gentlemen, and this is on record, from here on out we
3 want you to know that Mr. Adams is going to be known as
4 BS Adams.

5
6 (Laughter)

7
8 MR. ADAMS: So Mr. Chairman with that I
9 would like to just, you know, use that and share some
10 stuff with you that I think that, if I'm not here next
11 time, then for posterity purposes I'd like to leave a
12 principle with you.

13
14 When I was going to college I got -- I
15 went to a junior college, or a two year college first
16 and then there was about a 10 or 12 year intervention
17 before I went back again and I got accepted to go to a
18 university and this university had a very good Indian
19 education program and so I enrolled in Indian Ed 101.
20 And our instructor was a Native American so showed up
21 for my very first class and up until that time, you
22 know, I was pretty much of a behind the scenes type of
23 person. I didn't get up and talk very much, you know,
24 you'd never know it now.....

25
26 (Laughter)

27
28 MR. ADAMS:but I was always the
29 one who would always sit in the back room so that I
30 wouldn't get called on, you know, to do anything or to
31 make a comment.

32
33 So there I was sitting in the back room
34 and here our instructor came in and he wrote his name
35 up on the Board and then he says from here on you need
36 to refer to me as Professor, I can't remember his name
37 now, so and so, and I want you to stick to that, and
38 then the first thing that he did is he wrote the word
39 nature on the board and then he drew a circle around it
40 and he gave us, you know, 15, maybe even 20 minutes to
41 think about that and he wanted our responses, you know.
42 Everyone had to make a response. And like I said, you
43 know, I always used to sit in the back of the room
44 because I didn't like to get called on if I sat in the
45 front. So we all thought and pondered upon that thing
46 that was on the board there and then he said, okay,
47 we're going to open it up for your opinions now and he
48 said we're going to start in the back room. And so
49 there I was, you know, dumbfounded, and I was thinking
50 about that, that I really didn't have an answer but I

1 just did the best I could. Okay. And then he went
2 through -- there was about 40 of us and every one of us
3 had an opportunity to share our thoughts about that.
4 And then after everyone, you know, gave their thoughts
5 on that he says, okay, this is what I want you to know
6 and understand.

7

8 He says, a long, long time ago we
9 people, as Native Americans, lived within that circle.
10 We lived with the natural laws. Because we lived with
11 the natural laws, we understood the natural laws.
12 Because we understood the natural laws, we obeyed the
13 natural laws. Because we obeyed the natural laws, the
14 natural environment provided us with everything that we
15 needed to sustain our lives.

16

17 And the next thing that he did then,
18 and there was more discussion about that, is he wrote
19 another -- drew another circle on the board, he drew
20 arrows that pointed to the outside of that circle and
21 he says, okay, take a few minutes and try to figure out
22 what that means. And, of course, you know, the
23 comments that came back were pretty much on, meant that
24 those arrows were the outside influences that were
25 looking in and they wanted to get in and they wanted to
26 cause turmoil. And he said eventually that did happen.
27 You know, no fault to, you know, Columbus or anyone
28 else who came over to our country, you know, to inhabit
29 it, but the Native American people, because they lived
30 within the natural laws thought that those people came
31 over here to learn how to live according to the natural
32 laws and so, you know, they welcomed them with open
33 arms. We all know the story of Plymouth Rock, the
34 first winter here and everything, and how, you know,
35 the Pilgrims were able to survive the winter because of
36 Native American's knowledge of the area and today we
37 celebrate that as Thanksgiving, you know.

38

39 So after that discussion he went on and
40 he says, you know what you're going to spend the next
41 16 weeks learning how we can live according to the laws
42 of nature. And he said, you know, some of you will
43 have a hard time, you know, grasping on to that, others
44 of you will catch on right away, some of you it'll take
45 a lifetime for you to begin to understand, you know,
46 what this is all about. It's taken me almost 30 years,
47 ladies and gentlemen, to really learn, I'm a late
48 bloomer, okay, and it's taken me maybe 25 or 30 years
49 to come to a real good grasp of what those laws are.

50

1 And I wish I had more time to explain
2 it to you but those are laws that I think that we have
3 been drifting away from over the past couple hundred
4 years. Now, take a look at the founders of this
5 Country's vision or what they expected America to be
6 like and it says so in the very first paragraph of the
7 Declaration of Independence that we should live
8 according to the laws of nature and nature's god.

9

10 It says that.

11

12 They believed in the natural laws as
13 well.

14

15 And much of it they learned from Native
16 Americans and other, you know, ethnic groups.

17

18 And so my mission throughout all of
19 these years then was to be able to try to understand
20 that. And let me say that, in short, that the natural
21 law is the Creator's order of things. And because it's
22 the Creator's order of things then it is correct
23 reasoning and correct reasoning is true law and true
24 law has to be based on the natural laws. Okay. And so
25 he also said -- I also learned from a professor at the
26 university that I went to that the natural law is
27 wisdom. When you come to an understanding of what the
28 laws are all about it is wisdom. And then when it is
29 referred to government it means justice. And so,
30 ladies and gentlemen, that's what we, who are sitting
31 around this table here, are trying to do is to provide
32 justice to the environment, to the people that we
33 serve, and to make sure that, you know, everyone's
34 subsistence needs are met. My compliments to you in
35 being able to try to accomplish those things. I think
36 we have made some real great strides over the past few
37 years, particularly.

38

39 So I have written a book about the
40 natural laws and you can find it on Amazon.com, and
41 download it into your Kindle device, or I even got it
42 into my computer, but if you would like to look it up,
43 you know, it's easy to find.

44

45 Anyhow, I wanted to share that with you
46 folks because I think it's really important, and if you
47 don't see me next time then, you know, just think when
48 things don't go right, where are we going wrong. And
49 it's because of disobedience from the laws of nature.

50

1 Gunalcheesh, and thank you very much.
2
3 CHAIRMAN TOWARAK: Thank you, Bert.
4 I'm glad you didn't get an MBA.
5
6 (Laughter)
7
8 CHAIRMAN TOWARAK: Go ahead. Continue.
9
10 MR. CRAWFORD: Kind of a tough act to
11 follow here.
12
13 (Laughter)
14
15 MR. CRAWFORD: My name is Drew
16 Crawford. I'm with the Department of Fish and Game,
17 Federal subsistence liaison team. I've worked for the
18 Department since 1976. I worked as a fishery biologist
19 for the Department since about 1980. Most of my career
20 was spent as a commercial fisheries research biologist
21 working with salmon and herring and I've worked on the
22 Yukon River, the Susitna Hydro Electric Studies, I've
23 also worked in the Prince William Sound area and I was
24 there when the Exxon Valdez went on the rocks. And I
25 spent the latter part of my career with commercial
26 fisheries in the Bristol Bay area. I started with the
27 Federal liaison team, oh, about two and a half years
28 ago, to help with the last fisheries cycle and I saw
29 that through and then they kept me on for the wildlife
30 cycle. I do have a degree from the University of New
31 Hampshire in wildlife management, so I enjoyed getting
32 back into some of that for this last -- for the
33 wildlife cycle, which we've just completed.
34
35 It's an interesting process and I'm
36 constantly learning and I enjoy hearing new opinions
37 and I appreciate your work.
38
39 Thank you.
40
41 CHAIRMAN TOWARAK: Go ahead.
42
43 MS. YUHAS: We all know Drew does
44 really good work, no, you can't have him, I'll fight
45 too hard to keep him.
46
47 For the record, Jennifer Yuhas with the
48 Department. I'll be brief.
49
50 The Department has a non-voting seat

1 but it does have a seat on the Board, and I really want
2 to express my gratitude to the Chairman and to this
3 particular Board for the interaction that we have here.
4 There's a lot of history to this program and there's
5 been different ways that this seat has been treated
6 over the years and I'm very grateful that we use a
7 little bit of humor, rib each other about some things
8 that maybe we have an impasse on but that this Board
9 treats me very professionally when I'm here in this
10 seat and makes it easy for the State to fully
11 participate in the discussions. We don't always get
12 our way on a proposal and that's the way it goes.

13

14 But I just wanted to express that
15 appreciation, Mr. Chairman.

16

17 Jack, they better find somebody who is
18 as professional and classy as you to replace you. So
19 I'm going to express a little disappointment that
20 you're leaving.

21

22 (Laughter)

23

24 MS. YUHAS: That's all I have.

25

26 CHAIRMAN TOWARAK: Go ahead.

27

28 MS. MORRIS LYON: Thank you, Mr. Chair.
29 And I just want to say that I really appreciate your
30 words, Bert, that I -- I think they were very
31 appropriate and I hope everybody takes them to heart.

32

33 I also would ask the Chair if it's okay
34 at this point, I'd also been asked by the Southcentral
35 person to express some of their comments that they had
36 and I'll try and just combine them in the interest of
37 brevity with my own because a lot of them coincide,
38 would that be an okay thing to do at this point.

39

40 CHAIRMAN TOWARAK: Go ahead.

41

42 MS. MORRIS LYON: Okay. They felt that
43 the room was not adequate here this time to accommodate
44 the crowd and I agree, I think that it was difficult to
45 find and access the room alone. With the table setup
46 it seemed to prevent the public from seeing members as
47 well, and I know that I was uncomfortable having the
48 public to my back, I didn't feel I was being very
49 respectful to the people who were sitting behind me and
50 not being able to speak directly to them.

1 They also felt that maybe we had too
2 ambitious of an agenda and we should have either added
3 a day to our meeting or split it into two different
4 meetings. I feel that it did create a lot of stress on
5 members that were forced to leave early due to prior
6 engagements and what not and that because of the
7 overrun in the meeting and some of them not being able
8 to complete the items that were pertinent to their
9 areas with them being directly in attendance to the
10 meeting.

11
12 With the RAC appointments, the
13 Southcentral RAC made several recommendations in their
14 annual report, which will shortly be going to the
15 Federal Subsistence Board so I am assuming that was
16 just a message to let you know that those were on their
17 way.

18
19 Again, they also expressed the desire
20 for RAC members to receive their per diem promptly. I
21 think we've already heard that.

22
23 And they also felt like government
24 reductions were hurting this Program, and I think I had
25 expressed that earlier as well. It is frustrating to
26 be asked to work with the biology of things in your
27 area when you can't get current biology reports or
28 anything substantial. So I'm just echoing that again.

29
30 I just want to say hello to those of
31 you who I've seen for so many years. As a personal
32 note, I've sat on our board for a great number of years
33 and almost every one of those I've been as vice Chair
34 and that's a perfectly fine place for me to be. I feel
35 we have elders in our area that represent us very well
36 and I'm very grateful to Dan O'Hara before myself, and
37 Randy Alvarez and now Molly Chythlook who normally sit
38 in this seat and I think they are very good people for
39 our area.

40
41 But I will say that I feel like I know
42 when this was originally started, as you stated
43 earlier, the State should be, you know, taking over
44 this, it was supposed to be temporary and I would just
45 say that I think it should be looked at very strongly
46 that the seats are in large to a four year capacity,
47 it's obvious to me having come in only a short number
48 of times because I am vice Chair, that I see the same
49 people sitting next to me and around the table on the
50 RAC positions, as I did the first time I came in here,

1 and just noting that, I think it would be very
2 appropriate to elongate appointments for those who can
3 fill them. And, again, that's 'just a personal note.

4
5 And I appreciate everybody's welcoming
6 of me to this Board again and appreciate all the work
7 that you all do and thank you very much for that.

8
9 CHAIRMAN TOWARAK: Go ahead.

10
11 MR. PELTOLA: Thank you, Mr. Chair.
12 What I wanted to talk about, real briefly, is Staff.
13 I've been in this position now for eight to nine
14 months. One thing I've come to learn is that the
15 Regional Advisory Council and the Federal Subsistence
16 Board with regard to OSM Staff has a very dedicated
17 passionate Staff behind them. And some of the issues
18 that we have been addressed with, especially with
19 regard to this meeting, we only had weeks, and
20 sometimes days to address. And I was very demanding,
21 as the boss, on the Staff, but, not because I felt that
22 they needed to have motivation to get something done
23 but because I felt they were very dedicated, they had
24 the skill set and ability to accomplish those tasks on
25 time. And so I would like to say thank you to the
26 Staff that we have for the effort that was put forth
27 prior to this meeting, and occurring.

28
29 Secondly. One thing that we've heard,
30 I've heard, I've been trying to attend as many RAC
31 meetings as I could in addition to the work sessions
32 and stuff, commenting that I've heard is that
33 government Staffing, budget situations may be affecting
34 the Program. Like I said, we have a very dedicated
35 Staff but also we're down up to 14 positions at one
36 time. And we have received the support within the
37 agency which we are seated with to start filling those
38 and we're going to be filling a majority or a
39 significant portion of those positions. So, hopefully,
40 we can get things to the point where like at RAC
41 meetings, we don't know who to go to. Because we've
42 had so many vacancies we have had to rely on temporary
43 details, shuffling people around, in order to keep the
44 wheels turning. Hopefully at this time next year I
45 won't be saying, well, we're down 14 positions, we're
46 down six positions, we're down eight positions.
47 Hopefully we'll be at the point and I have confidence
48 we'll be at the point where we get a majority of those
49 positions filled and will clearly delineate, if you
50 have a question about fisheries, who do you go to; if

1 you have a question about a report, or some proposal,
2 you'd have definitely a path to follow to get to the
3 right information.

4
5 I'd just like to reiterate from myself
6 to the OSM Staff, thank you very much and you're
7 greatly appreciated and a very professional and caring
8 Staff.

9
10 CHAIRMAN TOWARAK: Thank you, Gene.
11 And, with that, I'm going to end our public portion of
12 the meeting by announcing that this is the.....

13
14 MR. CHRISTIANSON: The Park Service.

15
16 CHAIRMAN TOWARAK:winning.....

17
18 (Applause)

19
20 CHAIRMAN TOWARAK:children's art
21 program, student art contest. The winner's name is
22 Eileen Fernandez, she is nine years old and attends
23 Sitka grade school, Keet Gooshi Heen from Sitka and her
24 teacher is Kay Beckeris and we will be sending her a
25 letter and I can't remember what the prize is for -- it
26 gets printed, I guess, in our documents.

27
28 MR. PELTOLA: On the cover.

29
30 CHAIRMAN TOWARAK: On the cover of the
31 next proposal book so.....

32
33 (Cell phone interruption)

34
35 CHAIRMAN TOWARAK: Would you care to
36 address the Board.

37
38 MR. LORD: Are you talking about the
39 executive session or just -- oh, the comments.

40
41 (Laughter)

42
43 MR. LORD: Well, briefly. Gene, how
44 many people at OSM at right now.

45
46 MR. PELTOLA: According to the Staffing
47 chart 44.

48
49 MR. LORD: No, how many people actually
50 at OSM right now.

1 MR. PELTOLA: Probably about a little
2 over 30.

3
4 MR. LORD: Okay. A little over 30.
5 When I came here 10 years ago I think it was 54. So
6 that's what a 30 percent drop and, yet, look at this, I
7 mean that is a real tribute to the professionalism and
8 hard work the Staff put in here, there's no dropping of
9 quality at all in this book and I'm just so impressed
10 with all of OSM and the work that went into this
11 meeting. Without it, who knows what would happen here,
12 so I just want to say again, thank you, and echo Gene's
13 comments.

14
15 CHAIRMAN TOWARAK: And I want to
16 reiterate again and I think I've said it before, but
17 the people that we represent appreciate the work that
18 the Federal Subsistence Board is doing, and everywhere
19 I go I receive comments about people being thankful for
20 the approach that the Federal Subsistence Board is
21 making in addressing rural issues and rural needs, and
22 I want to convey that to everyone.

23
24 With that, is there a motion to go into
25 execu -- go ahead.

26
27 MR. CHRISTIANSON: I just had one more
28 statement, just to support what he's saying. I had a
29 couple of people texting me that were on line and they
30 said this was probably the best Federal Board meeting
31 they have ever listened in on, so if that's a little
32 bit of feedback, I don't know if we're not fighting or
33 kicking around or something that used to happen but
34 maybe even what Ms. Yuhas is stating, you know, there's
35 a high level of respect I think between the people here
36 and it's just nice to sit around a bunch of
37 professionals and have that level of respect be passed
38 between each other.

39
40 CHAIRMAN TOWARAK: Thank you.
41 Then.....

42
43 MR. ADAMS: Mr. Chairman. Last.....

44
45 CHAIRMAN TOWARAK: Go ahead.

46
47 MR. ADAMS: On behalf of the Regional
48 Advisory Council Chairs, I want to thank Nanci for
49 hanging in here with me and I'm sure she wants to thank
50 me for hanging in with her.

1 (Laughter)
2
3 MR. ADAMS: So it's been, you know,
4 good getting to know these people and, again, thank
5 you.
6
7 CHAIRMAN TOWARAK: Go ahead.
8
9 MR. CHRISTIANSON: You forgot the Park
10 Service.
11
12 CHAIRMAN TOWARAK: Oh, I thought we --
13 I thought we started from you.
14
15 MS. COOPER: No, it's not, no, we.....
16
17 CHAIRMAN TOWARAK: I'm sorry.
18
19 MS. COOPER: Deb Cooper, Park Service.
20 I'll just echo the thanks to the OSM Staff, it really
21 is just a huge effort to pull this off and you did a
22 fantastic job and really appreciate it. Really
23 appreciate all the analysis, all the work that went
24 into this. And -- and it's not unnoticed. It may feel
25 like it at times, I don't know, but it is not
26 unnoticed, thank you so much.
27
28 CHAIRMAN TOWARAK: With that, is there
29 a motion to go into executive session.
30
31 MR. C. BROWER: So moved.
32
33 MS. K'EIT: Second.
34
35 CHAIRMAN TOWARAK: Moved and seconded
36 to go into executive session. Is there any objection
37 to that.
38
39 (No objections)
40
41 CHAIRMAN TOWARAK: Motion passes
42 unanimously.
43
44 (Off record)
45
46 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 460 through 600 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, VOLUME IV taken electronically by our firm on the 18th day of April 2014, in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 27th day of April 2014.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/14