

1 FEDERAL SUBSISTENCE BOARD  
2  
3 PUBLIC REGULATORY MEETING  
4

5  
6 VOLUME III  
7

8 EGAN CENTER  
9 ANCHORAGE, ALASKA

10  
11 January 19, 2012  
12 8:30 o'clock a.m.  
13

14 MEMBERS PRESENT:

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

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

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32  
33 Keith Goltz, Solicitor's Office  
34 Ken Lord, Solicitor's Office

35  
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37  
38  
39 Doug Vincent-Lang, State of Alaska Representative  
40

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P R O C E E D I N G S

(Anchorage, Alaska - 1/19/2012)

(On record)

CHAIRMAN TOWARAK: Announcements.

MR. PROBASCO: There's some big events here at the center so we finish up by 5:00, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. If anyone feels frustrated and wants to release themselves part of tomorrow night is Friday Night Fights.

(Laughter)

CHAIRMAN TOWARAK: Is there any other information. Mr. Wilson.

MR. WILSON: Mr. Chair. At the beginning of the session when I arrived I had talked to you folks a little bit about our caribou problem down there. And as I was working up something for the State here it's already happened, we've already got our emergency order opening, as of yesterday, and so the system does work, and we were very pleased. So, thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Wilson. Anything else from anyone. If not, then we will continue on to opening the floor for public comments on non-agenda items.

MR. PROBASCO: Yes, Mr. Chair, we have some people that would like to speak this morning. First up is Ms. Merle Hawkins.

MS. HAWKINS: Good morning. Yes, today I'd like to review Ketchikan's going for rural status and would like to know what happened with the population threshold. At one time the Federal Subsistence Board, I believe, was looking at changing that threshold to a lower [sic] number, because when the program was originally started something had happened. And so would like to review that.

Ketchikan did apply for rural status and was denied.

Ketchikan, I can trace my ancestry back

1 through the villages that my people came from. I'm from  
2 the Haida Tribe, the Haida Nation. My grandmother came  
3 from the village of Howcan, and then the government moved  
4 them in 1911 to 1915 to Hydaburg, and then when my  
5 grandmother was widowed she moved to Ketchikan and so  
6 it's like we were forced out of the villages into urban  
7 areas. My grandmother had to leave Hydaburg for economic  
8 reasons as do most of the people, Native people, that  
9 reside in Ketchikan. The Ketchikan Indian Community  
10 Tribe, which I'm a member of and also on the tribal  
11 council, we have like 2,500 open charts, and we provide  
12 healthcare for our people that was one of the reasons.

13

14                   So it's kind of ironic to me that being  
15 forced out of the villages and then not being able to  
16 have the same rights and access to the food that is  
17 necessary for our good health.

18

19                   So I just want to remind the Board of  
20 that.

21

22                   When Kodiak was granted their status they  
23 did not include the Coast Guard Base, well, Ketchikan  
24 also has a Coast Guard Base, so once Saxman gets their  
25 status back to where they are to able to access their  
26 food, we'll subtract that population, the Coast Guard  
27 Base in Ketchikan would be pretty close and I know we got  
28 the grant from the BIA and did the survey, and the  
29 numbers were pretty low as far as the food use but I  
30 don't think that's a true reflection of what actually  
31 happens in that community.

32

33                   So I just want to remind the Board of  
34 that.

35

36                   I would like to also know when they're  
37 going to replace the Tribal Alaska Native Liaison  
38 position. I think that was a pretty important position  
39 and losing someone else, Diane McKinley, from the  
40 National Parks, was very helpful.

41

42                   I'm also a member of the Southeast RAC  
43 and have to reapply for that position.

44

45                   So just wanted to bring up those points,  
46 but I know we need to get back to our work, so thank you  
47 for your time.

48

49                   CHAIRMAN TOWARAK: Thank you, Ms.  
50 Hawkins. Are there any questions from the Board. Mr.

1 Adams.

2

3 MR. ADAMS: Thank you, Mr. Chairman.  
4 Merle, what is the population of the Coast Guard camp  
5 down there?

6

7 MS. HAWKINS: Gee, I don't even know.

8

9 MR. ADAMS: Okay, just curious, thanks.

10

11 MS. HAWKINS: Thanks. My president says  
12 it's probably about 120.

13

14 CHAIRMAN TOWARAK: Pete.

15

16 MR. PROBASCO: Thank you, Mr. Chair. I  
17 just wanted to quickly address two of the questions that  
18 Ms. Hawkins asked. As far as the threshold question, as  
19 you'll recall the Board does not have the authority to  
20 change the threshold, that only lies with the  
21 Secretaries. However, the Board has reviewed the  
22 threshold and has sent, this is a while back now, even  
23 prior to the rural review, or the subsistence review of  
24 our program, recommending a change to the threshold, but  
25 at this time there's been no action from the Secretary's  
26 office.

27

28 As far as the Native liaison position, my  
29 hope is that it's going to be posted this week. Working  
30 through the processes that are required with the hiring  
31 within the government is not as expedient as we'd like  
32 but we hope to have that posted this week for applicants.

33

34 Thank you, Mr. Chair.

35

36 MS. HAWKINS: Thank you.

37

38 CHAIRMAN TOWARAK: Further questions.

39

40 (No comments)

41

42 CHAIRMAN TOWARAK: Thank you for your  
43 testimony.

44

45 MS. HAWKINS: Thank you.

46

47 CHAIRMAN TOWARAK: Do we have further  
48 testimony.

49

50 MR. PROBASCO: Yes, Mr. Chair. We've

1 dealt with Unit 18 moose but Mr. Alexie Walter, Sr.,  
2 would like to just address the Board, the importance of  
3 moose in Unit 18.

4  
5 Thank you, Mr. Chair.

6  
7 CHAIRMAN TOWARAK: Go ahead.

8  
9 MR. WALTER: Yeah, good morning. My name  
10 is Alexie Walter, Sr., I'm from Mountain Village.

11  
12 This is the testimony I wanted to talk  
13 about.

14  
15 But before I do that, you know, Mr. Harry  
16 Wilde spoke the other day, or yesterday, and I've learned  
17 a lot of things from him. We all have learned something  
18 from our elders no matter where we're situated at in the  
19 great state of Alaska. The most harshest area to live  
20 in, I was born in 1939 and those of you that were born  
21 right around that area, or earlier or in the '40s, I  
22 don't know -- you all know how it was back then compared  
23 to today. Those elders back then were my advisors, they  
24 regulated me. That's why I'm here. I believe that's why  
25 I'm 72 because I used their knowledge a good part of my  
26 life.

27  
28 I learned how to walk on ice. The reason  
29 here -- here's an example. Springtime. When the ice  
30 gets thick, six or seven feet thick back then, you have  
31 to know how to read ice to walk on it. You just don't go  
32 running around on the Yukon and go back and forth, a mile  
33 and a half wide, springtime to go hunting, that's a  
34 different life. Where you come from, wherever it is in  
35 Alaska, you've gone through the same thing, but in a  
36 different technique, different way. Your elders taught  
37 you how to live in that area.

38  
39 We tend to forget who we are at times.  
40 Myself, I do that. I forget back, my trail, I'm looking  
41 over there but only 50 feet, I don't go looking 200 feet  
42 over, just my surrounding area mostly. I'm grateful to  
43 all the friends I got today that are still around. I'm  
44 very thankful for them. Although sometimes we don't see  
45 eye to eye, we try to work things together, using  
46 commonsense. That's not too hard to do when you got a  
47 group of people discussing problems. I feel for people  
48 up in Arctic Village, of stories I used to hear up along  
49 that are, even Fairbanks. We're all going through a  
50 hardship.

1 Right now I'm facing \$7, almost \$8 a  
2 gallon back home, nine -- 9.84 for a quart of oil. And  
3 this -- the testimony I wrote up on sporthunting in Unit  
4 18, after purchasing what I need to go hunting, sometime  
5 I get bothered by people that are actually not supposed  
6 to be around there without permission. And the way I set  
7 this up is taking an example from Koyukuk drainage, the  
8 way they handle their sportsmen hunters. We have to  
9 secure our area to where we wouldn't wipe out population  
10 of our moose. And any problem we see within the state,  
11 around our area, it's just a big farm, wherever you're at  
12 that's your farm. Be it sheep, moose, caribou, berries,  
13 fish; that's what you live with. When Mother Nature  
14 starts hampering with what we within our area, we can't  
15 do nothing about it but live alongside of it and do the  
16 best we can with our elders advice that have gone through  
17 the same trail. I've heard of stories about starvation,  
18 years ago. We don't bring that kind of stories back  
19 around again in this 20th Century, we forgot how it was  
20 back then. I don't know how true it is but I used to  
21 hear stories that when the grandma could make a bowl of  
22 soup, take rabbit tracks out there in the snow and melt  
23 that, she used to see if the flavor of that track would  
24 blend into the soup. Those are stories, I don't know if  
25 they're true or not. They used to boil bones, moose  
26 bones, caribou bones, until they turn into powder and eat  
27 that. My stepfather years ago, told me, respect all  
28 animals. When you're starving and hungry you're going to  
29 eat anything. The will to survive is strong. Your mind,  
30 our minds control our very life.

31  
32 You make up your mind to do something, by  
33 golly, you're going to do it. You don't know your own  
34 strength. I almost drowned in my life, I know what I'm  
35 talking about. The will to survive is strong. I respect  
36 the mighty Yukon. I went in it three times in my life,  
37 twice, I shouldn't even be talking to you, but I think I  
38 gone through that and pulled out if it to say today; the  
39 will to survive is strong no matter where you're from.

40  
41 We got to learn to live with each other  
42 and help each other. That's the way they live back then,  
43 my ancestors. They never let nobody be hungry, even up  
44 north, I hear stories of that. They have big potlatches,  
45 they hold things to be active with one another. When a  
46 community doesn't have too many activities going on,  
47 there's problems in there. I see it. But when a  
48 community is active and some things are going on, like an  
49 activity calendar within the year, they look toward that  
50 event instead of waiting for something to happen within

1 12 months.

2

3 I'm very fortunate that I could walk on  
4 water certain times of the year.....

5

6 (Laughter)

7

8 MR. WALTER: .....where I got to use a  
9 boat part of the other months. But I'm lucky. I feel  
10 like I'm lucky, I belong in the state of alaska, nowhere  
11 else. And I hate to see the way some areas in our area  
12 are headed. Economic development's good but we have to  
13 study it before it comes to protect the very farm where  
14 you go pick berries, where we do a lot of other things,  
15 recreational. I don't think there's nowhere in the  
16 world, we're unique. We pretty much know each other when  
17 there's a problem like this one. I hate to meet you  
18 every time there's a problem but it's the only time I  
19 meet some of you, although we're neighbors we hardly see  
20 one another, even in my communities, two houses up I got  
21 to shake his hand sometime but I never see him the whole  
22 year. That's how far apart some of our communities are  
23 getting. Sad.

24

25 But leaders in every community have to  
26 start waking up. Without a good leader a dog team's no  
27 good, I've already used the dogs for example. Seven dogs  
28 without a leader is no good. He don't know gee from haw.  
29 We are supposed to take the dog team as an example.  
30 You're a team without no real leader here, you're just  
31 there.

32

33 I'm sorry if I offended anybody in any  
34 way but those are my feelings and I appreciate you  
35 listening.

36

37 Thank you.

38

39 CHAIRMAN TOWARAK: Thank you, Mr. Alexie.  
40 Do we have anyone on the phone or on teleconference that  
41 would like to address the Board with any issues?

42

43 OPERATOR: Actually none at this time.

44

45 CHAIRMAN TOWARAK: Thank you. We will  
46 proceed then on to getting back to our -- to the  
47 proposals, we had left with Proposal 12-53 that we will  
48 bring back to the floor. We have already done the first  
49 seven steps and we were on the eighth step and I'm going  
50 to turn the floor to Geoff.

1 MR. HASKETT: So before we turn to that,  
2 though, I would like to make a comment on the last  
3 presentation, you ended that by saying you're sorry if  
4 you offended anyone, I thought that was a great  
5 presentation. I very much appreciate your words that are  
6 very wise so, thank you. And with that hopefully we'll  
7 have some wisdom here, too, over the next couple of  
8 minutes, I think we will.

9  
10 You'll recall that yesterday we ended  
11 where we had some questions on the table, which I think  
12 it'd be good maybe to answer one of those before I go on  
13 to move for a motion, and what I'd like to do is ask the  
14 solicitor to go ahead and tell us why the galloping  
15 definition actually is one that law enforcement likes and  
16 is going to be okay. So if you would do that I'd  
17 appreciate it.

18  
19 MR. LORD: I'd be happy to. To pick back  
20 up where we left off yesterday, I expressed some  
21 reservations about the phrase, at or near full gallop,  
22 and the burden that might impose on law enforcement in  
23 terms of improving it. That seemed to have brought  
24 everything to a screeching halt and we then conferred  
25 after the meeting broke up and I got the -- was the  
26 benefit of the wisdom of people who put a lot more  
27 thought into this than I have, and two things came out of  
28 that conference.

29  
30 The first was a reminder for me that even  
31 if the language that we adopt here for Unit 18 is adopted  
32 with that phrase, at or near full gallop, that the  
33 statewide prohibition against herding, driving, or  
34 molesting wildlife still remains in place and could be  
35 used as sort of a back to that.

36  
37 The second was, Mr. Sundown's assurance  
38 that he has put a lot of thought into how to meet that  
39 burden of proof for at or near full gallop, and he is  
40 comfortable that he can meet that burden.

41  
42 So if Robert is satisfied, I'm satisfied  
43 and as far as I'm concerned we can move on.

44  
45 MR. HASKETT: Okay, with that, thank you  
46 very much I appreciate that. And I do appreciate the  
47 group that got together at the end, it was a long day  
48 yesterday and you all still took this on and sorted it  
49 out, so I thank you.

50

1 I'd like to -- I just put some drops in  
2 my eyes and I can't see any more now.

3  
4 (Laughter)

5  
6 MR. HASKETT: I'd like to move to adopt  
7 Proposal 53 with the modifications recommended by the  
8 Yukon Kuskokwim Regional Council and I'll provide my  
9 rationale if I get a second.

10  
11 MR. CRIBLEY: Second.

12  
13 CHAIRMAN TOWARAK: You heard the motion  
14 and the second, please proceed.

15  
16 MR. HASKETT: Okay. And I covered some  
17 of this yesterday but I'm going to do it again just so  
18 it's fresh in everyone's minds. This has been an issue  
19 for our law enforcement folks at the Refuge very  
20 recently. The idea behind this is to go ahead and help  
21 clarify what is and what isn't allowed. The Refuge  
22 believes very strongly this is something we need and it's  
23 something that will actually help our subsistence users.  
24 We worked very closely with AVCP and also with the RAC  
25 who support this Refuge proposal. We've worked with the  
26 solicitor's office to get some clarification, which I  
27 very much appreciated. Local organizations and agencies  
28 all think this helps clarify a concern that's out there.

29  
30 A couple other things that I need to  
31 cover.

32  
33 The intended change is that it will  
34 primarily impact hunters only in Unit 18 who are hunting  
35 Mulchatna caribou. It's not the intent to affect hunters  
36 from other areas so I think that addresses one of the  
37 other RAC's concerns. It's very specific to this area.  
38 We also heard from our law enforcement, that if we don't  
39 adopt this, that it could actually be detrimental to  
40 subsistence users and, again, the intent is to make this  
41 better and easier to go ahead and work with subsistence  
42 users out there.

43  
44 So, thank you.

45  
46 CHAIRMAN TOWARAK: Are there any  
47 questions or comments regarding the motion.

48  
49  
50 (No comments)

1 CHAIRMAN TOWARAK: It was pointed out  
2 that there were two RACs that opposed the original  
3 proposal. Is that -- go ahead, Geoff.  
4  
5 MR. HASKETT: So it would be good to hear  
6 from them but I do want to point out again though the RAC  
7 in the area that's affected by this is, in fact, in favor  
8 of it, and strongly in favor of it and that's why I want  
9 to also make it very, very clear this is very specific to  
10 the area within that RAC and does not affect any of the  
11 other RACs and how business is done in their areas.  
12  
13 CHAIRMAN TOWARAK: Bristol Bay was one --  
14 go ahead, Mr. Wilson.  
15  
16 MR. WILSON: Yes, I would agree with  
17 that, thanks.  
18  
19 CHAIRMAN TOWARAK: Any further discussion  
20 on the motion.  
21  
22 MR. CRIBLEY: Mr. Chairman.  
23  
24 CHAIRMAN TOWARAK: Mr. Cribley, go ahead.  
25  
26 MR. CRIBLEY: I guess I would call for  
27 question.  
28  
29 CHAIRMAN TOWARAK: Question's been called  
30 for. Poll, please.  
31  
32 MR. PROBASCO: Thank you, Mr. Chair. The  
33 motion is to support WP12-53 as recommended by the Yukon  
34 Kuskokwim Delta Subsistence Regional Advisory Council  
35 with the modification.  
36  
37 Ms. Masica.  
38  
39 MS. MASICA: Yes.  
40  
41 MR. PROBASCO: Mr. Cribley.  
42  
43 MR. CRIBLEY: Yes.  
44  
45 MR. PROBASCO: Mr. Towarak.  
46  
47 CHAIRMAN TOWARAK: Yes.  
48  
49 MR. PROBASCO: Mr. Haskett.  
50

1 MR. HASKETT: Yes.  
2  
3 MR. PROBASCO: Mr. Virden.  
4  
5 MR. VIRDEN: Yes.  
6  
7 MR. PROBASCO: And, Ms. Pendleton.  
8  
9 MS. PENDLETON: No.  
10  
11 MR. PROBASCO: No. Motion carries, 5/1.  
12  
13 CHAIRMAN TOWARAK: Thank you. I think  
14 that concludes the YK-Delta issues. We will move on to  
15 one issue for Bristol Bay, WP10-45. There's an  
16 explanation here of some other deferrals and I assume  
17 that the Staff's going to review all of that, so Staff  
18 analysis please.  
19  
20 MR. MCKEE: Good morning. This is Chris  
21 McKee with OSM once again. Mr. Chair. Members of the  
22 Federal Subsistence Board. Regional Council Chairs. The  
23 analysis for WP10-45, 46, 47, 48, 49, 50 and 52 begins on  
24 Page 523 of your meetings material booklet.  
25  
26 The Proposals 45 through 50 and 52 were  
27 submitted by the Bristol Bay Subsistence Regional  
28 Advisory Council; WP10-45 requested a change to the moose  
29 season dates in a portion of Unit 9 while Proposals 46,  
30 49 and 50 requested that portions of Unit 9 be closed for  
31 the taking of moose by non-Federally-qualified  
32 subsistence users; and Proposals 10-47, 48 and 52  
33 requested that non-Federally-qualified users hunting  
34 moose in portions of Unit 9 be restricted from harvesting  
35 moose within a two mile wide buffer on either side of the  
36 waterways within Federal public lands. All of the  
37 proposals were deferred by the Federal Subsistence Board  
38 during its May 2010 meeting pending the outcome of a Unit  
39 9 moose working group process. Council members and area  
40 residents have repeatedly expressed concerns about the  
41 moose population in Units 9B and 9C and the adverse  
42 effects of competition with residents and non-Federally-  
43 qualified residents.  
44  
45 Overall management objectives for  
46 bull/cow ratios and populations are being maintained in  
47 Units 9B, 9C and 9E. The last bull/cow ratio estimate  
48 for 9B was 40 bulls per 100 cows in 2007. For 9C was 47  
49 bulls per 100 cows in 2008. And for 9E 62 bulls per 100  
50 cows in 2010.

1                   The current moose populations in Unit 9  
2 are considered stable albeit at low densities.

3  
4                   In the past decade local residents have  
5 regularly expressed difficulties in harvesting sufficient  
6 moose, a situation they attribute to a decreasing moose  
7 population. According to the area biologist, however,  
8 the erratic calf/cow ratios within Unit 9 may have led to  
9 the perception that the population's declining. Between  
10 1998 and 2007 the cow/calf ratios in Unit 9 ranged from  
11 as two calves per 100 cows in 1999 to as high as 26  
12 calves per 100 cows in 2003.

13  
14                   The OSM conclusion is to support Proposal  
15 10-45 with modification to require a State registration  
16 permit to harvest moose in Unit 9 and to add an  
17 additional five days to the fall seasons in Units 9C and  
18 9E. This is consistent with the recommendations of the  
19 Unit 9 moose working group and the original proposal from  
20 the Bristol Bay Regional Advisory Council and would align  
21 with recent changes made by the Alaska Board of Game to  
22 the State Unit 9 moose hunting regulations. Registration  
23 permits would allow better data collection and allow  
24 managers to shift hunter pressure to help alleviate user  
25 conflicts. The fall Federal moose hunting seasons in  
26 Units 9B and that portion of 9C draining into the Naknek  
27 River from the south already start on August 20th, 12  
28 days prior to the State moose hunting seasons in those  
29 areas allowing Federally-qualified subsistence users the  
30 opportunity to hunt moose without competition from  
31 individuals hunting under State regulations. Extending  
32 the fall moose season in Units 9C and 9E would provide  
33 additional opportunity for subsistence users to harvest  
34 moose in areas where moose population could withstand  
35 additional harvest pressure.

36  
37                   Thank you, Mr. Chair.

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

41  
42                   (No comments)

43  
44                   CHAIRMAN TOWARAK: Not hearing any we  
45 will proceed to step two, summary of public comments by  
46 the Regional Council coordinator.

47  
48                   (Pause)

49  
50                   CHAIRMAN TOWARAK: While we're waiting

1 for that do we have any public requests for testimony?

2

3 MR. PROBASCO: Mr. Chair, I do not have  
4 anybody signed up for that. We did have one public  
5 comment which was to support Proposal WP10-45 with  
6 modification. So, Mr. Chair, that was the only comment  
7 we received.

8

9 Thank you.

10

11 CHAIRMAN TOWARAK: Okay. We will proceed  
12 then on to step three, which, oh, no, is we've already  
13 opened the floor for public testimony, we don't have  
14 anyone to testify so we'll move to step four, which is  
15 Regional Council recommendations.

16

17 Mr. Wilson.

18

19 MR. WILSON: Mr. Chair, thank you.  
20 Richard Wilson, Bristol Bay filling in for Molly  
21 Chythlook, which generally has this seat here.

22

23 Just a little -- I'll first read what the  
24 RAC had come up with on paper and then I'll discuss what  
25 went behind closed doors -- or open doors.

26

27 (Laughter)

28

29 MR. WILSON: No action was taken on  
30 Proposals 10-46. 47. 48. 49. 50 and 52 by the Bristol Bay  
31 Subsistence Regional Advisory Council and in order to  
32 support 10-45 with a modification as read earlier to  
33 require a State registration permit to harvest moose in  
34 Unit 9 and to add an additional five days to the fall  
35 season in Units 9B, C and E. This proposal is consistent  
36 with Unit 9 moose working group recommendations and would  
37 align Federal and State regulations, and it extended the  
38 seasons the five days, B, C and E.

39

40 A little background on this, how this 45  
41 came into play.

42

43 It's about two years, now, prior, these  
44 proposals have been in front of us, and it was a growing  
45 problem back there in our unit that it was getting harder  
46 and harder to secure moose and we always felt the  
47 population was decreasing. And there is some pressure  
48 from non-subsistence users, we have a wide variety of  
49 users down in our area. So in that May meeting of 2010  
50 decided to go to a working group and the State and the

1 Feds, you know, everybody was involved with that program,  
2 and it was a very good one, it was much needed, because  
3 we have a problem, and we wanted to try and fix the  
4 problem and not just put a band-aid on it like a lot of  
5 times it seems like we end up doing in our areas. But in  
6 that working group, several ideas were out there, I think  
7 what drew us to that working group knowing that we had a  
8 problem trying to find moose, that there was a predator  
9 -- there is a predator problem in our area and as you can  
10 tell the population, or the calf to cow ratio recently  
11 has really dropped, so we tried working things out but  
12 the State working with us, decided we could go with a  
13 predator program on the wolf side of things because we  
14 feel like the bear and the wolves are some of our major  
15 problems down there, you know, the population on both of  
16 those is huge.

17  
18                               So that's kind of how we came up with  
19 Proposal 45, it was just kind of a -- it was a fix for  
20 now. We want to allow five days extension with the  
21 registration hunt, and the registration hunt, we thought,  
22 because of lack of information from our Fish and Wildlife  
23 and Alaska Department of Fish and Game on some -- you  
24 know, we're looking for real counts, real numbers and it  
25 just seems like it's hard to come up with that, I don't  
26 know if it's their funding cycle or different things, or  
27 whatever's in play, but, anyways we have old information  
28 trying to deal with today's problem, we feel. And so in  
29 the scope of all this we decided to go with this  
30 registered hunt because it would allow better recording.  
31 And in that it would also allow the State and Feds to go  
32 out to these communities and perhaps secure better  
33 information as the hunt went along and you were able to,  
34 you know, tell maybe where the populations were hurting  
35 and things and they felt like they had a better tool than  
36 to regulate different areas, if areas were hurting that  
37 they could\, you know, actually shut those areas down.  
38 So it was a -- it felt like it was kind of a compromise  
39 at the time and the predator control thing is going to be  
40 in action here shortly on the wolves, if not already, I  
41 know we're scheduled to -- they approved an aerial hunt  
42 down there, and we are working on the bear side of things  
43 to try to relax the regulations there more so so that  
44 more people would get involved because there is an excess  
45 of bear in our area, and it's all the way down the coast,  
46 I mean it's all Unit 9E all the way up through D, C and  
47 B.

48  
49                               So it's a continuing problem but  
50 hopefully this will help us out in the short-term.

1 Thank you.

2

3 CHAIRMAN TOWARAK: Thank you, Mr. Wilson.  
4 Are there any questions of the Board.

5

6 (No comments)

7

8 CHAIRMAN TOWARAK: We will proceed then  
9 on to the Fish and Game comments.

10

11 MS. YUHAS: Thank you, Mr. Chairman.  
12 Jennifer Yuhas, Alaska Department of Fish and Game.

13

14 And, Mr. Wilson gave most of the  
15 rationale for the Department comments, which will also be  
16 supporting the product of the working group for the Unit  
17 9 moose working group.

18

19 The bull/cow ratios do remain above the  
20 management objectives and hunter success rates have been  
21 higher here than in most areas of the state because of  
22 the work that the working group has put in. We are  
23 supporting modification to Proposal 45 asking for a  
24 registration permit hunt. We do not want to adopt  
25 proposals that would restrict access by non-Federally-  
26 qualified users and we want to authorize the Federal  
27 moose hunts in Unit 9 to be conducted by Federally-  
28 qualified subsistence users who've acquired a State  
29 registration permit, we're happy to administer that  
30 permit and this is a product of the Unit 9 working group.

31

32 Because of the recent adoption of the  
33 Board of Game State moose hunting regulations in Unit 9B,  
34 C and E will significantly reduce user confusion by  
35 aligning the State and Federal subsistence and State  
36 hunting regulations.

37

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

40

41 (No comments)

42

43 CHAIRMAN TOWARAK: Thank you for your  
44 comments.

45

46 MS. YUHAS: I don't know, Mr. Chairman, if  
47 Lem Butler's may be on line also. He was one of the --  
48 Chairman of the working group and when the Board gets  
49 into deliberation, if they have specific questions Mr.  
50 Butler may be on line.

1 CHAIRMAN TOWARAK: Is Mr. Butler on line.  
2  
3 OPERATOR: You may press star, one, if  
4 you have a question or a comment.  
5  
6 (Pause)  
7  
8 OPERATOR: Not at this time.  
9  
10 CHAIRMAN TOWARAK: Thank you. We will  
11 proceed then to step six, InterAgency Staff Committee  
12 comments.  
13  
14 MR. ARDIZZONE: Mr. Chairman. For the  
15 record my name is Chuck Ardizzone. Staff Committee  
16 comments can be found on Page 548. And my understanding  
17 is the standard comments haven't been read,so it's on  
18 that page.  
19  
20 CHAIRMAN TOWARAK: Thank you. Board  
21 discussion with Council Chairs and State liaison.  
22  
23 (No comments)  
24  
25 CHAIRMAN TOWARAK: It doesn't appear  
26 there's any discussion. We're ready for item number 8,  
27 Board action.  
28  
29 MS. MASICA: Mr. Chairman, I have a  
30 motion.  
31  
32 CHAIRMAN TOWARAK: Go ahead, yes.  
33  
34 MS. MASICA: Okay. Mr. Chairman, I'd  
35 make the motion that we support WP10-45 and after a  
36 second I'll speak to my motion.  
37  
38 MR. HASKETT: Second.  
39  
40 CHAIRMAN TOWARAK: You heard the motion  
41 and then the second, go ahead, please.  
42  
43 MS. MASICA: As with some of the other  
44 deferred proposals, this collection of proposals has been  
45 quite extensively reviewed and reworked, as best I can  
46 tell, there's a minor difference of five days in 9B,  
47 that's the thing that kept it from being a consensus  
48 agenda so I do intend to amend the motion in a manner  
49 consistent with the Bristol Bay RAC recommendation, which  
50 would add those five days to the fall hunt in 9B, which

1 would make the closing date September 20th. I believe  
2 deference to their recommendation is appropriate. The  
3 resulting regulatory language which would be what my  
4 amendment is, is on Page 547. And if I could get a  
5 second, I would speak to the amendment.

6

7

MR. HASKETT: Second.

8

9

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MR. HASKETT: Second.

CHAIRMAN TOWARAK: Motion has been moved  
and seconded, discussion.

MS. MASICA: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MS. MASICA: This recommendation by the  
Bristol Bay RAC is consistent with the recommendation of  
the Unit 9 moose working group which was described  
previously and would mostly align Federal and State  
hunting regulations with that minor exception of those  
five days. The use of a State registration permit as  
recommended by the RAC will provide important information  
for managing moose throughout Unit 9. Furthermore  
extending the seasons by five days will provide increased  
hunting opportunities in areas that can support  
additional harvest.

Those are my comments, thank you.

CHAIRMAN TOWARAK: Any other discussions  
or comments. Mr. Wilson, go ahead.

MR. WILSON: Thank you, Mr. Chair. I  
just thought I'd note that another reason why we were  
looking for the five day extension, as been mentioned  
here in the last couple of days, about our climate cycle  
is warming up and the moose not wanting to move until  
later in the season.

CHAIRMAN TOWARAK: Thank you. Mr. Stacer  
[sic].

MR. HASKETT: So all I want to do is, I  
mean this seems to me, to be a really good example of  
where continued discussion and lots of work actually  
comes to a place where we get to successful conclusion.  
This was very contentious, the working group took this  
on, I think that everybody involved in it deserves a lot  
of credit for getting to this point, so I see this as  
being a good place to be and I'm going to go on record

1 for that.  
2  
3 CHAIRMAN TOWARAK: Further discussion.  
4  
5 (No comments)  
6  
7 MR. CRIBLEY: Mr. Chairman.  
8  
9 CHAIRMAN TOWARAK: Go ahead.  
10  
11 MR. CRIBLEY: Thank you. I guess I'd  
12 call for question.  
13  
14 CHAIRMAN TOWARAK: Question's been called  
15 for. Roll call, please.  
16  
17 MR. PROBASCO: Thank you, Mr. Chair. And  
18 the action will be on the amendment, which is found on  
19 Page 547, and supports the Bristol Bay Subsistence  
20 Regional Advisory Council's recommendation.  
21  
22 Mr. Cribley.  
23  
24 MR. CRIBLEY: Yes.  
25  
26 MR. PROBASCO: Mr. Towarak.  
27  
28 CHAIRMAN TOWARAK: Yes.  
29  
30 MR. PROBASCO: Mr. Haskett.  
31  
32 MR. HASKETT: Yes.  
33  
34 MR. PROBASCO: Mr. Virden.  
35  
36 MR. VIRDEN: Yes.  
37  
38 MR. PROBASCO: Ms. Pendleton.  
39  
40 MS. PENDLETON: Yes.  
41  
42 MR. PROBASCO: Ms. Masica.  
43  
44 MS. MASICA: Yes.  
45  
46 MR. PROBASCO: Mr. Chairman, amendment  
47 carries 6/0.  
48  
49 CHAIRMAN TOWARAK: So we're back to the  
50 main motion.

1 MR. CRIBLEY: Mr. Chairman, could I call  
2 for question.  
3  
4 CHAIRMAN TOWARAK: The motion's -- a call  
5 for the question has been called. I'll ask for a poll  
6 vote or.....  
7  
8 MR. PROBASCO: Thank you, Mr. Chair.  
9 Final action on WP10-45, as amended.  
10  
11 Mr. Towarak.  
12  
13 CHAIRMAN TOWARAK: Yes.  
14  
15 MR. PROBASCO: Mr. Haskett.  
16  
17 MR. HASKETT: Yes.  
18  
19 MR. PROBASCO: Mr. Virden.  
20  
21 MR. VIRDEN: Yes.  
22  
23 MR. PROBASCO: Ms. Pendleton.  
24  
25 MS. PENDLETON: Yes.  
26  
27 MR. PROBASCO: Ms. Masica.  
28  
29 MS. MASICA: Yes.  
30  
31 MR. PROBASCO: Mr. Cribley.  
32  
33 MR. CRIBLEY: Yes.  
34  
35 MR. PROBASCO: Final action carries, 6/0.  
36  
37 CHAIRMAN TOWARAK: Thank you. I, too,  
38 agree that -- I don't have a lot of background in this  
39 situation but it sounds like it was a consensus type of  
40 a solution and I appreciate that.  
41  
42 MS. MASICA: Mr. Chairman.  
43  
44 CHAIRMAN TOWARAK: Ms. Masica.  
45  
46 MS. MASICA: The analysis for all of  
47 those proposals were -- it was more than just that one,  
48 which was 10-45, it also addressed 46, 47, 48, 49, 50 and  
49 52, and I've been advised the appropriate thing is to  
50 recommend that we take no action on those other

1 proposals.

2

3 CHAIRMAN TOWARAK: Are there any  
4 objections to that?

5

6 (No objections)

7

8 CHAIRMAN TOWARAK: Not hearing any we  
9 will proceed then without any action on the rest of the  
10 proposals regarding 10-45. We will proceed then to the  
11 next proposal, 12-37 in Kodiak.

12

13 Staff analysis, please.

14

15 MR. MCKEE: Chris McKee with OSM again.  
16 Mr. Chair. Members of the Board. Regional Council  
17 Chairs. The analysis for WP12-37 begins on Page 553 of  
18 your meetings material booklet. Proposal 12-37 was  
19 submitted by the Kodiak Aleutians Regional Advisory  
20 Council and requests a harvest season be established in  
21 Unit 9D from August 1st to March 15th with a harvest  
22 limit of one bull caribou, quotas and any needed closures  
23 would be announced by the Federal in-season manager after  
24 consultation with the Alaska Department of Fish and Game.  
25 Only bulls would be available for harvest and the hunt  
26 would be allowed if there were sufficient animals to  
27 harvest. This proposal is intended to define a hunt  
28 structure to issue permits once the Southern Alaska  
29 Peninsula Caribou Herd is above the defined thresholds in  
30 the 2008 operational plan.

31

32 The primary population and management  
33 objectives outlined in the 2008 plan could be found on  
34 Page 558 of the analysis and include sustaining a  
35 population of three to 4,000 animals, maintaining a  
36 minimum fall bull/cow ratio of 35 to 100. There will be  
37 no harvest when the bull/cow ratio falls below 20 bulls  
38 per 100 cows for three consecutive years and to  
39 discontinue harvest when the herd is below 750 animals  
40 and the herd is in a period of decline based on three  
41 independent population estimates.

42

43 In 2009/2010 the bull/cow ratios were 21  
44 per 100 and 28 per 100 respectively which are above the  
45 minimum threshold stipulated in the operational plan. In  
46 2009/2010 the caribou population has been approximately  
47 800 animals. If the 2011 bull/cow ratios are similar or  
48 greater than the past two years this portion of the  
49 management objectives will have been met. The Izembek  
50 National Wildlife Refuge conducted an aerial population

1 count of the herd in April of 2011 and counted 790  
2 caribou in 64 groups.

3  
4 The OSM conclusion is to support this  
5 proposal with modification to split the season dates to  
6 the last preclosure season which would allow recovery  
7 time after the rut and the modified regulation can be  
8 found on Page 561 of your booklets.

9  
10 Thank you.

11  
12 CHAIRMAN TOWARAK: Any questions of the  
13 Staff.

14  
15 (No comments)

16  
17 CHAIRMAN TOWARAK: Thank -- okay, go  
18 ahead, Geoff.

19  
20 MR. HASKETT: So actually this is one  
21 that looks like we're really close again on almost all  
22 issues and the only difference, looks like a date  
23 difference between us and the State, and I want to  
24 understand, I'm going to ask the State the same question,  
25 so you all recommended that the one change we made and we  
26 split the season would be to have it go from August 1st  
27 to September 30th as opposed to the State, I think, is  
28 asking for the 20th; can you explain why you asked for  
29 the 30th as opposed to the 20th?

30  
31 CHAIRMAN TOWARAK: Go ahead.

32  
33 MR. ARDIZZONE: Mr. Chair. Chuck  
34 Ardizzone. I believe the dates were based on discussions  
35 with the Refuge manager, that's where we came up with  
36 those dates, the split dates.

37  
38 MR. HASKETT: Okay, thank you.

39  
40 CHAIRMAN TOWARAK: Any further questions  
41 or any other further comments.

42  
43 (No comments)

44  
45 CHAIRMAN TOWARAK: If there's none we  
46 will proceed then on to item number 3, public testimony.

47  
48 MR. JOHNSON: Good morning, Mr. Chair.  
49 Members of the Board. Regional Council Chairs. My name  
50 is Carl Johnson. I am the Council Coordinator Division

1 Chief at OSM. And there were no public comments received  
2 by the Council on this proposal.

3

4 Thank you.

5

6 CHAIRMAN TOWARAK: Thank you.

7

8 MR. PROBASCO: Mr. Chair. No people have  
9 signed up to testify on this proposal.

10

11 CHAIRMAN TOWARAK: Thank you. Then we  
12 will proceed on to number 4, Regional Council  
13 recommendations. Mr. Simeonoff.

14

15 MR. SIMEONOFF: Thank you, Mr. Chairman.  
16 The Kodiak/Aleutians Subsistence Regional Advisory  
17 Council supported this Proposal WP12-37. This proposal  
18 establishes a season and harvest limit for caribou in  
19 Unit 9D and that will allow for the in-season manager  
20 after consulting with the ADF&G to allow a harvest when  
21 biological thresholds are met. This proposal is needed  
22 since two of the three thresholds have been met, and the  
23 third may be met in the near future.

24

25 CHAIRMAN TOWARAK: Thank you, Mr.  
26 Simeonoff. Any questions.

27

28 (No comments)

29

30 CHAIRMAN TOWARAK: We will proceed then  
31 with Department of Fish and Game.

32

33 MS. YUHAS: Thank you, Mr. Chairman.  
34 Jennifer Yuhas, Alaska Department of Fish and Game. The  
35 Department certainly supports putting this permit process  
36 in place, this herd had a significant decline after its  
37 peak in 2002 and due to Department's predator management  
38 efforts the herd has increased close to the threshold  
39 which we can open a hunt and that's certainly the intent.

40

41 The language that you see here, and thank  
42 you to the Chairman from the Kodiak/Aleutians RAC, we got  
43 a few guidelines in there though to still serve as  
44 protection to the herd as its reaching that threshold.  
45 The hunt is not to open until we have at least 1,000  
46 caribou, or only to harvest bulls until it reaches a  
47 threshold of 2,000, and we still need to have very close  
48 coordination between the State and Federal managers. The  
49 State needs to be consulted in the openings, closures and  
50 harvest quotas as we move forward with this. The

1 Department has recommended different dates than you see  
2 in the OSM recommendation, and that is to avoid the  
3 rutting behavior. This is not a herd that has recovered  
4 so significantly that we're ready to open a hunt right  
5 now. You may notice we've only met two of our three  
6 thresholds and we are just simply putting a permit  
7 process in place so that we're able to do that as soon as  
8 we can rather than having to wait another two years  
9 through the Board cycle. We're very proud of what we've  
10 done with the Department's predator management to assist  
11 this but we're not quite there yet. We think it really  
12 is important to take a look at those rutting dates, we  
13 really only want this open August 10th to 20th, the dates  
14 that include the greatest degree of rutting behavior are  
15 the 20th -- September 20th through November 10th; and we  
16 want to avoid those dates.

17

18 CHAIRMAN TOWARAK: Go ahead.

19

20 MR. VINCENT-LANG: And I just want to add  
21 this is an excellent example where the Department's  
22 predator management program is restoring animals in this  
23 Peninsula area that is going to be used for subsistence  
24 resources, you know, we are trying our best to get this  
25 herd turned around and we think we're making a difference  
26 down in this area and we think it's really going to make  
27 a big difference to the local users down there in terms  
28 of having some of the caribou stocks and food sources  
29 that they need.

30

31 So, again, we just urge you to be  
32 cautious about how you open it up now that we're turning  
33 this herd around from a State management perspective.

34

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

37

38 MR. HASKETT: Yes.

39

40 CHAIRMAN TOWARAK: Mr. Stacer, go ahead.

41

42 MR. HASKETT: Just clarification. I  
43 asked the date question before and I thought the only  
44 difference was September 20th as opposed to September  
45 30th, but I have August 1st, I think, recommendation,  
46 from you all, and you said August 10th just now, was the  
47 date?

48

49 MS. YUHAS: Through the Chair, that is  
50 correct. The State is recommending, you know, August

1 10th through September 20th.

2

3 MR. HASKETT: Okay, thank you.

4

5 CHAIRMAN TOWARAK: Further questions.

6

7 (No comments)

8

9 CHAIRMAN TOWARAK: Thank you. The  
10 InterAgency Staff Committee comments.

11

12 MR. ARDIZZONE: Mr. Chairman. The  
13 comments can be found on Page 563 and, once, again,  
14 they're the standard comments.

15

16 CHAIRMAN TOWARAK: Thank you. Any  
17 discussions with the Council Chairs and the State liaison  
18 by the Board.

19

20 (No comments)

21

22 CHAIRMAN TOWARAK: Not seeing any or  
23 hearing any, we are ready for final action on Proposal  
24 12-37.

25

26 Go ahead, Geoff.

27

28 MR. HASKETT: I'm going to make a motion  
29 to adopt Proposal 12-37 as recommended by the  
30 Kodiak/Aleutians Regional Council. I also plan to add an  
31 amendment to the motion if I get a second.

32

33 MR. CRIBLEY: Second.

34

35 CHAIRMAN TOWARAK: You heard the motion  
36 and a second. Further discussion.

37

38 The floor's open for an amendment.

39

40 MR. HASKETT: I move to amend the motion  
41 to split the season dates to be August 10th to September  
42 20th and November 15th to March 31st and will provide my  
43 justification if I get a second.

44

45 MR. CRIBLEY: Second.

46

47 CHAIRMAN TOWARAK: You heard the motion  
48 and a second. Further discussion.

49

50 MR. HASKETT: Okay, it appears that this

1 caribou herd is increasing in size and this will  
2 establish a hunt on the books that will allow the  
3 managers to set any needed quotas or close the hunt if  
4 needed according to the objectives in the management  
5 plan. The split season is a precautionary measure, it'll  
6 protect the bulls during the rutting period. We intend  
7 to work closely with the State prior to opening the hunt  
8 and hopefully that can happen soon, and, again -- oh,  
9 apparently there's a question on my justification, how do  
10 I handle that -- that's my justification so I guess go  
11 for the question, I guess.

12

13 CHAIRMAN TOWARAK: Pete.

14

15 MR. PROBASCO: For my benefit, Mr.  
16 Haskett, would you give me the second season dates?

17

18 MR. HASKETT: 15th to the 31st, November  
19 15th to March 31st -- no?

20

21 MR. PROBASCO: So you're just.....

22

23 MR. HASKETT: I was actually trying to  
24 coincide with the State, so if I didn't do that then  
25 could we get some clarification on that, sorry,  
26 apologize.

27

28 CHAIRMAN TOWARAK: Ms. Yuhas, do you have  
29 any comments?

30

31 MS. YUHAS: Thank you, Mr. Chairman. As  
32 we work closely with the State, may I direct the Board to  
33 Page 565 where the State is opposed to those later season  
34 dates and the split season at this time although it may  
35 be implemented at a later time when the herd has  
36 recovered. The State is only recommending the first  
37 season dates.

38

39 MS. MASICA: August 10 to September 20,  
40 so nothing in the winter.

41

42 MR. HASKETT: Okay, give me one moment  
43 please.

44

45 (Pause)

46

47 MR. HASKETT: I apologize.

48

49 CHAIRMAN TOWARAK: Go ahead.

50

1 MR. HASKETT: Can I change -- can I make  
2 -- I'm not sure how I go ahead and do this, my amended  
3 motion I'd like to change that if I could.  
4  
5 CHAIRMAN TOWARAK: You could propose a  
6 change and if it's approved by the second I assume that  
7 that would take care of that change.  
8  
9 MR. CRIBLEY: I'd second.  
10  
11 (Laughter)  
12  
13 MR. HASKETT: Okay. So my.....  
14  
15 MR. PROBASCO: Mr. Chair.  
16  
17 CHAIRMAN TOWARAK: Go ahead, Pete.  
18  
19 MR. PROBASCO: Let's just pull the  
20 amendment with the concurrence of the second and then  
21 start with a new amendment.  
22  
23 CHAIRMAN TOWARAK: Agreeable.  
24  
25 MR. HASKETT: Yes.  
26  
27 MR. CRIBLEY: Okay.  
28  
29 CHAIRMAN TOWARAK: Proceed with a new  
30 agreement [sic].  
31  
32 MR. HASKETT: So my new amended motion is  
33 I move to amend the motion to split the season dates to  
34 August 10th to September 20th and I'll provide my  
35 justification if I can get a second.  
36  
37 MR. CRIBLEY: Second.  
38  
39 CHAIRMAN TOWARAK: You heard the motion  
40 and a second. Further discussion, proceed.  
41  
42 MR. HASKETT: Okay. So, again, this  
43 caribou herd is increasing in size and we want to  
44 establish a hunt on the books to allow the managers to  
45 set needed quotas or close the hunt as needed according  
46 to the objectives in the management plan. The split  
47 season is a precautionary measure, it'll protect the  
48 bulls during the rutting period.  
49  
50 My intent was to work as closely with the

1 State as I possibly could on this, that's why I went  
2 ahead and made my change here on the justification of the  
3 last motion, and we intend to be working with them and we  
4 may have some additional things we might want to do on  
5 future dates, but for now that's, I think, the best way  
6 forward.

7

8 MS. MASICA: I just have a question.

9

10 CHAIRMAN TOWARAK: Go ahead, Sue.

11

12 MS. MASICA: Geoff, I was not clear from  
13 your description there. Does your amendment include the  
14 second season?

15

16 MR. HASKETT: No.

17

18 MS. MASICA: Does not?

19

20 MR. HASKETT: Nope, I didn't include it  
21 this time.

22

23 MS. MASICA: Okay.

24

25 CHAIRMAN TOWARAK: This is a change from  
26 what the Regional Council had supported, Mitch, have you  
27 got comments.

28

29 MR. SIMEONOFF: One comment, Mr.  
30 Chairman. The dates that were put on the proposal, the  
31 people down there ran out of hunting opportunities on  
32 Unimak Island so Unit 9D was the closest one that they  
33 could get to now, the August 1st is the -- people felt  
34 that when the caribou are there they should be able to  
35 get them and if they wait later then the caribou starts  
36 to move and they got to travel further to go hunting. We  
37 just try to make it easier for them to have an  
38 opportunity to hunt.

39

40 CHAIRMAN TOWARAK: How about the November  
41 15th to the March 31st?

42

43 MR. SIMEONOFF: That's later in the  
44 season, hunting that people are just getting done fishing  
45 like to go from their boat to the hunting grounds and the  
46 August 1st through September 30th.

47

48 CHAIRMAN TOWARAK: So your Regional  
49 Council has justified having -- keeping the dates the  
50 same, August 1 to September 30th and November 15th

1 through March 31st?

2

3 MR. SIMEONOFF: Yeah, the November 15th  
4 to March 31st is the, you know, that's later in the year  
5 when people are settled down kind of in the fall, getting  
6 into winter and they're not so busy putting gear away and  
7 in a rush but the earlier part of the year is when the  
8 caribou are there and they're in the area in their boats,  
9 they have an opportunity to hunt, you know, if we wait  
10 later then they got to -- it's probably economics, you  
11 know, you got to pay for the fuel you use to go hunting  
12 and the more you got to pay the more expensive it is to  
13 take your boat out, some people just can't afford that.

14

15 CHAIRMAN TOWARAK: Thank you. Are there  
16 further questions. Mr. Virden.

17

18 MR. VIRDEN: So that's later hunt, that's  
19 very important to the subsistence users down in that  
20 unit?

21

22 MR. SIMEONOFF: I'm sorry, say that  
23 again?

24

25 MR. VIRDEN: The later hunt from November  
26 15th to March 31st is very important to the subsistence  
27 users so they can harvest their food?

28

29 MR. SIMEONOFF: A later season, later  
30 hunting in the year is important. Opportunistically  
31 earlier is also important because of economic factors.  
32 Going hunting later on in the year, you know, I do that  
33 in Kodiak but it's -- you know, weather is always a  
34 factor of where you can go and how far inland you can go.

35

36 MR. VIRDEN: Thank you.

37

38 CHAIRMAN TOWARAK: Further questions.

39

40 (No comments)

41

42 CHAIRMAN TOWARAK: For the information  
43 for the Board, based on the comments by the Regional  
44 Council I'm going to vote against the amendment.

45

46 MR. PROBASCO: Thank you, Mr. Chair. One  
47 possible recommendation for the Board to consider is this  
48 amendment deals with the first season, you could address  
49 that and then if a Board member wishes to address the  
50 second season can offer another amendment.

1 Mr. Chair.  
2  
3 CHAIRMAN TOWARAK: Ms. Pendleton.  
4  
5 MS. PENDLETON: Just a question maybe to  
6 Geoff, with the second season, if there was a  
7 conservation issue and a need to close, the Refuge  
8 manager could invoke a closure?  
9  
10 MR. HASKETT: So the intent of this is to  
11 get to the point where we have enough good information,  
12 you know, working with the State, to where if we can  
13 figure out what the numbers really are and what needs to  
14 be open; there's still questions out there. And I don't  
15 mean to speak for the State but I think the reason for  
16 the concern for the second season in my first -- or I  
17 didn't have that in my first amendment, is to be  
18 conservative and make sure we don't overstep, and, again  
19 I don't want to put words into the State's -- so I  
20 actually really appreciated Pete's suggestion if we could  
21 do that is take up the first -- my amendment first, which  
22 would just be the first part, which I think we could make  
23 a successful conclusion to and then maybe take up this  
24 one second and give some opportunity to have some  
25 additional discussion on that second one to kind of sort  
26 out the best way forward on that.  
27  
28 CHAIRMAN TOWARAK: As it is on the table  
29 right now, we have an original motion to adopt 12-37 and  
30 we're currently considering an amendment to that motion  
31 and I think that Robert's Rules of Order is where we're  
32 at.  
33  
34 MS. PENDLETON: I'll go ahead and call  
35 for the question.  
36  
37 CHAIRMAN TOWARAK: So procedurally if we  
38 wanted to do another amendment I think is available.  
39  
40 MR. PROBASCO: We've got to vote on the  
41 first amendment.  
42  
43 MS. MASICA: There was a call for the  
44 question.  
45  
46 MS. PENDLETON: So call for question.  
47  
48 CHAIRMAN TOWARAK: On the first  
49 amendment?  
50

1 MS. PENDLETON: Correct.  
2  
3 CHAIRMAN TOWARAK: Okay. The question's  
4 been called for on the first amendment, and the amendment  
5 is to eliminate -- or to change the season.  
6  
7 MR. PROBASCO: Thank you, Mr. Chair. The  
8 first amendment that we're dealing with addresses a  
9 season for the -- we'll call it the first season of  
10 August 10th to September 20th.  
11  
12 Mr. Towarak.  
13  
14 CHAIRMAN TOWARAK: I've got a question  
15 further, it also includes November 15th to March 31st?  
16  
17 MR. PROBASCO: No, it doesn't.  
18  
19 MS. MASICA: It's a first amendment.  
20  
21 MR. PROBASCO: And we can address that if  
22 the Board wishes with a second amendment. Right now  
23 we're just looking at the first season.  
24  
25 Mr. Chair.  
26  
27 So.....  
28  
29 CHAIRMAN TOWARAK: I will vote no.  
30  
31 MR. PROBASCO: Okay. Mr. Haskett.  
32  
33 MR. HASKETT: Yes.  
34  
35 MR. PROBASCO: Mr. Virden.  
36  
37 MR. VIRDEN: No.  
38  
39 MR. PROBASCO: Ms. Pendleton.  
40  
41 MS. PENDLETON: Yes.  
42  
43 MR. PROBASCO: Ms. Masica.  
44  
45 MS. MASICA: Yes.  
46  
47 MR. PROBASCO: Mr. Cribley.  
48  
49 MR. CRIBLEY: Yes.  
50

1 MR. PROBASCO: Mr. Chair, the amendment  
2 carries 4/2.

3  
4 CHAIRMAN TOWARAK: Thank you. That  
5 brings us back to the main amendment -- Mr. Stacer.

6  
7 MR. HASKETT: So point of order --  
8 question, point of order, so what I'd like to move now  
9 before I make another amendment, is have some discussion  
10 here between the RAC and the State and maybe OSM, too, if  
11 they have some thoughts, I'd like to hear some more  
12 information on the second season on why it's important or  
13 not important, if we could do that before we go to the  
14 next step.

15  
16 CHAIRMAN TOWARAK: Mr. Adams, you had a  
17 question.

18  
19 MR. ADAMS: I just have a recommendation,  
20 just a point of order. I think you should make the  
21 amendment first and then you discuss it.

22  
23 MR. HASKETT: Okay, because as it is.....

24  
25 MR. ADAMS: I said I think, I know.

26  
27 MR. HASKETT: Okay.

28  
29 CHAIRMAN TOWARAK: Okay.

30  
31 (Laughter)

32  
33 MR. HASKETT: No, we can do that, okay.

34  
35 CHAIRMAN TOWARAK: As it is we have the  
36 main motion on the floor, nothing else.

37  
38 MR. HASKETT: Okay.

39  
40 CHAIRMAN TOWARAK: Mr. Stacer.

41  
42 MR. HASKETT: Haskett.

43  
44 (Laughter)

45  
46 CHAIRMAN TOWARAK: Haskett, I'm sorry.

47  
48 MR. HASKETT: Okay. That's okay. The  
49 first time I was Stacer it was okay, second, third time  
50 I had to say something.

1 (Laughter)

2

3 MR. HASKETT: So I'm going to make an  
4 amended motion to also have a season from November 15th  
5 to March 31st, but I'm looking for discussion before the  
6 vote to kind of sort out the question on that so I'm  
7 looking for a second on that.

8

9 MR. VIRDEN: I'll second.

10

11 CHAIRMAN TOWARAK: You heard the motion  
12 and a second. Discussion. Go ahead.

13

14 MR. HASKETT: So I guess I'd like to hear  
15 from the State now on why it's important to either have  
16 or not have this second part of the season.

17

18 MS. YUHAS: Thank you. Through the  
19 Chair. We determined that it was important not to have  
20 the second season at this time. The ultimate deal is to  
21 be able to provide for subsistence users for the greatest  
22 season possible out in this area but we're not there at  
23 this time. We wanted to put this permit structure in  
24 place even though the numbers are not currently right  
25 there, right now to open the hunt tomorrow, we anticipate  
26 that to happen because of the efforts that we've put out  
27 there. It was brought up that the Refuge manager in  
28 consultation with the State should -- could close the  
29 season if the data showed that, right now it doesn't show  
30 that we should open it so we could also extend a season  
31 once we have a permit process in place.

32

33 You know we could go either way. And the  
34 agencies that are sitting at the table know what that's  
35 like to have a premature season in place that then you  
36 have to close and explain to people why you're closing  
37 it, you know, the question a year from now will be, well,  
38 why did you open it if you're just closing it, you know,  
39 right now we're in the season dates that would be the  
40 second season. So it is a bit of a conundrum either way.

41

42 I think Doug Vincent-Lang might have  
43 something that he wants to say here, we've got a shortage  
44 of microphones over here, but the State believes for  
45 conservation concerns that we're not at the point where  
46 we should be authorizing the second season at this point  
47 in time and that is the one reason that you can override  
48 the RAC in your direction to show deference to the RAC.  
49 We have a conservation concern here, the season's been  
50 closed, this is a milestone that we're opening a season,

1 we just don't want to overreach this and have to close  
2 it.

3

4 CHAIRMAN TOWARAK: I'd like to ask the  
5 State if that point was discussed any in your  
6 deliberations?

7

8 MR. ARDIZZONE: Mr. Chair. The whole  
9 intent of this proposal was to get some seasons on the  
10 books, not to actually have a hunt at this time. The  
11 hunt would be at the discretion of the Refuge manager.  
12 Because of our two year cycle, I think that's the reason  
13 this came up, we thought the herd might get to the point  
14 where we could have a hunt but, like I said, it's all at  
15 the discretion of the Refuge manager, if it would even  
16 occur.

17

18 CHAIRMAN TOWARAK: So my understanding is  
19 that you feel that the March -- or November to March  
20 season is possible and there are other measures to  
21 address conservation issues?

22

23 MR. ARDIZZONE: Mr. Chair. I think it's  
24 possible to have that hunt on the books but to actually  
25 implement the hunt would be up to the Refuge manager so  
26 at this time I don't know if the herd can handle a winter  
27 harvest; that would be at the discretion of the Refuge  
28 manager.

29

30 CHAIRMAN TOWARAK: Mr. Haskett.

31

32 MR. HASKETT: So I think actually the  
33 State was doing us a favor there, really, I mean that's  
34 kind of -- we've looked at these issues very  
35 conservatively and clearly we want to get this on the  
36 books like you all said. It appears to me -- so,  
37 actually it's a question, because then ultimately if this  
38 does get on the books which we ultimately want to have  
39 happen, it's still going to require the Refuge manager to  
40 make a determination, working with you all on whether  
41 there's enough animals out there or not, so I guess I'm  
42 willing to take responsibility for the Service to take on  
43 that responsibility if you are okay with us going ahead  
44 and just getting it on the books, recognizing there's no  
45 final determination anyway. That's a question to the  
46 State.

47

48 CHAIRMAN TOWARAK: I would also ask the  
49 Regional Advisory Council to give comments on that also.

50

1 MR. HASKETT: So.....  
2  
3 CHAIRMAN TOWARAK: Let's give the State  
4 an opportunity to make comments and then I'd like to hear  
5 from Mr. Simeonoff also.  
6  
7 MS. YUHAS: Thank you, Mr. Chairman. The  
8 question was whether or not we would be okay with,  
9 whether we would support having the second hunt on the  
10 books, and we've made a determination back at our  
11 Department that we would not support this at this time,  
12 I can't change that position right now.  
13  
14 CHAIRMAN TOWARAK: Mr. Simeonoff.  
15  
16 MR. SIMEONOFF: Thank you, Mr. Chairman.  
17 I just wanted to say that taking on the responsibility  
18 for a resource has been with our people for many of  
19 thousands of years. We're talking about a people that  
20 have been using these resources and we have never  
21 depleted them to a point of non-recovery.  
22  
23 You know, I would like to have the  
24 subsistence hunter given that opportunity. We are a  
25 responsible people.  
26  
27 And if the Federal Board would back that  
28 up, you know, if we take that responsibility I would  
29 appreciate it.  
30  
31 Thank you.  
32  
33 CHAIRMAN TOWARAK: Thank you, Mr.  
34 Simeonoff. Any other further discussion. Mr. Haskett.  
35  
36 MR. HASKETT: Okay, I feel like I'm kind  
37 of walking on eggshells here but -- so I -- I understand  
38 the position that the State is in, where they've had some  
39 direction and they have a position. I actually think,  
40 though, after the discussion here and hearing more,  
41 understanding better what the intent of this is, the  
42 intent is to get it on the books; I think I would be  
43 willing to go ahead and make another amendment to go  
44 ahead and add that back in and just recognize that we'll  
45 still be working with the State, we'll be working with  
46 local folks to determine whether there's enough animals  
47 out there ultimately.  
48  
49 Pete has a question.  
50

1 MR. PROBASCO: Mr. Chair, if I may. If  
2 I understand what you just said, Mr. Haskett, you would  
3 not need a third amendment. The amendment right now is  
4 to place a second season, November 15th to March 31st and  
5 we haven't acted on that yet.  
6  
7 MR. HASKETT: Oh, okay.  
8  
9 MS. MASICA: You made that motion.  
10  
11 MR. HASKETT: Okay.  
12  
13 MS. PENDLETON: I'm just going to call  
14 for the question.  
15  
16 CHAIRMAN TOWARAK: Question's been called  
17 for. Roll call please. And the -- you'll explain the  
18 motion.  
19  
20 MR. PROBASCO: Thank you, Mr. Chair.  
21 This is the second amendment to this WP12-37 and that is  
22 to establish a second season of November 15th to March  
23 31st with the understanding that both the State and the  
24 Federal managers would work to look at the seasons.  
25  
26 Mr. Chair.  
27  
28 Mr. Haskett.  
29  
30 MR. HASKETT: Yes.  
31  
32 MR. PROBASCO: Mr. Virden.  
33  
34 MR. VIRDEN: Yes.  
35  
36 MR. PROBASCO: Ms. Pendleton.  
37  
38 MS. PENDLETON: Yes.  
39  
40 MR. PROBASCO: Ms. Masica.  
41  
42 MS. MASICA: Yes.  
43  
44 MR. PROBASCO: Mr. Cribley.  
45  
46 MR. CRIBLEY: Yes.  
47  
48 MR. PROBASCO: Mr. Towarak.  
49  
50 CHAIRMAN TOWARAK: Yes.

1 MR. PROBASCO: Mr. Chair, the second  
2 amendment carries, 6/0.

3  
4 CHAIRMAN TOWARAK: So we're back to the  
5 main motion which up to this point has changed the  
6 seasons from August 10th to September 20th and adds a  
7 November 15th to March 31st season with the consideration  
8 of the managers having the ability to open and close any  
9 season.

10  
11 Is there any further discussion on the  
12 main motion.

13  
14 MR. CRIBLEY: Oh, Mr. Chairman, I have a  
15 question. And that has to go back, I guess I'm a little  
16 bit -- well, I'm not confused, I guess looking for a  
17 little bit more information in the first amendment where  
18 we changed the dates to coincide with the recommendations  
19 from the State of August 10th to September 20th. We  
20 received comment back from the Council that the August  
21 1st date was important to them, or they felt it was  
22 important that the season open the 1st rather than the  
23 10th, just because of the factors that they deal with out  
24 there and I guess we haven't -- I don't know that we've  
25 discussed if there is a biological reason for -- or a  
26 reason why we would not want to open it up the 1st as  
27 opposed to the 10th. And I was just wondering if we  
28 could have some discussion or some feedback on that  
29 before we make a final vote on this proposal.

30  
31 Is that clear?

32  
33 Sorry, well, I.....

34  
35 CHAIRMAN TOWARAK: Is there.....

36  
37 MR. CRIBLEY: And I guess maybe I would  
38 direct it to the State as far as the -- if there is a  
39 biological reason that we need to take into  
40 consideration. I understand the one at the end of the  
41 time period of wanting to shorten it up at the end to  
42 avoid the rut but is there a biological reason why we  
43 would not want to allow it to be opened up on the 1st of  
44 August to accommodate the subsistence users?

45  
46 MS. YUHAS: Thank you, Mr. Chairman. In  
47 this area there are significant biological and  
48 conservation issues, it's the impetus for our predator  
49 management plan. This has been a closed season. The  
50 biological and conservation concerns are so significant

1 that the State, that we're working closely with, has only  
2 recommended the season dates that I've given you a few  
3 times, from August 10th to September 20th, so the answer  
4 would be yes, there are significant biological and  
5 conservation concerns for opening the season date  
6 earlier. We're looking for the recovery of this herd.

7

8 CHAIRMAN TOWARAK: My understanding is  
9 that the managers have a lot of control even if we open  
10 similar to opening up November 15th to March 31st, they  
11 also have that control of the August 1st through 10th.

12

13 MR. PROBASCO: Ralph Lohse.

14

15 CHAIRMAN TOWARAK: Mr. Lohse, did you  
16 have a comment.

17

18 MR. LOHSE: I was just going to ask the  
19 State if this sounds like a herd that's on the edge and  
20 we're going to be dealing with that in a little while in  
21 our area, but if the State decides that there is a  
22 huntable surplus of caribou for subsistence in order to  
23 open the hunt and they decide, let's just say a quota, I  
24 mean I would imagine something like that would be in  
25 place, what would be the -- if there's a quota on the  
26 hunt, what would be the difference between August 1st and  
27 August 10th, that's the part that I can't figure out.  
28 Because if you have -- if you're taking a certain amount  
29 of animals, if you're not -- unless you're disrupting  
30 calf survival or something on that order, what would be  
31 the difference between August 1st and August 10th if  
32 you're going to close it when the quota's taken?

33

34 MS. YUHAS: Through the Chair, Mr. Lohse.  
35 The 1st through the 20th or the 20th of September or the  
36 30th of September, this was arrived at by our managers,  
37 our biologists for the same reasons that you've probably  
38 herd on a hundred proposals, but we want to wait until --  
39 you wait later in the season so that they've had enough  
40 food so that they're stronger, you cut back out of the  
41 rut so they're not as vulnerable, listening to --  
42 searching either out, trying to find each other; those  
43 extra 10 days in a herd that you've described as  
44 teetering on the edge, this herd was teetering on the  
45 edge, and we still view this as a significant milestone,  
46 that the State has been able to open the hunt that we've  
47 wanted to open for several years and I know I keep  
48 harping on the predator management, but that's what we're  
49 attributing it to, we were very worried about this herd  
50 for a very long time, and this milestone of opening the

1 hunt, which was our ultimate goal; we're trying to be  
2 very cautious with that and those 10 days are significant  
3 enough to hopefully give some of those animals that are  
4 not taken for food uses, enough of a survivability over  
5 the winter that they'll be recruited again.

6

7 MR. LOHSE: Thank you, Jennifer.

8

9 CHAIRMAN TOWARAK: Mr. Haskett.

10

11 MR. HASKETT: So I'd like to support what  
12 Jennifer just presented. I don't want to bring a lot of  
13 outside into this, but I mean for the last few years  
14 there's been lots of ongoing discussions between Fish and  
15 Wildlife Service and the State on a lot of these very  
16 similar issues and we've been working really really hard  
17 to get to the point where we can make some very logical  
18 next steps where we both protect subsistence use and make  
19 sure that any decisions we make protect the herds that  
20 are involved in it. There's still lots of places where  
21 we have disagreements on, I think, some biological  
22 issues.

23

24 To me, the main point of this was getting  
25 it on the books and if we're able to move forward in a  
26 conservative fashion and still to the point where we're  
27 still talking moving forward then we've had a great  
28 success.

29

30 So I'm going to support the State on this  
31 portion and hope we can move forward recognizing we're  
32 going to have ongoing discussions, we may do something  
33 different next year, it's a great move to be able to get  
34 to this point to where we actually have this on the books  
35 and we're moving forward for everybody.

36

37 CHAIRMAN TOWARAK: Further discussion.

38

39 (No comments)

40

41 MR. CRIBLEY: Mr. Chairman. I guess I'd  
42 call for question.

43

44 CHAIRMAN TOWARAK: Question's been called  
45 for. Roll call vote, please.

46

47 MR. PROBASCO: Thank you, Mr. Chair.  
48 Final action on WP12-37 as amended twice, establishing an  
49 August 10th through September 20th season, and a November  
50 15th to March 31st season.

1 Mr. Haskett.  
2  
3 MR. HASKETT: Yes.  
4  
5 MR. PROBASCO: Mr. Virden.  
6  
7 MR. VIRDEN: Yes.  
8  
9 MR. PROBASCO: Ms. Pendleton.  
10  
11 MS. PENDLETON: Yes.  
12  
13 MR. PROBASCO: Ms. Masica.  
14  
15 MS. MASICA: Yes.  
16  
17 MR. PROBASCO: Mr. Cribley.  
18  
19 MR. CRIBLEY: Yes.  
20  
21 MR. PROBASCO: Mr. Towarak.  
22  
23 CHAIRMAN TOWARAK: I will vote no.  
24  
25 MR. PROBASCO: Motion carries, 5/1.  
26  
27 CHAIRMAN TOWARAK: Thank you, that takes  
28 care of Proposal 12-37. The next is 12-38, staff  
29 analysis, please.  
30  
31 MR. KRON: Mr. Chair. Members of the  
32 Board. Regional Advisory Council Chairs. WP12-38 begins  
33 on Page 566 of your Board books.  
34  
35 Proposal WP12-38 was submitted by the  
36 Kodiak/Aleutians Regional Advisory Council. This  
37 proposal requests that wolf hunting and trapping seasons  
38 for Unit 10 be extended through June 30th, and that the  
39 harvest of wolf -- harvest limit for wolf hunting be  
40 increased from five per year to 10 per day. These  
41 changes would align State and Federal regulations and  
42 would provide additional subsistence hunting and trapping  
43 opportunities.  
44  
45 Since 1994 the Federal subsistence  
46 hunting season for wolves in Unit 10 has been August 10  
47 through April 30th with five wolves per year. Since 1990  
48 the Federal subsistence wolf trapping season in Unit 10  
49 has been November 10 to March 31st, with no harvest  
50 limit.

1                   There's very limited information  
2 available about subsistence uses of wolves in Unit 10.  
3 The wolf population on Unimak Island is estimated to be  
4 between 15 and 30 animals and the reported harvest ranges  
5 from zero to four animals per year. Given the small size  
6 of the wolf population, increasing the harvest limit to  
7 10 per day and extending both the hunting and trapping  
8 seasons would violate recognized principles of fish and  
9 wildlife conservation.

10  
11                   The proposed regulation change could  
12 allow harvest of animals whose pelts are not in prime  
13 condition. The season extension would allow harvest of  
14 lactating females in May or June resulting in the death  
15 of pups. A season extension into May and June when pups  
16 are in their den and females are lactating does not occur  
17 anywhere else in Alaska Federal subsistence regulations.

18  
19                   Currently Federally-qualified subsistence  
20 users can harvest wolves under changed State hunting and  
21 trapping regulations, which are more liberal. These  
22 regulations became effective in spring 2011 and there has  
23 been no time to evaluate the impact of these changes.

24  
25                   The OSM preliminary -- the OSM conclusion  
26 is to oppose this proposal.

27  
28                   I welcome any questions, and thank you  
29 for this opportunity.

30  
31                   CHAIRMAN TOWARAK: Any questions. Mr.  
32 Stac -- Haskett.

33  
34                   MR. HASKETT: Who is this Stacy guy?

35  
36                   (Laughter)

37  
38                   CHAIRMAN TOWARAK: Former Senator Stevens  
39 right-hand man.

40  
41                   MR. HASKETT: Oh, okay.

42  
43                   (Laughter)

44  
45                   MR. HASKETT: I don't know what to make  
46 of that, but, okay.

47  
48                   (Laughter)

49  
50                   MR. HASKETT: So just a point of

1 clarification, I want to make sure everybody understands  
2 part of this, so regardless of how this vote goes, and  
3 you said this, there's still the ability under State  
4 regulations for people to trap wolves. I just want to  
5 make it really clear to the group when we vote on this  
6 what it actually all means. So would you cover that one  
7 more time, please.

8

9 MR. KRON: Yeah. Currently Federally-  
10 qualified subsistence users can harvest wolves under  
11 changed State hunting and trapping regulations which are  
12 more liberal.

13

14 Thank you, Mr. Chair.

15

16 CHAIRMAN TOWARAK: Not hearing any  
17 further questions we will move on to number 2 and 3,  
18 public comments from the regional coordinator first.

19

20 MR. JOHNSON: Thank you, Mr. Chair. Carl  
21 Johnson again for OSM. There were no public comments  
22 submitted to the Council on this proposal.

23

24 Thank you.

25

26 MR. PROBASCO: And, Mr. Chair, no one has  
27 signed up for this proposal to testify.

28

29 CHAIRMAN TOWARAK: Okay. Assuming that  
30 there isn't anyone that wants to testify we will move on  
31 to the Regional Council recommendations.

32

33 Mr. Simeonoff.

34

35 MR. SIMEONOFF: Thank you, Mr. Chairman.  
36 The Kodiak/Aleutians support Proposal 12-38. This  
37 proposal would align Federal with the existing State  
38 regulations and provide more hunting and trapping  
39 opportunity for subsistence users.

40

41 CHAIRMAN TOWARAK: Thank you. Any  
42 questions of Mr. Simeonoff.

43

44 (No comments)

45

46 CHAIRMAN TOWARAK: Thank you for your  
47 comments. We will move on to number 5, Fish and Game  
48 comments.

49

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

1 Jennifer Yuhas. The State also supports this proposal .  
2 We believe that the condition of the hide is best  
3 determined by the subsistence user that intends to use  
4 the hide. We consistently support reduced user confusion  
5 by having the regs align, but we are quite pleased to see  
6 that the OSM analysis recognizes the State does provide  
7 for subsistence users.

8

9 CHAIRMAN TOWARAK: Thank you. Questions.

10

11 (No comments)

12

13 CHAIRMAN TOWARAK: Thank you for your  
14 comments. We'll move to the InterAgency Staff Committee  
15 comments.

16

17 MR. ARDIZZONE: Mr. Chairman. The Staff  
18 Committee comments can be found on Page 573 and it's just  
19 the standard comment again. Thank you.

20

21 CHAIRMAN TOWARAK: Board discussion with  
22 Council Chair and State liaison.

23

24 (No comments)

25

26 CHAIRMAN TOWARAK: Not seeing or hearing  
27 any move on to final action on 12-38. Mr.....

28

29 MR. HASKETT: So I make a motion to adopt  
30 Proposal 12-38 as recommended by the Kodiak/Aleutian  
31 Regional Council and I'll provide my justification as to  
32 why I intend to vote against the motion if I get a  
33 second.

34

35 MR. CRIBLEY: Second.

36

37 CHAIRMAN TOWARAK: You heard the motion  
38 and a second. Further discussion.

39

40 MR. HASKETT: So I think the OSM  
41 description of this did a really good job, this is --  
42 obviously Unimak's one of those areas there's been lots  
43 of ongoing discussions. There's an estimated 15 to 30  
44 wolves on Unimak Island right now, harvest limit of 10  
45 per day could lead to a conservation concern which would  
46 violate recognized principles of wildlife management.  
47 There's not been more than four wolves taken annually by  
48 all hunters and trappers combined on Unimak and the  
49 current regulations allow for this harvest level to  
50 continue. If people wanted to take more wolves they

1 could utilize the State regulation but it doesn't seem to  
2 me to be prudent for us to align regulations given the  
3 number of wolves on the island and the ongoing  
4 discussions about how we move forward there. We do  
5 support continuing to monitor the harvest and population  
6 trends of both wolves and caribou on the island.

7  
8 CHAIRMAN TOWARAK: Any other discussions.

9  
10 (No comments)

11  
12 CHAIRMAN TOWARAK: Any questions.

13  
14 (No comments)

15  
16 MS. PENDLETON: Call for the question.

17  
18 CHAIRMAN TOWARAK: Question's been called  
19 for. Roll call please.

20  
21 MR. PROBASCO: Thank you, Mr. Chair.  
22 Final action on WP12-38 to adopt as recommended by the  
23 Kodiak/Aleutians Regional Advisory Council.

24  
25 Mr. Virden.

26  
27 MR. VIRDEN: Yes.

28  
29 MR. PROBASCO: Ms. Pendleton.

30  
31 MS. PENDLETON: No.

32  
33 MR. PROBASCO: Ms. Masica.

34  
35 MS. MASICA: No.

36  
37 MR. PROBASCO: Mr. Cribley.

38  
39 MR. CRIBLEY: No.

40  
41 MR. PROBASCO: Mr. Towarak.

42  
43 CHAIRMAN TOWARAK: Yes.

44  
45 MR. PROBASCO: Mr. Haskett.

46  
47 MR. HASKETT: No.

48  
49 MR. PROBASCO: Motion fails 2/4.

50

1 CHAIRMAN TOWARAK: Thank you. We will  
2 move on then to Proposal 12-24.

3  
4 MR. PROBASCO: They'd like to take a  
5 break.

6  
7 CHAIRMAN TOWARAK: I'm sorry it's a good  
8 time to take a break. We're done with the  
9 Kodiak/Aleutian proposals, we'll move into Southcentral  
10 after the break. Ten minutes.

11  
12 (Off record)

13  
14 (On record)

15  
16 CHAIRMAN TOWARAK: Okay, we will proceed.  
17 We were on transitioning from Kodiak to Southcentral  
18 proposals. We'll start with Proposal 12-24, Staff  
19 analysis, please.

20  
21 MR. FOX: Yes, thank you, Mr. Chair.  
22 Trevor Fox with OSM. Proposal WP12-24 was submitted by  
23 the Cheesh'na Tribal Council and requests that a season  
24 be established for one bull caribou from August 1st  
25 through September 30th in Unit 11 by Federal registration  
26 permit within the Wrangell-St. Elias National Park and  
27 Preserve.

28  
29 There's been no open season for the  
30 Mentasta Caribou Herd since 1992 other than a small  
31 Federal harvest between 1996 and 1998, and this has been  
32 due to management objectives as stated in the Mentasta  
33 Caribou Herd cooperative management plan not being met  
34 for calf production and recruitment.

35  
36 The Mentasta Caribou Herd management plan  
37 states that an annual fall harvest will be allowed as  
38 long as the previous two year mean calf recruitment is at  
39 least 80 calves then the quota will be established  
40 between 15 and 20 percent of the previous two year mean  
41 calf recruitment. The plan also states that population  
42 level below 2,000 individuals the harvest limit will be  
43 limited to bulls only and will be closed if the two year  
44 mean bull/cow ratio drops below 35 bulls per 100 cows.  
45 Now, an important thing to note is that the Cheesh'na  
46 Tribal Council does not consider the Mentasta Caribou  
47 Herd a separate herd from the Nelchina Herd, but based on  
48 the biological herd definition the Mentasta and Nelchina  
49 Herds are considered separate entities because they have  
50 distinct calving grounds. Since 1995 when the management

1 plan was created, the population has decreased from 850  
2 to 336 caribou. The population estimates have been  
3 adjusted for sightability probabilities and showed an  
4 average of 350 caribou since 2008. And in this time the  
5 two year mean has not been above 47 calves. The total  
6 observes cows between 1995 to 2010 have decreased from  
7 534 to 88 and that's cows. So although the observed fall  
8 bull to cow ratios appear high the number of cows is  
9 small, and the bull component likely includes significant  
10 numbers of Nelchina bulls. There is limited ability to  
11 predict the extent or frequency of mixing between the  
12 Nelchina and Mentasta bulls and it's impossible to  
13 discern whether the harvest of a bull would be from the  
14 Nelchina or Mentasta Herd.

15

16 If WP12-24 is adopted, it would allow a  
17 harvest on a population that has had chronically low  
18 productivity which would have detrimental effects on the  
19 caribou herd and ultimately subsistence users by driving  
20 the population herd to the point where recovery is more  
21 difficult.

22

23 The Mentasta Herd, as currently defined  
24 exists in low numbers with low productivity. I talked a  
25 little bit about the mixing of the Mentasta/Nelchina with  
26 the bulls and that makes interpreting fall composition  
27 surveys difficult.

28

29 Calf production and recruitment, in  
30 particular, remain below the management objectives of the  
31 running two year, fall calf recruitment, which under the  
32 plan is set to be more than 80 calves.

33

34 Federal lands within Unit 11 should  
35 remain closed to caribou hunting for the conservation of  
36 healthy populations and this would meet the third clause  
37 of Section .815 of ANILCA, and the Southcentral RAC  
38 recommended that a work group be created to include  
39 participants from the Cheesh'na Tribal Council, the  
40 Wrangell-St. Elias National Park and Preserve, Tetlin  
41 National Wildlife Refuge and the Alaska Department of  
42 Fish and Game to revise the 16 year old Mentasta Caribou  
43 Herd cooperative management plan, but overall the OSM  
44 conclusion is to oppose WP12-24.

45

46 Thank you, Mr. Chair.

47

48 CHAIRMAN TOWARAK: Thank you. Are there  
49 any questions of the Staff.

50

1 (No comments)

2

3 CHAIRMAN TOWARAK: Thank you for your  
4 comments. We will move on to No. 2 summary of public  
5 comments.

6

7 MR. JOHNSON: Thank you, Mr. Chair. Carl  
8 Johnson with OSM. The Wrangell-St. Elias National Park  
9 Subsistence Resource Commission did provide a comment to  
10 the Council on this proposal. The Commission opposes the  
11 proposal citing serious conservation concerns,  
12 specifically that the size of the food is too small to  
13 sustain a harvest.

14

15 Thank you, Mr. Chair.

16

17 CHAIRMAN TOWARAK: Thank you.

18

19 MR. PROBASCO: Mr. Chair. We have three  
20 people signed up to testify on this proposal. The first  
21 person is Ms. Gloria Stickwan.

22

23 MS. STICKWAN: I support WP12-24 to hunt  
24 for Unit 11 caribou with a season date of August 1  
25 through September 20th for one bull caribou by Federal  
26 registration permit only with the in-season Federal  
27 manager consulting with Alaska Department of Fish and  
28 Game for the quota and needed closure. The communities  
29 of Chistochina and Mentasta will have an opportunity to  
30 hunt for caribou without having to drive to Unit 13 for  
31 caribou. In-season Federal managers can close this hunt  
32 by consulting with Alaska Department of Fish and Game if  
33 there's concern about harvesting Mentasta Caribou Herd.  
34 Subsistence needs will be met if this were passed by the  
35 Federal Subsistence Board.

36

37 CHAIRMAN TOWARAK: Thank you, Ms.  
38 Stickwan. Any questions from the Board.

39

40 (No comments)

41

42 MS. STICKWAN: I just want to state  
43 something else.

44

45 CHAIRMAN TOWARAK: Sure.

46

47 MS. STICKWAN: The C&T committee met and  
48 they changed their -- the original proposal was to be  
49 neutral and then they had a meeting last Friday and  
50 supported the proposal, change it from neutral to

1 support.

2

3 CHAIRMAN TOWARAK: Thank you for your  
4 comments.

5

6 MR. PROBASCO: Mr. Chair. The next person  
7 to testify from the AHTNA C&T subsistence committee is  
8 Mr. Elmer Marshall.

9

10 MR. MARSHALL: Good morning. My name is  
11 Elmer Marshall. I represent AHTNA Customary and  
12 Traditional Committee. And we would like to support this  
13 because after analysis of the caribou that migrates  
14 through, like I stated before, I commented on this, that  
15 this is the same caribou herd that we -- the AHTNA people  
16 could determine that they're the ones that come from the  
17 Ricky (ph) area through Paxson through Sourdough, they  
18 migrate over into the Tok Highway, which is Slana and  
19 then they continue on through Mentasta Pass into Tetlin,  
20 from Tetlin to Northway and some of them even stay in the  
21 Fortymile country, which is -- the Fish and Game had a  
22 permit season open for them this year and they hunted  
23 those caribou there.

24

25 So the reason why is because like Gloria  
26 stated earlier, the local people there, because of the  
27 distance they have to travel to go get a caribou,  
28 Mentasta to Paxson, you're looking at 80, 160 miles,  
29 almost 200 miles, and these are -- our opinion is that  
30 it's just the same caribou herd, just migrates through  
31 their area. So we support this proposal.

32

33 CHAIRMAN TOWARAK: Thank you. Are there  
34 any questions of Mr. Marshall.

35

36 (No comments)

37

38 CHAIRMAN TOWARAK: Thank you for your  
39 comments.

40

41 MR. MARSHALL: Thank you.

42

43 MR. PROBASCO: Mr. Chair. The last  
44 person I have signed up to testify is Mr. Wilson Justin.

45

46 MR. JUSTIN: Good morning, and thank you  
47 for the privilege of appearing before you, and I'm going  
48 to try and keep my comments and remarks brief. It's --  
49 I know we can get into long extended discussion on  
50 something that's vitally important to us and if I can I'd

1 rather try and be brief.

2

3 I'm going to speak to Proposal 24 fairly  
4 broadly and I'm going to begin on nomenclature, then I  
5 will talk a bit about proximity and then move on to  
6 impact and then the population issue and then I'll end  
7 with a brief discussion on the management plan of 1996.

8

9 Before I start, however, I do want to  
10 mention that I heard some testimony this morning from  
11 some elders that I really appreciate. We are getting to  
12 the point where, in my personal estimation we are hearing  
13 things in this context in this room that were meant to  
14 have been said 30 years, and I was here 30 years ago but  
15 there was no Subsistence Board. I began in the  
16 subsistence activity in 1977 when I worked in the AHTNA  
17 Incorporated Land Department, I was assigned ANILCA  
18 issues in 1977 and worked on ANILCA language and issues  
19 in AHTNA subcommittee and AFN from 1977 through 1982. So  
20 I have a fairly long history of subsistence activities,  
21 and I really, really have to thank those gentlemen this  
22 morning for their comments.

23

24 Having said that and going on to  
25 nomenclature. I already am on record as saying that  
26 there is no distinct herd, as such, called the Mentasta.  
27 However in Mid-AHTNA, which is just south of us, those  
28 caribou are often referred to as the Mt. Sanford River  
29 caribou which is what my family referred them to as the  
30 Sanford River Caribou. When we talk about those caribou  
31 in that proximity, that's all we ever referred them to,  
32 as the Sanford River caribou and we never used the term,  
33 Nelchina or Mentasta so we recognized them as having a  
34 calving ground in that proximity but we never ever  
35 recognized those caribou as being distinct and separate  
36 from the Nelchina, they were one in the same, they just  
37 happened to like that calving ground in that particular  
38 locality. Actually the calving ground extends all the  
39 way around to the head of Tanada over towards Jacksina.  
40 When my family had a guiding business we used these  
41 caribou for meat early August, at that time you were  
42 allowed five, so back in the '60s we began the hunting  
43 season with direct access to these caribou and they were  
44 easy to get, close by, the proximity was really a crucial  
45 issue.

46

47 I'm going to step into the proximity  
48 issue but I'm going to begin by talking about a couple of  
49 items that escape OSM's analysis. The first part of the  
50 proximity issue is we want to remember that prior to

1 World War II all of the AHTNA villages and settlements  
2 were east of the Copper River, not west. The settlements  
3 that we're located in today are really new settlements.  
4 They're -- you've often heard the term relocation and  
5 forced relocation, and that's precisely what we're  
6 talking about. So all of our activities in the  
7 traditional hunting sense occurred east of the Copper  
8 River, that includes sheep, moose and caribou. Chief  
9 Sanford Charlie had a camp halfway up Sanford River,  
10 major camp, that was the boundary, you couldn't come into  
11 our region without checking with him first. The AHTNA  
12 trade trail, some several thousand years old which linked  
13 Mexico all the way to, actually almost to the -- it did  
14 come to Knik down here, one turn was Knik, the other one  
15 was down at Cordova, that trade trail left artifacts in  
16 my family for hundreds of years, including small jade  
17 items, including any number of types of beads and what  
18 have you from the Oregon coast. The AHTNA trade trail  
19 was the backbone of the AHTNA nation which collapsed in  
20 the early 1800s. Now no reasonable analysis under any  
21 condition can conclude that an AHTNA nation as powerful  
22 as we were in charge of a trail that important could not  
23 have coexisted with those caribou, they were around then  
24 as we were. We didn't wipe them out then, we certainly  
25 didn't wipe them out after or before. So I reject the  
26 notion that we, Cheesh'na and others in the AHTNA  
27 villages bear any threat to these caribou of any kind,  
28 under any conditions. We've known them long enough,  
29 we've been with them long enough, and the proximity issue  
30 is like we live in the same place. They're still there  
31 and we relocated across the river.

32

33 That's the proximity issue.

34

35 Impact.

36

37 The real impact on these caribou has  
38 nothing to do with human presence and I've mentioned it  
39 many, many times. It's a food source issue. I've  
40 mentioned before the Board of Game in 1987, that the  
41 issue with caribou and those mountainous areas is all  
42 about the lichens that are being displaced by shrubbery,  
43 lichens is their primary food. As early as 1987 we  
44 already knew in that area that these caribou were subject  
45 to fluctuations that were extreme because of the food  
46 source being displaced by climate change. In 1987  
47 everybody just laughed and mocked you when you talked  
48 about global warming or climate change but it was serious  
49 to us then. In 1996 in Cordova I talked about some of  
50 these issues similarly again, relatively new information

1 and, again, I was primarily mocked and laughed at because  
2 I dared mentioned that climate change was a real issue,  
3 not human impact. I submit to this Board that we need to  
4 quit talking about human impacts when we're talking about  
5 an isolated population like this. We really need to  
6 think about the fact that the issue is not whether or not  
7 we're going to wipe out those caribou, the issue is  
8 whether or not the caribou is going to want to stay there  
9 or not, and I've mentioned it many times. The reason for  
10 them not being in that area as populated as they once  
11 were has got nothing to do with human impact, it's all  
12 about climate change.

13

14 That's the impact situation.

15

16 Population.

17

18 I want to speak about the caribou  
19 population.

20

21 I've not been able to find, yet, a small  
22 caribou fence that existed east of the Copper River,  
23 somewhere south or maybe just north of Boulder Creek.  
24 That caribou fence was a very small caribou fence unlike  
25 the huge one that existed up the head of Chistochina  
26 towards Paxson several hundred years ago. This caribou  
27 fence was primarily used to corral small numbers of  
28 animals. I've never been able to find it but I have  
29 known about it all my life. It was spoken to and last  
30 used somewhere around the late 1900s after the population  
31 crashes from the epidemics. But the size of the caribou  
32 fence correlates an item that we've always said, that the  
33 population of these caribou fluctuated widely. We never  
34 really built anything or did anything that would corral  
35 large numbers. That's an unusual attribute in caribou  
36 practices by indigenous societies. Normally fences are  
37 very large and very wide, this one is very small, so  
38 small that it's never been seen from the air and I  
39 haven't been able to locate it. So the population issue  
40 in my estimation on these caribou is moot. We should not  
41 discolor the discussion by alluding to population. They  
42 will fluctuate and it's directly related, as I've  
43 mentioned, to climate change, not human impact.

44

45 I'll end the testimony here before you  
46 with a small aside on the management plan.

47

48 I was president of Cheesh'na Tribal  
49 Council in 1995, and at that time the intent of Cheesh'na  
50 Tribal Council was to challenge the management plan on

1 any number of reasons, legal and otherwise. We felt that  
2 there was no sense in having a management plan for a herd  
3 of caribou that sometime only were numbered in the dozens  
4 and sometimes in the 700s. To us it felt a lot like  
5 micro-management of an issue to the detriment of the  
6 people who needed to have access to those game animals.  
7 And I regret one item that I never put that objection  
8 into letter form and sent it out. I intended to but I  
9 had left Cheesh'na Tribal Council by the time the  
10 management plan went into effect.

11  
12 Those are the comments of Cheesh'na  
13 Tribal Council, and, again, I thank you for the privilege  
14 of appearing before you. And in spite of the fact that  
15 we often object or have cause to object to the activities  
16 here, I will have to say one thing, I am very surprised  
17 and happy that more and more of what we would refer to as  
18 people issues are appearing in this context here. It's  
19 never about allocation, never, never. It's never about  
20 shooting game or killing things, it's all about who we  
21 are and I really appreciate the fact that I'm hearing  
22 that more and more in this room.

23  
24 So thank you very much.

25  
26 CHAIRMAN TOWARAK: Thank you for your  
27 comments. Any questions of Mr. Justin.

28  
29 MR. ADAMS: Mr. Chairman, I just have a  
30 comment if I might.

31  
32 CHAIRMAN TOWARAK: Go ahead.

33  
34 MR. ADAMS: I really appreciate Wilson.  
35 I've had occasion, you know, through our Wrangell-St.  
36 Elias Subsistence Resource Commission meetings to get a  
37 little bit acquainted with him and I have come to know  
38 how deeply involved he is in the history and culture of  
39 the Native people. And he mentioned also, you know, some  
40 of the elders who have testified here today, and I  
41 really, you know, would ask everyone, you know, to take  
42 notice to what they said because in our culture we call  
43 these individuals as wisdom keepers. And as I, you know,  
44 shared with you on the first day, about my issues on the  
45 natural laws, it is gentlemen like these who have said  
46 that they have learned from their elders, and their  
47 elders, you know, lived close to nature and because of  
48 the experiences they've had, they have grown to  
49 understand many of the issues that we are dealing with  
50 today. I really appreciate his comments, Mr. Justin, and

1 I say gunalcheesh, and thank you very much.  
2  
3 MR. JUSTIN: Thank you.  
4  
5 CHAIRMAN TOWARAK: Further comments.  
6  
7  
8 (No comments)  
9  
10 CHAIRMAN TOWARAK: Thank you, Mr. Justin  
11 for your testimony.  
12  
13 MR. JUSTIN: Thank you.  
14  
15 MR. PROBASCO: Mr. Chair. That concludes  
16 people that have signed up for public testimony.  
17  
18 CHAIRMAN TOWARAK: Okay. We will move on  
19 to step four which is the Regional Council  
20 recommendation.  
21  
22 Mr. Lohse.  
23  
24 MR. LOHSE: Thank you, Mr. Chair. The  
25 Southcentral Subsistence Regional Advisory Council  
26 supports this proposal, WP12-24. The Council also feels  
27 that in the event this proposal is successful an ANILCA  
28 Section .804 analysis should be undertaken and a working  
29 group established to determine harvest levels. And the  
30 Council finds the testimony of the Cheesh'na Tribal  
31 Council questioning the numbers in the Mentasta Herd  
32 cooperative management plan, the traditional hunting  
33 practices and how they came to be lost compelling.  
34  
35 (Phone ringing)  
36  
37 MR. LOHSE: That must be mine.  
38  
39 (Laughter)  
40  
41 MR. LOHSE: With that, that's what our --  
42 I wasn't at the meeting but we've gone through this  
43 before. I have a couple of comments to make that I'll  
44 make when we're on Board and Council Chair discussion.  
45 But that is the position of our Council.  
46  
47 CHAIRMAN TOWARAK: Thank you. Any  
48 questions.  
49  
50 (No comments)

1 CHAIRMAN TOWARAK: We will then proceed.  
2  
3 MR. PROBASCO: Mr. Chair, you have  
4 Eastern Interior.  
5  
6 CHAIRMAN TOWARAK: I'm sorry.  
7  
8 MR. PROBASCO: Which, as you know, Ms.  
9 Entsminger had to go home last night. Eastern Interior  
10 opposes this proposal. The Council cites conservation  
11 concerns.  
12  
13 Thank you, Mr. Chair.  
14  
15 CHAIRMAN TOWARAK: And that concludes, I  
16 assume, the Regional Advisory Council recommendations?  
17  
18 MR. PROBASCO: It does, Mr. Chair.  
19  
20 CHAIRMAN TOWARAK: We will move then to  
21 the next step, but before I do that I would like to  
22 introduce a couple of people that are in our audience.  
23 Ms. Kristy Tibbles, is it Tibbles -- Tibbles, the  
24 executive director for the Board of Game, are you present  
25 here?  
26  
27 MR. PROBASCO: She's in the back.  
28  
29 CHAIRMAN TOWARAK: Welcome to our  
30 meeting.  
31  
32 And we also have Nate Turner, who is a  
33 Board of Game member. Welcome to our meeting, Mr.  
34 Turner.  
35  
36 MR. TURNER: Thank you.  
37  
38 CHAIRMAN TOWARAK: With that let's go to  
39 the Department of Fish and Game comments.  
40  
41 MS. YUHAS: Thank you, Mr. Chairman.  
42 Jennifer Yuhas, Alaska Department of Fish and Game.  
43  
44 The Department is also opposed to this  
45 proposal. The State has no open season right now and  
46 believes that if this proposal is adopted it would allow  
47 harvest of a population known for chronically low  
48 productivity and it would have detrimental effects for  
49 subsistence users long-term by driving the herd  
50 population to a point where recovery is more difficult.

1                   And we agree with what the Eastern  
2 Interior RAC stated, for conservation concerns.

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

6  
7                   (No comments)

8  
9                   CHAIRMAN TOWARAK: If not, then we will  
10 move on to number 6 InterAgency Staff Committee  
11 recommendations.

12  
13                   MR. ARDIZZONE: Mr. Chair. Staff  
14 Committee comments can be found on Page 585, and they're  
15 just the standard comments.

16  
17                   CHAIRMAN TOWARAK: Thank you. Board  
18 discussion with Council Chairs and the State liaison and  
19 general discussions.

20  
21                   Mr. Lohse.

22  
23                   MR. LOHSE: Mr. Chair. After having  
24 listened to the testimony of the people that were  
25 involved and having gone through this a number of times  
26 I have some observations to make. I am not taking a  
27 position on the need for or against the proposal as it  
28 stands, but there are some observations that Wilson and  
29 some of them have brought up that I think possibly when  
30 they start talking about management of caribou, may have  
31 to be thought of in the future.

32  
33                   One of the observations -- I'll start  
34 with my observations. The first time I hunted this herd  
35 of caribou was in the late 1960s. At that time I hunted  
36 it on the southeast -- southwest side of Mt. Drum, and if  
37 you understand where that is and you look at this, you  
38 find that it was all the way basically pretty much on the  
39 western end of the Wrangell-St. Elias Mountains. At that  
40 time we had a few caribou up in the Chitina Valley, just  
41 a few, but on the Snake ponds up above our place there  
42 was caribou tracks in the wintertime. So there was a  
43 dispersal at that time, the caribou herd we know was up  
44 in the 3000s, somewhere in that neighborhood. When I  
45 went to Mt. Drum to go hunting, I was told to leave the  
46 moose alone and only get a caribou, caribou were  
47 everywhere, moose were everywhere, my biggest problem was  
48 keeping away from rutting bull moose so that I could go  
49 after a caribou, and as we all know all of that has  
50 changed on the Wrangells. We flew in a direct line from

1 Long Lake to Mt. Drum, and I counted 274 bull moose,  
2 didn't bother to count anything else, and we didn't  
3 bother to do any deviation or anything like that. Any of  
4 you that know what the population of moose in the  
5 Wrangells has been lately, that'd be pretty fantastic.  
6 The same thing with the caribou, caribou were everywhere.  
7 All the way, like I say, up into the Chitina Valley.

8  
9                   It's interesting to me that the  
10 biologists recognize that the bulls from the Nelchina  
11 Herd mix with the Mentasta Herd and so you can't get a  
12 good bull count because you've got Nelchina Herd bulls in  
13 the Mentasta Herd when we're talking about where they're  
14 having the hunt right there. What Wilson was saying  
15 about calf production having a direct relationship to  
16 habitat, food source, predators, anybody that's been in  
17 the Wrangells for any length of time has seen that  
18 change. We've seen that in the moose brows, the moose  
19 brows has grown up or died off to the point where it  
20 doesn't have the same support for moose, we haven't had  
21 a fire there for a long time, in the Wrangells. So we  
22 have a habitat change. We don't have caribou southwest  
23 of Mt. Drum, but, and this is interesting, because the  
24 year that we had all the fires up at Tok, we had caribou  
25 disperse through the whole area, we had caribou at Kenny  
26 Lake, we had caribou at Willow Lake, we had caribou out  
27 the McCarthy Road because the wintering habitat that the  
28 caribou go to had had a fire that summer, so the caribou  
29 dispersed all over that country but they didn't stay  
30 because it's not caribou habitat. They had to go there  
31 for the winter but they didn't stay. The caribou will go  
32 where there's suitable habitat. You have migration of  
33 Nelchina caribou through this area on things like during  
34 that fire or dispersal of the bulls but they're not going  
35 to stay because there's no food supply, there's no food  
36 supply for the calves, there's high predation on the  
37 calves as you look at the calf survival.

38  
39                   So possibly what he's talking about, that  
40 these aren't a separate herd, these are a group of  
41 Nelchina caribou, whose numbers are limited by the  
42 habitat that they're trying to inhabit and would move  
43 back and forth if the habitat could support them. And  
44 this is a calving grounds, this is a recognized calving  
45 grounds, but obviously this calving grounds is not even  
46 supporting the animals that are currently on it.

47  
48                   So we know that caribou do disperse. I  
49 don't know about any of the rest of you but I can  
50 remember when I first came and there was a five caribou

1 limit and most of the people were taking their caribou  
2 between Eureka and Lake Louise. I mean you'd go out  
3 there -- you'd drive through that area on a weekend and  
4 you'd see cars lined up everywhere, Nodwells and all the  
5 rest -- you don't see any hunting there anymore, the  
6 caribou aren't in that area. The herd is the same size,  
7 or almost the same size but it's dispersed someplace else  
8 because of food and habitat.

9  
10 So I'll just throw one more thing to  
11 think about. Back in the '30s they planted deer in  
12 Prince William Sound and they had very strict management  
13 on the deer. They didn't take deer for a long time, and  
14 then they had bucks only, the population grew and grew  
15 and grew, and then I think it was in the '40s they had  
16 their first major hard winters and by that time the deer  
17 had pretty well destroyed the brows on the islands out  
18 there and they had a major die-off and it took 15 years  
19 for the brows to come back. Is it possible that just the  
20 fact that you have caribou trying to make it on marginal  
21 brows, that if the caribou weren't there the brows would  
22 come back and then it could support caribou. I'm not  
23 making that suggestion but it's something we need to take  
24 into account, is that the habitat is what's driving these  
25 caribou. Obviously the hunting pressure hasn't been  
26 driving them because there hasn't been -- like somebody  
27 said there hasn't been hunting for a long time. The drop  
28 in the population was not due by hunting pressure because  
29 that happened despite the fact that there was not much  
30 going on over there.

31  
32 The last time I took a caribou over there  
33 I think was probably 1975 or something like that. And at  
34 that time there was still a pretty good population of  
35 caribou there. It's something that, you know, maybe we  
36 need to listen like what Bert was saying here, listen to  
37 I'll say people who have a longer term continuity and  
38 history of observing these animals and what they do than  
39 our little short time period and the little short time  
40 period that we've had a management plan on them.

41  
42 And with that I'm just going to let it  
43 go. I have no recommendations, but I think that there  
44 are things involved here that maybe will take a bigger  
45 picture than we're used to looking at.

46  
47 CHAIRMAN TOWARAK: Thank you, Mr. Lohse.  
48 I have a question for you. The Southcentral Subsistence  
49 Regional Advisory Council recommendation ended with this  
50 statement:

1                   The Council finds the testimony of the  
2 Cheesh'na Tribal Council questioning the numbers in the  
3 Mentasta cooperative management plan and traditional  
4 hunting practices and how they came to be lost  
5 compelling.

6  
7                   Do you have any comments on that?

8  
9                   MR. LOHSE: I think that's pretty much  
10 what I was trying to say.

11  
12                   I mean the testimony that I've heard has  
13 caused me to question my own way of looking at caribou.

14  
15                   I find it compelling because we've been  
16 dealing with people whose history goes back a lot farther  
17 than mine, and if I use the straight, I'll say, and I  
18 don't mean this derogatory or anything, I'll just say if  
19 I use the straight management plan that we've put in  
20 place, and I would think that that was the best that  
21 could be available, this calls that into question. And  
22 all I'm saying is I think it's compelling that we look at  
23 a bigger picture and maybe question some of our  
24 preconceived notions, our, oh, what's the word that you  
25 use, it starts with a P, basically the way we look at  
26 things, and I think it's compelling from the testimony,  
27 that we try to look at things a little different and see  
28 whether it actually makes sense or whether what we're  
29 saying makes sense is the only answer.

30  
31                   CHAIRMAN TOWARAK: Thank you. Any other  
32 comments from the Board.

33  
34                   (No comments)

35  
36                   CHAIRMAN TOWARAK: Are we ready for final  
37 action.

38  
39                   MS. MASICA: Mr. Chair.

40  
41                   CHAIRMAN TOWARAK: Go ahead.

42  
43                   MS. MASICA: I move we adopt Proposal  
44 WP12-24. After a second I'll speak to my motion.

45  
46                   MR. CRIBLEY: Second.

47  
48                   CHAIRMAN TOWARAK: You heard the motion  
49 and a second. Discussion, go ahead.

50

1 MS. MASICA: Mr. Chairman. I think the  
2 comments this morning have all been very, very insightful  
3 and certainly appreciated the input and the commentary  
4 that's been provided. I do, however, continue to have  
5 some conservation concerns and I intend to vote against  
6 my motion.

7  
8 This is an interesting dilemma. We've  
9 had this in a couple of instances this meeting where the  
10 multiple RACs that are involved do have very different  
11 recommendations and perspectives. In this case I do  
12 agree with the perspective of the Eastern Interior RAC  
13 which recommends opposing the proposal. The proposal  
14 does focus primarily on the Mentasta Herd. We've herd  
15 about the intermingling. But the numbers have been low  
16 with steadily declining calf recruitment since the late  
17 1980s.

18  
19 The unit's been fully closed to hunting  
20 since 1998. I've certainly herd and respect the comments  
21 of the Cheesh'na Tribe and disagree with the  
22 recommendation to open Unit 11 to caribou hunting at this  
23 time. I do think the Board has tried to be very  
24 respectful of the customary and traditional use that  
25 Chistochina has had for caribou in Unit 11 and the action  
26 on this proposal would not change that at all.

27  
28 The existing management plan does use  
29 several biological parameters to measure health which  
30 focuses on calf recruitment that should be met prior to  
31 reopening hunting in the area and it does not appear to  
32 me that any of those measures have been attained yet.

33  
34 The Board record shows that the Board has  
35 longed believed there's a conservation concern about this  
36 herd and I think those concerns do remain and thus I  
37 intend to vote against the motion.

38  
39 Thank you.

40  
41 CHAIRMAN TOWARAK: Thank you. Any other  
42 comments.

43  
44 (No comments)

45  
46 CHAIRMAN TOWARAK: Could I entertain a  
47 call for the question.

48  
49 MR. CRIBLEY: Call for the question.

50

1 CHAIRMAN TOWARAK: Question's been called  
2 for. Roll call please.  
3  
4 MR. PROBASCO: Thank you, Mr. Chair.  
5 Final action on WP12-24. Ms. Pendleton.  
6  
7 MS. PENDLETON: No.  
8  
9 MR. PROBASCO: Ms. Masica.  
10  
11 MS. MASICA: No.  
12  
13 MR. PROBASCO: Mr. Cribley.  
14  
15 MR. CRIBLEY: Yes.  
16  
17 MR. PROBASCO: Mr. Towarak.  
18  
19 CHAIRMAN TOWARAK: Yes.  
20  
21 MR. PROBASCO: Mr. Haskett.  
22  
23 MR. HASKETT: No.  
24  
25 MR. PROBASCO: Mr. Virden.  
26  
27 MR. VIRDEN: Yes.  
28  
29 MR. PROBASCO: Mr. Chair. Motion fails,  
30 3/3.  
31  
32 CHAIRMAN TOWARAK: This is the first time  
33 I've experienced a motion to fail and I'm trying to  
34 figure out where we're at here with the process. I  
35 assume no further action will be taken.  
36  
37 MR. PROBASCO: Mr. Chair. That would be  
38 final action on the proposal, on 12-24.  
39  
40 CHAIRMAN TOWARAK: Okay. We will then  
41 proceed to the next proposal, which is 12-25, Staff  
42 analysis, please.  
43  
44 MR. FOX: Yes, thank you, Mr. Chair.  
45 Trevor Fox with OSM. The analysis for Proposal WP12-25  
46 begins on Page 589 of your meeting book.  
47  
48 This was submitted by the AHTNA Tene  
49 Nena' Customary and Traditional Use Committee and  
50 requests the Unit 13 caribou fall harvest season be

1 extended by an additional nine days from August 10th  
2 through September 30th to August 1st through September  
3 30th. The proponent states that there will be no impact  
4 on the Nelchina Caribou Herd since the State and Federal  
5 administered hunts can be closed if the annual harvest  
6 quota is reached.

7  
8 The annual harvestable surplus of  
9 Nelchina caribou is dependent on the productivity and  
10 survival of calves and from 2008 to 2011 productivity and  
11 recruitment measures show an annual average of 44 calves  
12 per 100 cows, which is above the management goal of 40  
13 calves per 100 cows and the most recent fall survey in  
14 2010 estimated 65 calves per 100 cows. Bull to cow  
15 ratios have increased and the fall population estimates  
16 have remained relatively stable with the estimated herd  
17 size between 30 and 44,000 animals.

18  
19 The State hunts are the primary source of  
20 harvest for the Nelchina Caribou Herd and accounted for  
21 75 percent of the overall harvest between 2004 and 2009.  
22 The harvest chronology shows that most of the State  
23 harvest occurs during August and September. And of  
24 concern when moving season start dates earlier, is the  
25 waste of meat due to spoilage but weather has recently  
26 been similar between the first week and second week of  
27 August.

28  
29 The OSM conclusion is to support Proposal  
30 WP12-25 as the population is healthy and can support the  
31 additional harvest opportunity plus the State and Federal  
32 hunts can be closed to avoid exceeding the annual harvest  
33 quota and providing an additional opportunity for  
34 Federally-qualified subsistence users to harvest caribou  
35 prior to the opening of the State season may not give a  
36 significant opportunity due to weather and variation and  
37 migratory patterns, however, there are no conservation  
38 concerns and the population can support the additional  
39 nine days of opportunity.

40  
41 Thank you, Mr. Chair.

42  
43 CHAIRMAN TOWARAK: Thank you. Are there  
44 any questions of the Staff.

45  
46 (No comments)

47  
48 CHAIRMAN TOWARAK: Thank you for your  
49 presentation. We will move to the summary of the public  
50 comments from the regional coordinator.

1 MR. JOHNSON: Thank you, Mr. Chair. Carl  
2 Johnson for OSM. The Wrangell-St. Elias National Park  
3 Subsistence Resource Commission submitted a statement in  
4 support of this proposal noting first that there was not  
5 a conservation concern for the Nelchina Herd, and,  
6 second, that the proposal would benefit subsistence users  
7 by providing additional opportunity at a time when there  
8 was less competition from other hunters.

9

10 Thank you, Mr. Chair.

11

12 CHAIRMAN TOWARAK: Thank you. Public  
13 testimony.

14

15 MR. PROBASCO: Thank you, Mr. Chair. The  
16 first person that I believe still wants to speak on  
17 caribou issues, is Mr. Elmer Marshall.

18

19 MR. MARSHALL: Good morning, Mr. Chair,  
20 again. Unit 13 caribou hunt, the early hunt that AHTNA  
21 C&T committee supports. The reason why we're supporting  
22 it is that -- I'll give you a little history of what's  
23 going on here lately.

24

25 The Fish and Game, Alaska Department of  
26 Fish and Game, allocated eight AHTNA villages to have a  
27 subsistence community hunt for the villages and then  
28 there was a deal died up in court where it was not  
29 justified because they're letting eight specific villages  
30 hunt for this community hunt, this subsistence community  
31 hunt, and so they consequently let other communities be  
32 able to hunt under the same status that the villages  
33 wanted to hunt, and now we have up to 25 community hunts  
34 going on and consequently it put a heck of a pressure on  
35 the hunting in our area because we're on the highways.  
36 And the amount of hunters in that area is really  
37 populated. Last year, I think the Fish and Game put out  
38 2,400 caribou hunts and if you left the hunt like they've  
39 had it, it opened August 10th, there's unreal amount of  
40 hunting pressure in that area.

41

42 I would recommend for the Federal hunt,  
43 just like it's proposed to open it up on August 1st and  
44 let it run to September 30th and October 21st to March  
45 31st. The reasoning is, is just there'd be the amount of  
46 hunting pressure that we've occurred because of the State  
47 allocated this subsistence community hunt and allowed 25  
48 different communities to participate in this hunt, so we  
49 have a lot of competition.

50

1 CHAIRMAN TOWARAK: Thank you. Are there  
2 any questions of Mr. Marshall.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Thank you for your  
7 testimony.

8  
9 MR. MARSHALL: Thank you.

10  
11 MR. PROBASCO: Mr. Chair. The last  
12 person I have signed up is Ms. Gloria Stickwan.

13  
14 MS. STICKWAN: I support WP12-25 to add  
15 a nine day longer season for Unit 13 caribou from August  
16 1 to September 30th. It'll give us more of an  
17 opportunity to hunt for caribou and harvest the caribou.  
18 The population for the Nelchina Caribou Herd is above the  
19 Fish and Game's management objective and can sustain a  
20 longer hunting season.

21  
22 And the Eastern Interior Regional  
23 Advisory's reason for opposing this proposal was for law  
24 enforcement concern and calf recruitment. Unit 13 has a  
25 hunting season for -- on August 1st and law enforcement  
26 is out in the field and they would be watching out for  
27 any illegal activity, which is what they were concerned  
28 about. They also were concerned about the calf/cow  
29 ratio, which is 44 calves per 100 cows. So there isn't  
30 calf production -- productivity isn't a conservation  
31 concern, neither is calf production, according to Fish  
32 and Game's report.

33  
34 They just opposed it because they're just  
35 against hunting, to have an additional hunt for Unit 13  
36 is my own opinion, is they oppose it for that reason  
37 only, I'm talking about the Eastern Interior.

38  
39 CHAIRMAN TOWARAK: Thank you. Are there  
40 any questions of Ms. Stickwan.

41  
42 (No comments)

43  
44 CHAIRMAN TOWARAK: Thank you for your  
45 testimony.

46  
47 MR. PROBASCO: That concludes public  
48 testimony. Mr. Chair.

49  
50 CHAIRMAN TOWARAK: Okay. We'll move on

1 then to the Regional Council recommendations. Mr. Lohse.

2

3 MR. LOHSE: Mr. Chair, thank you. The  
4 Southcentral Subsistence Regional Advisory Council  
5 recommends support for WP12-25.

6

7 The Council does not find any  
8 conservation concerns that would result from this  
9 proposal. They see it as a way to provide additional  
10 subsistence harvest opportunity while spreading out  
11 hunter effort. And as Gloria pointed out, our  
12 neighboring Council that opposed did not oppose it on  
13 conservation concern grounds, they opposed it on  
14 enforcement concerns.

15

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

18

19 (No comments)

20

21 CHAIRMAN TOWARAK: Thank you for your  
22 comments. We will move on then to the Department of Fish  
23 and Game.

24

25 MS. YUHAS: Thank you, Mr. Chairman.  
26 Jennifer Yuhas, Alaska Department of Fish and Game.

27

28 The Department is opposed to this  
29 proposal and it is based on conservation concerns. While  
30 others have testified regarding enforcement or meat  
31 spoilage, there's not a current conservation concern, we  
32 are managing this hunt at capacity and we expect a  
33 conservation concern should the season be extended and  
34 that is due to calf survival. Calf production is  
35 adequate but calf survival may not be adequate if the  
36 hunt is extended. This area is closed to non-residents,  
37 managed at capacity and subsistence users currently  
38 receive two permits per person instead of one and enjoy  
39 an additional 10 days of hunting in this area.

40

41 CHAIRMAN TOWARAK: Thank you. Any  
42 questions of the State.

43

44 (No comments)

45

46 CHAIRMAN TOWARAK: You stated that it was  
47 closed to non-residents?

48

49 MS. YUHAS: Correct.

50

1 CHAIRMAN TOWARAK: Thank you for your  
2 comments. We will move on then to InterAgency Staff  
3 Committee.

4  
5 MR. ARDIZZONE: Mr. Chair. Staff  
6 Committee comments can be found on Page 600. The  
7 InterAgency Staff Committee found the analysis to  
8 thorough and accurate evaluation of the proposal and it  
9 provides sufficient basis for the Regional Advisory  
10 Council recommendations and the Federal Subsistence Board  
11 action on the proposal.

12  
13 The ISC finds that the potential negative  
14 effects to calf survival and recruitment resulting from  
15 adding nine days in early August to the current 210 day  
16 season is a valid concern and believes adoption of the  
17 proposal would violate recognized principles of fish and  
18 wildlife conservation. Additional hunting pressure  
19 during this time period is not warranted. It would  
20 further diverge State and Federal regulation, create  
21 additional enforcement issues and increase the likelihood  
22 of meat spoilage.

23  
24 Thank you, Mr. Chair.

25  
26 CHAIRMAN TOWARAK: Thank you. Any  
27 questions of Staff.

28  
29 (No comments)

30  
31 CHAIRMAN TOWARAK: We will move on.

32  
33 MR. CRIBLEY: Mr. Chairman. I guess  
34 maybe I have a follow-up question and kind of set up some  
35 comments that I've got later on.

36  
37 As far as the areas, Federal lands make  
38 up a very small portion of this, I don't know if we've  
39 actually stated that, but is that not accurate of this  
40 hunt unit?

41  
42 MR. ARDIZZONE: Through the Chair. Yes,  
43 sir, the Federal lands are very small in this area.

44  
45 MR. CRIBLEY: I mean concerns being  
46 expressed right now are relating to calf survival, are  
47 any of the critical calving areas, are they apart -- are  
48 they Federal lands or are they State lands and is there  
49 a direct relationship to this hunt into these areas or do  
50 we know? Or am I taking you down a path you weren't

1 ready for?

2

3 MR. ARDIZZONE: Yes.

4

5 (Laughter)

6

7 MR. CRIBLEY: That's okay.

8

9 MR. ARDIZZONE: Mr. Chair. I believe  
10 there are very few Federal lands and any calving  
11 incurring would mostly occur on State lands.

12

13 MR. CRIBLEY: Thank you very much.

14

15 CHAIRMAN TOWARAK: No further questions,  
16 we will move on then to general discussion with the  
17 Council Chairs and the State liaison.

18

19 Mr. Lohse.

20

21 MR. LOHSE: Thank you, Mr. Chair. That's  
22 why I asked Jennifer before on that one on the August  
23 1st, August 10th because I wanted to see if there were  
24 any other concerns on a hunt that had a quota and the  
25 calf concerns were brought up.

26

27 Currently the Federal land does not  
28 encompass much of the calving grounds, but as was pointed  
29 out to me earlier there is a lot of land under-selection  
30 question that the Federal lands in this area could almost  
31 double or better than double in size if State selections  
32 are chosen someplace else instead of there. But at this  
33 point in time the calf -- from my observations, the areas  
34 that are open to Federal hunting do not have much calving  
35 in them. So that part would be questionable to me here.

36

37 The other one is the spoilage and I'm  
38 going to speak to that because that's been brought up a  
39 number of times, and I really do think this applies in a  
40 lot of parts of Alaska. But what we have to remember  
41 here is this hunt and the communities that take part in  
42 it are all part of the road system, most of them have  
43 electricity at their house, most of them have a freezer,  
44 and most of the people that I know don't even stay out  
45 overnight. You know, they get up early in the morning,  
46 they go caribou hunting, they come back, they're at their  
47 own place that next evening. Some of them stay for a  
48 night or two, but I would say that probably 80 percent of  
49 the people that I know that hunt this caribou hunt them  
50 as a one day hunt. So if they get something they're

1 back to their place of residence the same day so spoilage  
2 is not the same problem as if you were drifting down the  
3 Yukon River or you were drifting down some river  
4 someplace and you were going to be on a four day hunt or  
5 a five day hunt and staying overnight. I mean a lot of  
6 these animals are -- they're put in the shed in the shade  
7 the same day that they're taken, they're skinned out and  
8 quartered the same day that they're taken. So I don't  
9 like to -- it's just like not eating animals that are in  
10 the rut, I don't like to see that used as a reason when  
11 you apply -- I'm not saying that there aren't valid  
12 reasons not to have the hunt, but to use that as a reason  
13 on this hunt, I don't think it applies the same way,  
14 simply because of the access and where the people live  
15 that take part in this hunt.

16  
17 CHAIRMAN TOWARAK: Thank you. Further  
18 questions.

19  
20 MR. CRIBLEY: Well, not so much a  
21 question as just discussion, and I kind of tie into what  
22 Ralph is alluding to. The question I'd asked previously  
23 of the Staff was about the level of Federal lands within  
24 this hunt unit, which is fairly low right now and as  
25 Ralph mentioned, a lot of these lands are State selected  
26 lands. And the Bureau of Land Management is responsible  
27 for the conveyance, final conveyance of those lands to  
28 the State and also to the tribes and corporations as a  
29 part of our -- one of our primary missions here in  
30 Alaska.

31  
32 We have gotten indications back from the  
33 State that they may be relinquishing some of those  
34 selections within this hunt unit, as a matter of fact a  
35 large number of acres within this hunt unit potentially  
36 could be transferred or given back to the Federal  
37 government. And part of the issue or the issue that  
38 comes from that and I think what everybody needs to be  
39 aware of, as we move forward on this recommendation, is  
40 that some of those lands that would be coming back to  
41 Federal ownership are within the critical calving areas.  
42 And if that was the fact, if that is the fact that could  
43 become a conflict from a conservation standpoint,  
44 relating to the issues that the State brought up as far  
45 as calf survival. And I just wanted to make sure that  
46 everybody was aware of that potential of occurring and  
47 there could be a potential problem in the future if, in  
48 fact, those lands are relinquished back to the Federal  
49 government, because they would then be available to this  
50 earlier hunt.

1                   So I just needed to make sure it was on  
2 the record and daylighted so it may be that we would have  
3 to come back, if there were problems, have to come back  
4 and change this or reconsider this decision as far as the  
5 earlier hunt dates, at a later date. Or we could  
6 potentially could maybe even defer the decision until the  
7 final disposition of those lands is found and then we're  
8 more comfortable from a biological standpoint to support  
9 this proposal.

10  
11                   But I just wanted to make sure everybody  
12 was aware of those factors.

13  
14                   CHAIRMAN TOWARAK: Thank you. Further  
15 comments.

16  
17                   (No comments)

18  
19                   CHAIRMAN TOWARAK: Do we still have Mr.  
20 Firmin on the phone?

21  
22                   OPERATOR: Yes, that line is open, go  
23 ahead.

24  
25                   CHAIRMAN TOWARAK: Mr. Firmin, do you  
26 have any comments with regards to this proposal, and the  
27 Eastern.....

28  
29                   MR. FIRMIN: Which proposal is it again,  
30 please?

31  
32                   CHAIRMAN TOWARAK: It's 12-25 and the  
33 Eastern Interior Council had opposed this proposal.

34  
35                   MR. FIRMIN: Hold on a minute here let me  
36 get my book out.

37  
38                   REPORTER: Pete.

39  
40                   MR. FIRMIN: I believe a lot of the.....

41  
42                   REPORTER: Pete.

43  
44                   MR. FIRMIN: .....caribou proposals, Ms.  
45 Entsminger.....

46  
47                   REPORTER: Pete.

48  
49                   MR. FIRMIN: .....and the other people on  
50 the RAC were from that area, I would almost defer to

1 their opinions but.....

2

3 REPORTER: Thanks.

4

5 MR. FIRMIN: .....I believe we did have  
6 a lot of discussion on some of these areas just due to  
7 the amount of people and the accessibility of them.

8

9 Let me see here.

10

11 CHAIRMAN TOWARAK: Ms. Entsminger had  
12 said that she might try to connect by phone, I'd like to  
13 ask if she might be on the phone.

14

15 (Pause)

16

17 MR. FIRMIN: Mr. Chair.

18

19 CHAIRMAN TOWARAK: Go ahead.

20

21 MR. FIRMIN: I believe that this one we  
22 opposed due to the timing of the season and the length of  
23 it, it's already a fairly liberal season for them and  
24 just the warmth, the time of year it would be fairly warm  
25 for that -- to be hunting, and I think that was part of  
26 our reasoning for opposing it.

27

28 CHAIRMAN TOWARAK: Thank you, Mr. Firmin.  
29 Further discussion.

30

31 (No comments)

32

33 CHAIRMAN TOWARAK: I think we're ready  
34 for final action.

35

36 MR. CRIBLEY: I'm trying to remember how  
37 I do this.

38

39 (Laughter)

40

41 MR. CRIBLEY: I guess I would propose --  
42 what am I -- what am I -- what do I want to say here?

43

44 (Laughter)

45

46 MR. CRIBLEY: What am I supposed to say,  
47 somebody.....

48

49 CHAIRMAN TOWARAK: I think we need a  
50 motion to accept.....

1 MR. CRIBLEY: Okay. Okay.  
2  
3 CHAIRMAN TOWARAK: .....and pass the  
4 proposal.  
5  
6 MR. CRIBLEY: I propose -- adopt the  
7 proposal to adopt this -- or make a motion to adopt the  
8 proposal and after a second I'll make my statements of  
9 why I'm going to oppose this proposal.  
10  
11 MS. PENDLETON: Second.  
12  
13 CHAIRMAN TOWARAK: You heard the motion  
14 and second. Further discussion.  
15  
16 MR. CRIBLEY: I guess to the Board,  
17 basically the concern that we've got -- or that I have is  
18 in regards to the uncertainty of the status of these  
19 lands and the potential of lands within the critical  
20 calving areas becoming -- or coming into Federal status  
21 which would open those lands to this hunt, this earlier  
22 hunt and I feel that could create conservation issues and  
23 affect calf survival. And so for those reasons I will  
24 vote against, or opposed to this proposal.  
25  
26 Thank you.  
27  
28 CHAIRMAN TOWARAK: Further discussion.  
29  
30 (No comments)  
31  
32 CHAIRMAN TOWARAK: The floor's open to  
33 call for the question.  
34  
35 MR. HASKETT: Call for the question.  
36  
37 CHAIRMAN TOWARAK: Question's been called  
38 for. Roll call please.  
39  
40 MR. PROBASCO: Thank you, Mr. Chair.  
41 Final action on WP12-25.  
42  
43 Ms. Masica.  
44  
45 MS. MASICA: Yes.  
46  
47 MR. PROBASCO: Mr. Cribley.  
48  
49 MR. CRIBLEY: No.  
50

1 MR. PROBASCO: Mr. Towarak.  
2  
3 CHAIRMAN TOWARAK: Yes.  
4  
5 MR. PROBASCO: Mr. Haskett.  
6  
7 MR. HASKETT: No.  
8  
9 MR. PROBASCO: Mr. Virden.  
10  
11 MR. VIRDEN: Yes.  
12  
13 MR. PROBASCO: Ms. Pendleton.  
14  
15 MS. PENDLETON: Yes.  
16  
17 MR. PROBASCO: Motion carries, 4/2.  
18  
19 CHAIRMAN TOWARAK: Thank you. I think we  
20 will continue with one more proposal and then take a  
21 lunch break after that. So we will proceed on to  
22 Proposal 12-26, Staff analysis please.  
23  
24 MR. MCKEE: Chris McKee with OSM once  
25 again, Mr. Chair, Board. The analysis for WP12-26 begins  
26 on Page 604 of your meeting material booklet.  
27  
28 Proposal WP12-26 was submitted by the  
29 Kenai National Wildlife Refuge in conjunction with the  
30 Chugach National Forest and request the closure of  
31 hunting and trapping seasons for red fox in Units 7 and  
32 15.  
33  
34 The current Federal regulations for  
35 hunting and trapping red fox in Unit 7 and 15 have been  
36 the same since 1998. There has been no hunting season  
37 for red fox under State regulations in Units 7 and 15,  
38 although there is a trapping season for red fox under  
39 State regs in Unit 7 and 15. Due to conservation concerns  
40 for the species, the Kenai National Wildlife Refuge has  
41 closed red fox trapping on the Refuge through special  
42 conditions of the Kenai National Wildlife Refuge annual  
43 trapping permit.  
44  
45 In Unit 15C within the Caribou Hills a  
46 small remanent population of red fox exists with an  
47 occasional observation reported from other areas of the  
48 Kenai Peninsula such as the Skilak and Tustumena Lakes  
49 area.  
50

1                   No confirmed harvest has been reported on  
2 the Kenai Peninsula in the last 25 years. There have  
3 been unconfirmed sightings since 2002 near Kasilof and  
4 the Caribou Hills and east towards Cooper Landing. If  
5 the proposal is adopted, the Federal subsistence hunting  
6 and trapping seasons for red fox in Units 7 and 15 would  
7 be eliminated. Incidental take of fox would be forfeited  
8 to the Alaska Department of Fish and Game. Closing the  
9 seasons would have little effect on subsistence users  
10 since red fox already occur at such low densities.

11  
12                   The OSM conclusion is to support Proposal  
13 WP12-26. The red fox is a species of interest for  
14 restoration on the Kenai National Wildlife Refuge and the  
15 observed low abundance provides no harvestable surplus on  
16 the Kenai Peninsula. Trappers within Southcentral Alaska  
17 have stated that red fox is the least important furbearer  
18 to trap and closing the Federal season will have little  
19 effect on subsistence users. Harvesting by humans is a  
20 significant source of mortality for the species and  
21 closing the Federal season may prevent local extrapation.

22  
23                   Thank you.

24  
25                   CHAIRMAN TOWARAK: Thank you. Are there  
26 any questions.

27  
28                   Mr. Haskett.

29  
30                   MR. HASKETT: So I don't think I heard  
31 you say this but I want to make sure, this was submitted  
32 by the Kenai Refuge in conjunction with the Chugach  
33 National Forest, right?

34  
35                   MR. MCKEE: That's correct.

36  
37                   MR. HASKETT: Okay, so if I heard you --  
38 I'm sorry maybe you said that and I just missed it.

39  
40                   MR. MCKEE: I did, yeah.

41  
42                   MR. LOHSE: Mr. Chair.

43  
44                   CHAIRMAN TOWARAK: Go ahead.

45  
46                   MR. LOHSE: Can I ask him what the  
47 numbers of the take on the Kenai Peninsula have been in  
48 recent history.

49  
50                   MR. MCKEE: Through the Chair. There

1 have been no confirmed harvest on the Kenai Peninsula in  
2 the last 25 years.

3

4 MR. LOHSE: Thank you.

5

6 MR. MCKEE: Oh, I should also say the  
7 last known the harvest of red fox in the Kenai Peninsula  
8 were in 1969, 1970 and '78 and '79.

9

10 MR. LOHSE: Thank you.

11

12 CHAIRMAN TOWARAK: Thank you for the  
13 analysis. We will move to public comments, and first get  
14 a summary from the regional coordinator.

15

16 MR. JOHNSON: Thank you, Mr. Chair. Carl  
17 Johnson with OSM. There were no public comments  
18 submitted to the Council on this proposal.

19

20 MR. PROBASCO: And, Mr. Chair, no one has  
21 signed up for this proposal, to speak.

22

23 CHAIRMAN TOWARAK: Assuming there isn't  
24 any public testimony then we will move to the Regional  
25 Council recommendation.

26

27 Mr. Lohse.

28

29 MR. LOHSE: Thank you, Mr. Chair. The  
30 Southcentral Subsistence Regional Advisory Council  
31 recommends opposing Proposal WP12-26.

32

33 The Council feels that the human take is  
34 insignificant, poses no conservation concerns and notes  
35 that the equivalent area of the Forest lands adjacent  
36 carry no such restriction.

37

38 And I'm just going to add a little bit  
39 right now, that to me no confirmed harvest in the last 20  
40 years is pretty insignificant and I think that's in  
41 agreement with what our Council says. And so if you have  
42 no harvest, closing has no effect and opening has no  
43 effect.

44

45 CHAIRMAN TOWARAK: Any further  
46 discussion.

47

48 (No comments)

49

50 CHAIRMAN TOWARAK: We will move on then

1 to the Department of Fish and Game.

2

3 MS. YUHAS: Thank you, Mr. Chairman. The  
4 Department is also opposed to this proposal.

5

6 Citing some of the comments from Mr.  
7 Lohse, the Department is in agreement with this. The  
8 populations here have been present in low numbers and in  
9 low densities. While the analysis speaks to extrapolation,  
10 we're not looking at a documented crash in population.  
11 the harvest is still open on the State side. No reported  
12 harvest for 25 years, the effect on subsistence users  
13 might not be loss of opportunity because the State season  
14 is open, might not be loss of animals because they're not  
15 reporting any, but it would be criminalization. The  
16 Department would rather leave the opportunity to report  
17 the finding of a red fox and serve to collect some of  
18 that data than have to criminalize an incidental harvest  
19 that we've had no reports of for 25 years.

20

21 Mr. Chairman.

22

23 CHAIRMAN TOWARAK: Thank you. Any  
24 questions to the State.

25

26 (No comments)

27

28 CHAIRMAN TOWARAK: We will proceed on  
29 then to the InterAgency Staff Committee comments.

30

31 MR. ARDIZZONE: Mr. Chair. Staff  
32 Committee comments can be found on Page 609. In addition  
33 to the standard comments, the ISC suggests that the Board  
34 review the Southcentral Alaska Regional Advisory Council  
35 recommendation to oppose.

36

37 If the Board were to support this  
38 proposal, which would be counter to the Council's  
39 recommendation it could do so based on the second  
40 exception clause of Section .805(c) of ANILCA, that the  
41 Council's recommendation violates recognized principles  
42 of fish and wildlife conservation.

43

44 Thank you, Mr. Chair.

45

46 CHAIRMAN TOWARAK: Thank you. Board  
47 discussion with Council Chairs and State liaison.

48

49 Mr. Lohse.

50

1 MR. LOHSE: Mr. Chair. I'd just like to  
2 thank Jennifer for bringing that out because as a trapper  
3 and as a subsistence user, that is one of the biggest  
4 fears, is to inadvertently or unintentionally break the  
5 law because something that you're not supposed to catch  
6 gets in while you're legally trying to catch something  
7 that you're allowed to catch. And it does put a burden  
8 on people. And I -- like I said if there hasn't been any  
9 take I really wouldn't want to be the trapper, that  
10 subsistence trapper that would have to turn my fox in if  
11 it was the first -- and give it away if it was the first  
12 fox that had been taken in 21 years but I'd be totally  
13 willing to take it and report it so that they had a  
14 record of it and knew what was going on. But the  
15 temptation would be, as a subsistence user, to take the  
16 red fox home, skin it and tan it yourself and just not  
17 say anything. And as I've said before, and I've stressed  
18 this in front of this Board before, and a lot of you  
19 weren't there then when we dealt with the Venetie cow  
20 moose harvest, if something is a normal part of the  
21 practice and it's not hurting the resource but it is  
22 technically illegal and you want to get your subsistence  
23 users to get in the habit of obeying the law then look  
24 at the thing and see if it actually has a detrimental  
25 effect, and if you can make it legal for them so that the  
26 next generation of gets in the habit of obeying the law,  
27 then they also know that they can change the law if they  
28 need to and it becomes part ownership. If it's something  
29 that's imposed on you and you have no ownership to it  
30 there's a tendency to ignore it.

31  
32 And I mean we heard that yesterday when  
33 we heard about the common practice, it's a common  
34 practice to shoot a moose going down the river in your  
35 boat. It's hard to enforce, there's nobody there, it's  
36 going to be awful hard if you don't have a moose in your  
37 freezer and there's the moose a quarter mile down the  
38 river, not to stay under power and go down and get that  
39 moose. So if it's not hurting the resource and this is  
40 a common practice, if you can make it legal then you get  
41 people so that they start obeying what is the law and  
42 then you can change the law if it's needed to be changed,  
43 and people have that habit.

44  
45 And so that's why I would -- I really  
46 appreciate what Jennifer said there because that, to me,  
47 would be the biggest reason that I could see to leave  
48 this open.

49  
50 CHAIRMAN TOWARAK: Further discussion.

1 MS. AHTUANGARUAK: I really appreciate  
2 Ralph bringing that discussion out, that's really  
3 important. There is a lot of concern with our young  
4 hunters and the issues that are occurring with the  
5 regulatory efforts and the enforcement.

6  
7 I know I've got young hunters that I'm  
8 constantly counseling and dealing with the reality of the  
9 changes to our lands and waters on the North Slope, and  
10 trying to encourage our hunters to stay active. When  
11 you're dealing with some of these concerns and it's  
12 affecting our traditional and cultural uses, and there's  
13 so many changes that are occurring to our maps, but the  
14 stories of our generations of usage are still there  
15 telling our grandchildren how grandfather hunted in this  
16 area and harvested this in this area, it's very difficult  
17 when you're encouraging traditional and cultural  
18 practices but we have maps and regulations that are  
19 preventing the continued actions.

20  
21 And I really appreciate the way Ralph  
22 brought this discussion forward.

23  
24 CHAIRMAN TOWARAK: Thank you. Any  
25 further discussion.

26  
27 (No comments)

28  
29 CHAIRMAN TOWARAK: I, too, see a trend in  
30 rural Alaska where the elders are doing more conversing  
31 with the youth and I think in some cases the youth  
32 themselves are generating it because they don't know what  
33 to do and without guidance, I think, and it would be easy  
34 for a young person to go out and do something that's  
35 illegal, and I think this would help prevent that.

36  
37 Any further discussion.

38  
39 (No comments)

40  
41 CHAIRMAN TOWARAK: The floor is open for  
42 a call for the question -- for the motion.

43  
44 MR. LOHSE: May I make one more comment?

45  
46 CHAIRMAN TOWARAK: Sure.

47  
48 MR. LOHSE: And I'm going to make this  
49 comment as a father.

50

1                   If you can get your young people to obey  
2 the smaller laws, let's say the fish and game laws, it's  
3 a lot easier to get them than to obey the laws about  
4 driving too fast, or drinking under age or something like  
5 that. You've got to instill an attitude that, you know,  
6 you obey the law, and if the law doesn't make sense, kids  
7 are real quick to see that the law doesn't make sense or  
8 doesn't make sense in their environment. And I could  
9 share some things on that, but I won't.

10

(Laughter)

11

12  
13                   CHAIRMAN TOWARAK: Thank you. Any  
14 further discussion.

15

(No comments)

16

17  
18                   CHAIRMAN TOWARAK: Wishes of the Board.

19

(No comments)

20

21  
22                   CHAIRMAN TOWARAK: With the lack of a  
23 motion on the floor, are we sending a message that.....

24

25                   MR. PROBASCO: Mr. Chair. We still have  
26 to act on the proposal.

27

28                   CHAIRMAN TOWARAK: Okay. We will sit  
29 here until action takes place.

30

(Laughter)

31

32  
33                   MS. PENDLETON: I'd like to move that we  
34 make an amendment on the proposal. I guess we'd first  
35 have to adopt the proposal, so I would move that we adopt  
36 the proposal and after a second I'd like to offer an  
37 amendment.

38

39                   MS. MASICA: Second.

40

41                   CHAIRMAN TOWARAK: You heard the motion  
42 and a second. Further discussion.

43

44                   MS. PENDLETON: I'd like to recommend an  
45 amendment which I believe is a very reasonable compromise  
46 given the comment that has been made by the Southcentral  
47 RAC and the amendment would be to close the hunting  
48 season in Unit 13 and.....

49

50                   MR. PROBASCO: Unit 7.

1 MS. PENDLETON: Excuse me, Unit 7, and  
2 then because the affect on trapping is passive.  
3  
4 CHAIRMAN TOWARAK: You heard the motion,  
5 is there a second to the motion.  
6  
7 MR. PROBASCO: One question, Mr. Chair.  
8  
9 CHAIRMAN TOWARAK: Let's get a second on  
10 the floor and then we will open it for discussion.  
11  
12 MR. CRIBLEY: Second.  
13  
14 CHAIRMAN TOWARAK: You heard the motion  
15 and the second. Go ahead.  
16  
17 (No comments)  
18  
19 CHAIRMAN TOWARAK: Any further discussion  
20 on the -- Mr. Cribley.  
21  
22 MR. CRIBLEY: Excuse me, Mr. Chair.  
23 Further clarification of what the amendment was. My  
24 understanding is, is you're recommending to, in Unit 7,  
25 your amendment is to close the hunting season but to  
26 leave the trapping open; is that correct? And then what  
27 about, and does this affect Unit 15 or does this.....  
28  
29 MS. PENDLETON: 15.  
30  
31 MR. CRIBLEY: .....does this.....  
32  
33 MS. PENDLETON: So let me offer some  
34 clarification.  
35  
36 MR. CRIBLEY: Okay.  
37  
38 MS. PENDLETON: The amendment would be to  
39 close the hunting season in Unit 7 and not close the  
40 trapping season in Unit 7. The rationale is that hunting  
41 is an active method of take, where you see the animal,  
42 you shoot the animal; while trapping is often not species  
43 specific as we've heard.  
44  
45 CHAIRMAN TOWARAK: And is it your desire  
46 to leave Unit 15.....  
47  
48 MS. PENDLETON: Unit 13, that's -- oh,  
49 you're -- thank you, Unit 15, yes, that's correct.  
50

1 CHAIRMAN TOWARAK: Go ahead. Yes.

2

3 MR. HASKETT: Okay, you didn't do what I  
4 expected you to do, which, of course that's the process.

5

6 So essentially when you left trapping  
7 open in 7 and didn't do it in 15, that leaves trapping  
8 closed on the Refuge and there actually is a concern from  
9 our Refuge, and I'll kind of lay out the concerns that  
10 come from them, is that, you know, fox are very rare on  
11 both units and it's a conservation concern on the Refuge,  
12 fox are. You know, we talked about no confirmed fox  
13 having been reported in the last 25 years being  
14 harvested. You know Refuge lands are, in fact, closed to  
15 all fox trapping under the trapping permit provisions so  
16 essentially what we have is a situation where on our  
17 permit, it says, each person shall continue to secure a  
18 trapping permit from the appropriate Refuge manager prior  
19 to trapping in the Kenai, Izembek and Kodiak Refuges, and  
20 then the provision that's specific to that is that  
21 trapping of red fox is closed throughout the Refuge. So  
22 I mean it's closed on the Refuge.

23

24 So there is a concern that we have in  
25 terms of confusion to the public, you know, where you  
26 have not put this whole thing together and especially if  
27 it's going to be different on the Forest than on the  
28 Refuge, so I'm not quite sure where to go from there.

29

30 So.....

31

32 MS. PENDLETON: Mr. Chairman. I would  
33 ask if we could have an opportunity for a caucus on this.

34

35 MR. HASKETT: Yeah.

36

37 MS. PENDLETON: Please. A break.

38

39 CHAIRMAN TOWARAK: Let's take a five  
40 minute break.

41

42 MS. PENDLETON: Thank you.

43

44 (Off record)

45

46 (On record)

47

48 CHAIRMAN TOWARAK: I'd like to call our  
49 meeting back to session.

50

1 (Pause)

2

3 CHAIRMAN TOWARAK: Okay, we're ready to  
4 reconvene our meeting. We were on Proposal 12-26 under  
5 final action and Ms. Pendleton you have the floor.

6

7 MS. PENDLETON: Mr. Chairman, thank you.  
8 And I appreciate the opportunity for the break and the  
9 opportunity to caucus. And I would like to just clarify  
10 the amendment.

11

12 The amendment is to close hunting on both  
13 Unit 7 and 15, so that would be across the Forest and the  
14 Refuge lands. And then to keep trapping open and that  
15 would be across Units 7 and 15.

16

17 Thank you.

18

19 CHAIRMAN TOWARAK: Mr. Haskett.

20

21 MR. HASKETT: So this is the time we can  
22 talk a little bit about the rationale, yes?

23

24 CHAIRMAN TOWARAK: Go ahead.

25

26 MR. HASKETT: Okay. So in the caucus  
27 what we discussed is we don't want a vote here where the  
28 vote sets up different kind of management structures,  
29 even though we do have different management structures  
30 between the Forest and the Refuge. I think we agree that  
31 maybe it would have been better when this proposal was  
32 first put together if it would have split out trapping  
33 and hunting because it kind of complicates it, but it  
34 wasn't, so we're going to stay with it that way.

35

36 On the hunting it's clear that people  
37 make a, you know, on purpose, a decision, it's conscious,  
38 and clearly we believe that the conservation concerns are  
39 best served by very clearly stating that it's closed to  
40 any kind of hunting.

41

42 The trapping gets a little more  
43 complicated. And I think the discussion here actually is  
44 part of the reason it became complicated because it's  
45 very persuasive, the things that we heard. I mean it's  
46 hard to argue when someone talks about well, you know,  
47 you don't want to set somebody up to go ahead and have  
48 something happen by accident and be forced with kind of  
49 like these moral decisions that they might not otherwise  
50 have, you know, the teaching moments and, you know,

1 watching out -- I mean Ralph I think you did a really  
2 good job talking about, you know, you teach people to go  
3 ahead and, you know, some of these laws, you know, it's  
4 going to work out in bigger life kind of decisions, too.

5  
6                   Having said all of that, there is still  
7 concern on the Refuge and I think the biggest concern was  
8 that it's difficult when you have one set of regulations  
9 and it's going to be continued to be closed on the Refuge  
10 for trapping for foxes, I mean nothing's really changed  
11 on the concern there, about extrapation and that kind of  
12 thing, although when I look at it and I see, okay,  
13 there's been no foxes in 25 years and it's not likely to  
14 happen, I guess I'm telegraphing I'm going to kind of  
15 reluctantly go ahead based on those discussions and vote  
16 the way it's been proposed, but I'll let you know we  
17 still have a concern on the Refuge that we have concern  
18 with these foxes and that it's going to continue to be  
19 closed and it still will be because of confusion for the  
20 public, which is something I have to sort out in my mind  
21 later, I think.

22  
23                   So hopefully I didn't complicate it more  
24 in trying to explain the reasoning behind what my vote  
25 will be.

26  
27                   MR. CRIBLEY: Mr. Chairman. Could I ask  
28 a point of clarification.

29  
30                   CHAIRMAN TOWARAK: Go ahead.

31  
32                   MR. CRIBLEY: And this is for Mr.  
33 Haskett. Currently are you saying that there's no  
34 trapping allowed on the Refuge or is it just there's no  
35 trapping of red fox by -- from Fish and Wildlife -- from  
36 a permit -- from the standpoint of issuance of permits,  
37 or am I misunderstanding what you said previously?

38  
39                   CHAIRMAN TOWARAK: Go ahead.

40  
41                   MR. HASKETT: Yeah, there's a number of  
42 different species where trapping's allowed, the red fox  
43 is the one that's of concern.

44  
45                   MR. CRIBLEY: So you have -- when you  
46 issue a trapping a permit you exclude red fox as far as  
47 a targeted species.

48  
49                   MR. HASKETT: It says actually marten and  
50 fox trapping, so Unit 15B, east of the Kenai River,

1 Skilak Lake, Skilak River and Skilak Glacier are closed  
2 to the trapping of marten, trapping of red fox is closed  
3 throughout the Refuge.

4  
5 MR. CRIBLEY: Okay, thank you.

6  
7 CHAIRMAN TOWARAK: Any further  
8 discussion.

9  
10 (No comments)

11  
12 MS. PENDLETON: Call for the question.

13  
14 CHAIRMAN TOWARAK: Question's been called  
15 for. All those -- let's have a roll call, please.

16  
17 MR. PROBASCO: Thank you, Mr. Chair.  
18 This is on the amendment, which is to close hunting of  
19 red fox on Unit 7 and 15 and trapping would remain open  
20 for these two management units.

21  
22 On the amendment. Mr. Cribley.

23  
24 MR. CRIBLEY: Yes.

25  
26 MR. PROBASCO: Mr. Towarak.

27  
28 CHAIRMAN TOWARAK: Yes.

29  
30 MR. PROBASCO: Mr. Haskett.

31  
32 MR. HASKETT: Yes.

33  
34 MR. PROBASCO: Mr. Virden.

35  
36 MR. VIRDEN: No.

37  
38 MR. PROBASCO: Ms. Pendleton.

39  
40 MS. PENDLETON: Yes.

41  
42 MR. PROBASCO: Ms. Masica.

43  
44 MS. MASICA: Yes.

45  
46 MR. PROBASCO: Motion carries, 5/1 --  
47 amendment carries 5/1.

48  
49 CHAIRMAN TOWARAK: So we're back to the  
50 main motion which is to approve Proposal 12-26 with the

1 amended version.  
2  
3 MR. CRIBLEY: Mr. Chairman. I call for  
4 question.  
5  
6 CHAIRMAN TOWARAK: Question's been called  
7 for. Roll call vote, please.  
8  
9 MR. PROBASCO: Thank you, Mr. Chair. Mr.  
10 Towarak.  
11  
12 CHAIRMAN TOWARAK: Yes.  
13  
14 MR. PROBASCO: Mr. Haskett.  
15  
16 MR. HASKETT: Yes.  
17  
18 MR. PROBASCO: Mr. Virden.  
19  
20 MR. VIRDEN: Could I get a clarification,  
21 this is to oppose -- a yes would be to vote with the RAC,  
22 against the RAC, I'm getting confused on this.  
23  
24 MR. PROBASCO: Mr. Chair. I think, if I  
25 may, it would entirely embrace what the Southcentral  
26 Council recommended but it does get at the issue that Mr.  
27 Lohse spoke on as far as the trapping season. The  
28 trapping season would remain open and that was part of  
29 what the Southcentral RAC wanted.  
30  
31 Mr. Chair.  
32  
33 MR. VIRDEN: No.  
34  
35 MR. PROBASCO: Ms. Pendleton.  
36  
37 MS. PENDLETON: Yes.  
38  
39 MR. PROBASCO: Ms. Masica.  
40  
41 MS. MASICA: Yes.  
42  
43 MR. PROBASCO: Mr. Cribley.  
44  
45 MR. CRIBLEY: Yes.  
46  
47 MR. PROBASCO: Motion carries, 5/1.  
48  
49 MR. CRIBLEY: Lunchtime.  
50

1 CHAIRMAN TOWARAK: Thank you.  
2  
3 MR. LOHSE: Mr. Chair.  
4  
5 CHAIRMAN TOWARAK: Yes, Mr. Lohse.  
6  
7 MR. LOHSE: With your permission may I  
8 make a comment on what we just did here?  
9  
10 CHAIRMAN TOWARAK: Please do.  
11  
12 MR. LOHSE: It's just kind of interesting  
13 to me that when we read our report here and we find that  
14 probably red foxes on the Kenai Peninsula were brought  
15 there by fur farmers, and that there were no original red  
16 foxes on the Kenai Peninsula, and currently we have a  
17 program going on in "Prince William Sound which is  
18 talking about removing -- they have a scientific thing  
19 going on out there to check the genetics on some of the  
20 mink that are on some of the islands in Prince William  
21 Sound that are more than six nautical miles away from  
22 land and they're proposing removing the mink on those  
23 islands because the genetics of those mink show that they  
24 came from fur farms and are not wild mink, and that I  
25 attended and worked at Attu Island on the red fox, or the  
26 fox eradication on the islands out there because they  
27 were imported from someplace else, and that we just went  
28 through all of this with a species that may not even have  
29 been there and we're worried about ex -- or the word you  
30 used, I'm not sure how to use that word, but we're  
31 talking about exterminating a species that maybe never  
32 was there to start off with, you know.  
33  
34 And it's just interesting to me.  
35  
36 CHAIRMAN TOWARAK: Mr. Haskett.  
37  
38 MR. HASKETT: So I don't actually believe  
39 that we think what you just said, now, if we do -- we're  
40 not going to revisit today but I mean I promise you I'll  
41 go back and talk to my Refuge manager if we think it's an  
42 invasive species that was brought in then we'll take a  
43 different action next time, so.....  
44  
45 (Laughter)  
46  
47 MR. HASKETT: So what I promise to do,  
48 Mr. Chair.  
49  
50 CHAIRMAN TOWARAK: Go ahead.

1 MR. HASKETT: Is that I will by  
2 tomorrow's meeting, we're meeting again tomorrow, I will  
3 know from the Refuge on exactly whether we think what you  
4 just said we think.

5  
6 (Laughter)

7  
8 MR. HASKETT: So I don't believe it.

9  
10 (Laughter)

11  
12 MR. HASKETT: So I would very much like  
13 to be able to get back to you on that. I mean that very  
14 respectfully when I say that, too.

15  
16 MR. LOHSE: No, I'm trying to find where  
17 I read that and it might not have been in this but it's  
18 interesting because there's even comments that red fox in  
19 Alaska, if you go back and read in some of your fur  
20 journals, were all imported. Just like if you go back to  
21 the historical -- you talk to older Natives, there were  
22 no coyotes until the White man came, you know, so from  
23 that standpoint it may be that we're dealing with a  
24 species that's an invasive species.

25  
26 So thank you for going and looking into  
27 it, it doesn't matter, what we did we did but it's just  
28 interesting that we dealt with something like that that  
29 possibly in the rest of the state of Alaska we're trying  
30 to get rid of because of the impact in indigenous  
31 species.

32  
33 CHAIRMAN TOWARAK: I wish we could do  
34 that to human species.

35  
36 (Laughter)

37  
38 CHAIRMAN TOWARAK: With that let's go to  
39 lunch and we'll meet at 1:30.

40  
41 (Off record)

42  
43 (On record)

44  
45 CHAIRMAN TOWARAK: We have to be out of  
46 here by 5:00 o'clock. So before lunch we had just  
47 completed 12-25, we are moving on to Proposal 12-28.

48  
49 MR. HASKETT: So.....

50

1 CHAIRMAN TOWARAK: Yes, sir, Mr. Haskett.

2

3 MR. HASKETT: So if I could before we  
4 start I'd like to go back to the discussion we had about  
5 red fox and just briefly share some information I got  
6 from my Refuge manager.

7

8 CHAIRMAN TOWARAK: Go ahead.

9

10 MR. HASKETT: So as always things are not  
11 as completely clear.

12

13 (Laughter)

14

15 MR. HASKETT: But I think you'll  
16 understand why there's some confusion when I read this.  
17 I actually went to Andy Loring who's the Refuge Manager  
18 at the Kenai Refuge on red fox. Essentially I sent him  
19 a note saying they better not be something that was  
20 brought in, just joking, not really.

21

22 (Laughter)

23

24 MR. HASKETT: So anyway what he said was  
25 red fox are native to the Kenai Peninsula, however,  
26 there's always a however, there was a period in the early  
27 1900s that fox farming was active and being practiced on  
28 the Kenai and some of those animals likely escaped or  
29 were released to the wild. This brings into question the  
30 genetics of the few foxes that may remain here, however,  
31 we don't know anything about those genetics so you cannot  
32 say whether this is an issue or not, there are a species  
33 of concern to the Refuge because of their extreme rarity,  
34 only a few individuals are believed to exist. Robin,  
35 previous Refuge manager, Robin West, closed the Refuge  
36 for fox trapping because of the scarcity, harvesting even  
37 one animal is an issue. There is certainly not a  
38 harvestable surplus which would justify an open season --  
39 I'm sorry, I didn't mean to read that part.

40

41 But the bottom line is, I mean it's kind  
42 of both. I mean some foxes were brought in and they're  
43 also native too, so that explains some of the confusion  
44 and why it's still a species of concern for us.

45

46 So hopefully that's helpful. And I  
47 appreciate Ralph's comments.

48

49 MR. LOHSE: Thank you, Geoff. That's  
50 basically after I looked at mine that's what I came up

1 with too.

2

3 CHAIRMAN TOWARAK: We will proceed then  
4 with Proposal 12-28 with staff analysis, please.

5

6 DR. JENKINS: Mr. Chair. Board members.  
7 Remaining RAC Chairs. Good afternoon, my name is David  
8 Jenkins. This is WP12-28.

9

10 It's a proposal submitted by the Native  
11 Village of Eyak which requests a change under special  
12 provisions to allow the take of one moose rather than one  
13 bull moose from Federal public lands in Unit 6B or 6C for  
14 the annual memorial sobriety day potlatch.

15

16 The proponent has noted that locating a  
17 bull moose for this potlatch is becoming increasingly  
18 difficult.

19

20 The Cordova district subsistence  
21 biologist states that there are no conservation concerns  
22 with one moose of either sex harvested from Federal  
23 public lands in Unit 6B or C, on the contrary given low  
24 -- current low bull/cow ratios a cow harvest might take  
25 some pressure off the bull moose population.

26

27 OSM's conclusion is to support this  
28 proposal because adopting it would provide a higher  
29 likelihood that a moose would be harvested for the  
30 memorial sobriety day potlatch and it's not anticipated  
31 to have any effects on the moose population in Unit 6B or  
32 6C.

33

34 Let me point out that State regulations  
35 also allow the taking of big game for certain religious  
36 ceremonies.

37

38 Thank you.

39

40 CHAIRMAN TOWARAK: Thank you. Are there  
41 any questions of the Staff.

42

43 (No comments)

44

45 CHAIRMAN TOWARAK: Not hearing any then  
46 we will move on to summary of public comments by the  
47 regional coordinator.

48

49 MR. JOHNSON: Mr. Chair. Carl Johnson  
50 with OSM. There were no public comments submitted

1 regarding this proposal.

2

3 MR. PROBASCO: And, Mr. Chair, we have no  
4 one signed up for testifying.

5

6 CHAIRMAN TOWARAK: Thank you. We will  
7 move on then to number 4, Regional Council  
8 recommendations.

9

10 Mr. Lohse.

11

12 MR. LOHSE: The Southcentral Subsistence  
13 Regional Advisory Council supports Proposal WP12-29  
14 [sic]. The Council feels that this proposal will provide  
15 opportunity to a group of subsistence users that are  
16 likely to see only a very limited harvest in this area --  
17 oops, I'm reading the wrong one, sorry. I'm on the wrong  
18 page.

19

20 (Laughter)

21

22 MR. LOHSE: The Southcentral Subsistence  
23 Regional Advisory Council supports Proposal WP12-28.

24

25 The Council supports this proposal as  
26 there's been no conservation concerns and recognizes the  
27 difficulty the community has had in recent years  
28 obtaining a bull moose for culturally important events.

29

30 And I think one thing I should point out  
31 is that a moose that's taken in this hunt comes off the  
32 quota that's allowed, and we have a cow hunt in Cordova  
33 anyhow, so it actually -- it actually shouldn't impact  
34 the population, it may have to take another year to work  
35 it in but it will be part of the quota system.

36

37 CHAIRMAN TOWARAK: Thank you. We'll move  
38 then to the Department of Fish and Game, State.

39

40 MS. YUHAS: Thank you, Mr. Chairman.  
41 Jennifer Yuhas, Alaska Department of Fish and Game.

42

43 While the Department opposes the  
44 proposal, we support that either sex moose could be taken  
45 for this potlatch, we simply don't believe that you need  
46 to pass a special provision here at this Board. We have  
47 a system in place on the State side and would happily  
48 grant that permit for either sex if it were to be applied  
49 for, it's simply never been applied for on the State side  
50 for the existing potlatch moose permit.

1 CHAIRMAN TOWARAK: Thank you. Any  
2 questions for the Board.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Not hearing any then  
7 we will move on to InterAgency Staff Committee comments.

8  
9 MR. ARDIZZONE: Mr. Chair. Staff  
10 Committee comments could be found on Page 614, and  
11 they're just the standard comments.

12  
13 CHAIRMAN TOWARAK: Thank you. And Board  
14 discussion with Council Chairs and State liaison.

15  
16 Mr. Lohse.

17  
18 MR. LOHSE: Mr. Chair. As Jennifer was  
19 saying the opportunity to take it is also provided by the  
20 State, it would be, I'll say -- I'll use the word, nice,  
21 it would be nice if they did use the State system instead  
22 of the Federal system because that would open all of the  
23 land instead of just Federal land, that would open their  
24 land and State land and Federal land. But at this point  
25 in time they've applied to the Federal system and they  
26 haven't applied to the State and that's basically what it  
27 boils down to.

28  
29 CHAIRMAN TOWARAK: Any other comments.

30  
31 (No comments)

32  
33 CHAIRMAN TOWARAK: Not hearing any then  
34 we're ready for final action on 12-28.

35  
36 MS. PENDLETON: Mr. Chair. I would move  
37 to adopt Proposal WP12-28. This is consistent with the  
38 recommendation of the Southcentral Regional Advisory  
39 Council and following a second I will provide my  
40 rationale.

41  
42 MS. COOPER: Second.

43  
44 CHAIRMAN TOWARAK: You heard the motion  
45 and the second. Continue the discussion.

46  
47 MS. PENDLETON: The community has had  
48 some difficulties as we've heard in recent years  
49 obtaining a bull moose for the memorial sobriety day  
50 potlatch. As we've heard there's no conservation concern

1 with the take of one moose for this event. And although  
2 the State opposes the proposal, and have noted as has Mr.  
3 Lohse, that certainly a permit could be obtained from the  
4 State it is up to the applicant I think to decide with  
5 whom they want to apply for a permit. We also recognize  
6 that there might be an advantage for the Native Village  
7 of Eyak obtaining a permit from the State since that  
8 should allow harvest on both State and Federally-managed  
9 areas. But, again, it's their choice.

10  
11 So I plan on voting in support of this  
12 proposal.

13  
14 CHAIRMAN TOWARAK: Thank you. Any other  
15 comments.

16  
17 (No comments)

18  
19 MR. CRIBLEY: Mr. Chairman. I call for  
20 question.

21  
22 CHAIRMAN TOWARAK: Question's been called  
23 for. Roll call, please.

24  
25 MR. PROBASCO: Thank you, Mr. Chair.  
26 Final action on WP12-28.

27  
28 Mr. Haskett.

29  
30 MR. HASKETT: Yes.

31  
32 MR. PROBASCO: Mr. Virden.

33  
34 MR. VIRDEN: Yes.

35  
36 MR. PROBASCO: Ms. Pendleton.

37  
38 MS. PENDLETON: Yes.

39  
40 MR. PROBASCO: Ms. Cooper.

41  
42 MS. COOPER: Yes.

43  
44 MR. PROBASCO: Mr. Cribley.

45  
46 MR. CRIBLEY: Yes.

47  
48 MR. PROBASCO: Mr. Towarak.

49  
50 CHAIRMAN TOWARAK: Yes.

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

2

3 CHAIRMAN TOWARAK: Thank you. We'll move  
4 on to 12-29, and ask for Staff analysis, please.

5

6 MR. MCKEE: Chris McKee with OSM. Mr.  
7 Chair. Members of the Board. Regional Council Chairs.  
8 The analysis for WP12-29 begins on Page 616 of your  
9 meeting materials booklet.

10

11 It was submitted by the Southcentral  
12 Subsistence Regional Advisory Council and requests a  
13 season to be established for moose in Unit 7 for that  
14 portion draining into Kings Bay with a season from August  
15 10 to September 20 by Federal registration permit.

16

17 The Seward Ranger District will close the  
18 Federal season when the quota to be determined is  
19 reached.

20

21 Nine bull moose were counted in the area  
22 in question -- nine moose, excuse me, were counted in the  
23 area in 2001 and in 2006 five moose were counted with  
24 four cows and one bull. Harvest data indicates that no  
25 moose were harvested from this area from 1997 to 2000 and  
26 between 2000 to 2008, anywhere from zero to two moose  
27 were reported harvested under State regulations in the  
28 Nellie Juan drainage area that Unit 7 remainder for a  
29 total of five moose during this time period.

30

31 The OSM conclusion is to oppose this  
32 proposal.

33

34 There's little information on the current  
35 status of the affected moose population in the area.  
36 Based on 1997, 2001, 2006 survey results the moose  
37 population has been at low density and there are no  
38 indications that there have been any increases in the  
39 population to justify subsistence or non-subsistence  
40 harvest. Interchange of moose with other areas is likely  
41 minimal due to the difficult terrain. If the season is  
42 allowed and individuals from the four Federally-qualified  
43 communities are eligible to harvest a moose this could  
44 lead to overharvest of this small herd and it would  
45 violate sound principles of wildlife management and  
46 potentially result in the extrapation of the population.  
47 Therefore continuation of the closure to all users is  
48 likely necessary for continued viability of this wildlife  
49 population.

50

1 Thank you.  
2  
3 CHAIRMAN TOWARAK: Thank you. Questions.  
4  
5 (No comments)  
6  
7 CHAIRMAN TOWARAK: We will move on to  
8 summary of public comments by the regional coordinator  
9 and then the public testimony.  
10  
11 MR. JOHNSON: Mr. Chair. Carl Johnson  
12 with OSM. There were no public comments submitted to the  
13 Council in connection with this proposal.  
14  
15 Thank you.  
16  
17 MR. PROBASCO: Mr. Chair. No one has  
18 signed up to testify on this proposal.  
19  
20 CHAIRMAN TOWARAK: Thank you. Then with  
21 no public testimony we will move to the Regional Council  
22 recommendation.  
23  
24 Mr. Lohse.  
25  
26 MR. LOHSE: Well, thank you, Mr. Chair,  
27 The Southcentral Subsistence Regional Advisory Council  
28 recommends support for Proposal 12-29.  
29  
30 The Council feels that this proposal will  
31 provide opportunity to a group of subsistence users that  
32 are likely to see only a very limited harvest in this  
33 remote area and reasons that the hunt can be closed after  
34 limited harvest occurs. The Council feels that  
35 supporting this proposal demonstrates to small  
36 subsistence reliant communities that the Federal  
37 Subsistence Program is considering their interest.  
38  
39 And I would like to also speak to this  
40 when we get on Council and Board discussion.  
41  
42 CHAIRMAN TOWARAK: Thank you. Any  
43 questions of the Chair.  
44  
45 (No comments)  
46  
47 CHAIRMAN TOWARAK: Not hearing any, we'll  
48 move on to the Alaska Department of Fish and Game.  
49  
50 MS. YUHAS: Thank you, Mr. Chairman.

1 Jennifer Yuhas, Alaska Department of Fish and Game. The  
2 Department agrees with OSM and is opposed to this  
3 proposal for conservation reasons.

4  
5 The moose population here is stable, but  
6 extremely low and we don't believe that even a slight  
7 increase in harvest is available because it has the  
8 potential to negatively impact this population and  
9 jeopardize its sustainability.

10  
11 We've taken a conservative approach with  
12 the antlers and brow tine restrictions, and there is a  
13 limited harvest available now for subsistence users. We  
14 don't believe that it can increase without a detrimental  
15 effect on the population for the long-term

16  
17 CHAIRMAN TOWARAK: Thank you. Any  
18 questions of the State.

19  
20 (No comments)

21  
22 CHAIRMAN TOWARAK: Thank you for your  
23 comments. We will move on then to InterAgency Staff  
24 Committee comments.

25  
26 MR. ARDIZZONE: Mr. Chair. Staff  
27 Committee comments can be found on Page 622 of your book.  
28 In addition to the standard comments, the ISC suggests  
29 that the Board review the Southcentral Regional Advisory  
30 Council's recommendation to support.

31  
32 If the Board were to oppose this  
33 proposal, which would be counter to the Council's  
34 recommendation, they may choose to do so based on the  
35 second exception clause of Section .805(c) of ANILCA,  
36 that the Council's recommendation violates recognized  
37 principles of fish and wildlife conservation.

38  
39 If the Board were to support the  
40 Council's recommendation it is likely that the Seward  
41 District ranger would set a zero harvest quota for  
42 conservation reasons until the population could sustain  
43 additional harvest.

44  
45 Mr. Chair.

46  
47 CHAIRMAN TOWARAK: Thank you. Board  
48 discussion with the Council Chairs and State liaison.

49  
50 Mr. Lohse.

1                   MR. LOHSE: Thank you, Mr. Chair. I see  
2 in this one here that we're facing the same thing that we  
3 did on the Mentasta Herd with one exception, the Mentasta  
4 Herd doesn't have a State season on it, this does have a  
5 State season on it. The population is low here, the  
6 population probably always will remain low. It always  
7 has been low. There's very limited habitat. It probably  
8 fluctuates within a very small number. There's been a  
9 very limited take over the years, usually by somebody  
10 from Chenega or Tatitlek that's out doing something else,  
11 like goat hunting or something like that, and  
12 opportunistically have taken one.

13  
14                   It's interesting to me that there is a  
15 State season on it and I'm glad to hear that and that  
16 could be utilized and if they want to utilize it they  
17 can. It's just I don't think that you ever will have a  
18 population that reaches any number that you're going to  
19 say that it's a viable population to take an animal from  
20 because of the limited habitat and the limited size. The  
21 moose, while it says it's limited because of the terrain,  
22 the moose that get there get there by exchange from the  
23 Nellie Juan district and the rest of Unit 7, and that's  
24 what would happen if the moose were taken out of there,  
25 sooner or later other moose would move in simply because  
26 there would be habitat available, but not very much  
27 habitat.

28  
29                   So with that like I said it's interesting  
30 to me that there is a State season, that's the only thing  
31 that makes it any different, though, from the Mentasta  
32 Herd. It's a little isolated population that never will  
33 get big.

34  
35                   CHAIRMAN TOWARAK: Go ahead.

36  
37                   MR. ARDIZZONE: Mr. Chair. Just for  
38 clarification. There is no State season in the Kings  
39 River area, that area is closed under Federal regulations  
40 to all hunting. There is a State season in the Nellie  
41 Juan drainage, but not this drainage we're specifically  
42 talking about.

43  
44                   MR. LOHSE: May I ask a question of  
45 Jennifer then. Because it says, opportunity provided by  
46 the State. Kings Bay is within Unit 7 remainder and  
47 State moose hunting regulations follow.

48  
49                   Could you explain that to me then?

50

1 MS. YUHAS: This is copied from our  
2 regulation book, through the Chair.  
3  
4 MR. LOHSE: It's copied from the  
5 regulation book?  
6  
7 MS. YUHAS: Correct.  
8  
9 CHAIRMAN TOWARAK: Go ahead.  
10  
11 MR. ARDIZZONE: Mr. Chair. Federal lands  
12 are closed to all hunting in this area, period. This is  
13 one of those phone calls I get every year from State --  
14 people hunting under State regulations, they want to know  
15 which area is open and I always tell them, Kings Bay  
16 area, Federal lands are closed to all hunting.  
17  
18 MR. PROBASCO: Thank you, Mr. Chair. And  
19 to add to Mr. Ardizzone's question, the State has a  
20 season on the books, however we have elected to close  
21 because of the conservation concerns..... open  
22  
23 (Power failure)  
24  
25 CHAIRMAN TOWARAK: We'll take a minute to  
26 get powered back up.  
27  
28 (Off record)  
29  
30 (On record)  
31  
32 CHAIRMAN TOWARAK: Okay, it sounds like  
33 we've got all of our electronics back working and we  
34 fired that Eyak employee that turned the lights off.  
35  
36 (Laughter)  
37  
38 CHAIRMAN TOWARAK: Where were we.  
39  
40 (Pause)  
41  
42 MR. LOHSE: Mr. Chair.  
43  
44 CHAIRMAN TOWARAK: Go ahead.  
45  
46 MR. LOHSE: I would like to thank him for  
47 the information that he gave me on the fact that the  
48 State is closed and the fact that the State is closed  
49 does change a little bit of my opinion to the point where  
50 I would personally support this even stronger than the

1 Council supported it.

2

3 I would look at this like if I was on  
4 Hawkins Island and we have deer on Hawkins Island but  
5 there's a bay at Hawkins Island that has a small  
6 population of deer because it's a little bit more  
7 isolated and so we try to run that as a separate  
8 population. These are not a separate population of  
9 moose, these are moose in remainder of 7 and these moose  
10 come and go and this little piece of habitat will never  
11 support a lot of moose. That's just all it is, it's an  
12 isolated -- it'd be like saying, okay, the deer swim from  
13 Hawkins Island to Channel Island and there's never a big  
14 density of deer on Channel Island, we need to keep  
15 Channel Island closed, even the fact that they move back  
16 and forth, even the fact it's low density. We don't  
17 manage other game populations that way. Just we don't  
18 manage them -- well, we do manage our goats that way in  
19 Prince William Sound so I better shut up.

20

21 (Laughter)

22

23 CHAIRMAN TOWARAK: Go ahead, Chuck.

24

25 MR. ARDIZZONE: Mr. Chair. Just for some  
26 clarity I talked with some Forest Service Staff during  
27 the break, and like I said Federal lands are closed to  
28 moose hunting, however there are some pockets of State  
29 land which people can hunt on, I think that's where the  
30 disparity is, right there.....

31

32 MR. LOHSE: In Kings Bay.

33

34 MR. ARDIZZONE: Yes. In that drainage.

35

36 MR. LOHSE: Right, in that drainage.

37

38 CHAIRMAN TOWARAK: Does that change the  
39 Regional Council's position?

40

41 MR. LOHSE: No, it changes me  
42 philosophically but I think it strengthens the Regional  
43 Council's position. I mean if the State can allow a hunt  
44 in Kings Bay because it's a limited population of moose  
45 it seems funny that the Federal would be more restrictive  
46 because it's the same population in the same bay.

47

48 CHAIRMAN TOWARAK: Are there other  
49 discussions.

50

1 (No comments)

2

3 CHAIRMAN TOWARAK: The floor is open for  
4 action on 12-29.

5

6 MS. PENDLETON: Mr. Chairman. I move to  
7 adopt Proposal WP12-29 and after a second I will describe  
8 why I intend to vote against this proposal, contrary to  
9 the Southcentral Regional Advisory Council's  
10 recommendation.

11

12 MR. CRIBLEY: I second.

13

14 CHAIRMAN TOWARAK: You heard the motion  
15 and the second. More discussion.

16

17 MS. PENDLETON: I believe there is a  
18 clear conservation concern. I think that the Board is  
19 generally obliged by ANILCA .802 to not allow a harvest  
20 on the Federal lands in this instant. In this case the  
21 population of moose is extremely low with very limited  
22 habitat. Pages 619 and 620 of our Board book report a  
23 possible high of 20 moose in 1997 and a possible low of  
24 five in 2006. Although the surveyors believe that this  
25 is an underestimate, no calves were observed during the  
26 2006 survey.

27

28 Four communities have a customary and  
29 traditional use determination for Kings Bay, Chenega Bay,  
30 Tatitlek, Cooper Landing and Hope. If this proposal were  
31 adopted we would need to make an ANILCA .804  
32 determination because the harvest by all four communities  
33 would increase concern about this already minimal  
34 population.

35

36 In addition, if the Board adopts this  
37 proposal I anticipate that the Seward District would  
38 likely set a zero harvest quota for conservation reasons  
39 until there is a population that could sustain harvest in  
40 the area.

41

42 Although the Southcentral RAC supports  
43 this proposal I recommend that the Board oppose the  
44 proposal and can do so and that would be based on the  
45 second exception clause of ANILCA, Section .805 because  
46 the Council's recommendation would violate recognized  
47 principles of fish and wildlife conservation.

48

49 Thank you.

50

1 CHAIRMAN TOWARAK: Thank you. Any other  
2 discussion.  
3  
4 (No comments)  
5  
6 MR. CRIBLEY: Mr. Chairman, I call for  
7 question.  
8  
9 CHAIRMAN TOWARAK: Question's been called  
10 for. Roll call, please.  
11  
12 MR. PROBASCO: Thank you, Mr. Chair.  
13 Final action on WP12-29.  
14  
15 Mr. Virden.  
16  
17 MR. VIRDEN: Yes.  
18  
19 MR. PROBASCO: Ms. Pendleton.  
20  
21 MS. PENDLETON: No.  
22  
23 MR. PROBASCO: Ms. Cooper.  
24  
25 MS. COOPER: No.  
26  
27 MR. PROBASCO: Mr. Cribley.  
28  
29 MR. CRIBLEY: No.  
30  
31 MR. PROBASCO: Mr. Towarak.  
32  
33 CHAIRMAN TOWARAK: I'll vote yes.  
34  
35 MR. PROBASCO: Mr. Haskett.  
36  
37 MR. HASKETT: No.  
38  
39 MR. PROBASCO: Motion fails, 2/4.  
40  
41 CHAIRMAN TOWARAK: Thank you. Go ahead.  
42  
43 MR. PROBASCO: Mr. Chairman. As a  
44 courtesy to both the Southcentral and Kodiak/Aleutians  
45 Council I would like to move WP12-22a as the next agenda  
46 item.  
47  
48 CHAIRMAN TOWARAK: Are there any  
49 objections from the Board.  
50

1 (No objections)

2

3 CHAIRMAN TOWARAK: Not hearing any we  
4 will proceed then on to Proposal 12-22a. Staff analysis,  
5 please.

6

7 MS. KENNER: Thank you, Mr. Chair.  
8 Members of the Board. And Council Chairs. My name is  
9 Pippa Kenner and I'm an anthropologist with the Office of  
10 Subsistence Management. The analysis for Proposal WP12-  
11 22a begins on Page 691 of your Board book.

12

13 The proposal submitted by the Ninilchik  
14 Traditional Council requests that the Federal Subsistence  
15 Board recognize Ninilchik's customary and traditional  
16 uses of brown bear in Unit 8, the Kodiak Archipelago and  
17 Unit 15 on the Kenai Peninsula.

18

19 A related analysis, WP12-22b addresses  
20 hunting seasons and harvest limits in Unit 15C only and  
21 has been moved to the consensus agenda.

22

23 In 2007 Ninilchik requested a customary  
24 and traditional use determination for brown bear in Units  
25 15A, B, and C.

26

27 The Board supported Ninilchik's request  
28 for Unit 15C only. That's the unit within Ninilchik is.

29

30 A map of these units can be found on Page  
31 165 of the Board book if you'd like to see where those  
32 subunits are.

33

34 The proponent states that opportunity for  
35 residents of Ninilchik to harvest brown bear has been  
36 limited due to the small amount of Federal public lands  
37 in Unit 15C. And it should be noted that since 2007,  
38 after the implementation of the Federal hunt in 15C the  
39 Alaska Board of Game implemented State drawing permit  
40 hunts that effectively have removed Ninilchik's  
41 opportunity to hunt brown bear in Units 15A and 15B under  
42 State regulations.

43

44 A community's customary and traditional  
45 use is generally described through eight factors  
46 described on Page 699 of your Board book. I won't go  
47 over all the information in this analysis covering the  
48 eight factors except to summarize. That Ninilchik's  
49 pattern of brown bear use is unclear due to several  
50 factors including restrictive brown bear hunting

1 regulations since 1967 on the Kenai Peninsula, and  
2 regular brown bear season's closures between 1995 and  
3 2007 due to increased hunting effort, primarily from  
4 Anchorage and increased non-hunting mortality such as  
5 highway kills and in defense of life and property. Also  
6 of late, access to hunting areas has been an issue in  
7 some rapidly developing areas of the Kenai Peninsula.

8  
9                   According to use area maps described in  
10 the analysis, Ninilchik residents have harvested moose  
11 and other resources in a wide area surrounding the  
12 community, including Units 15A and B. Consequently the  
13 Federal Subsistence Board has recognized the customary  
14 and traditional uses of resources such as moose, black  
15 bear and fish in Units 15A and B.

16  
17                   Ninilchik residents have described brown  
18 bear harvest occurring while other resources are  
19 harvested in a wide area around the community, including  
20 Units 15A and B. Kodiak Island is also indicated as an  
21 area where a wide variety of resources have been  
22 harvested in the lifetime of longtime Ninilchik  
23 residents. Kinship bonds continue to exist with Kodiak  
24 area families and the Kodiak area is easily reached by  
25 boat owning commercial fishers from Ninilchik. Kodiak  
26 Island is relatively close to the Kenai Peninsula in  
27 contrast to other areas of Alaska.

28  
29                   Ninilchik brown bear hunters have  
30 harvested more brown bear in Units 8 and 15 than in other  
31 management units.

32  
33                   And, therefore, the OSM conclusion is to  
34 support the proposal.

35  
36                   Thank you.

37  
38                   CHAIRMAN TOWARAK: Thank you. Are there  
39 any questions of the Staff.

40  
41                   (No comments)

42  
43                   CHAIRMAN TOWARAK: Thank you for that  
44 report. We will get a summary of public comments from  
45 the regional coordinator.

46  
47                   MR. JOHNSON: Thank you, Mr. Chair. Carl  
48 Johnson with OSM. No public comments were submitted in  
49 connection with this proposal.

50

1 MR. PROBASCO: And Mr. Chair we have Mr.  
2 Darrel Williams on line to testify. Operator, would you  
3 please open the line for Mr. Williams.  
4  
5 OPERATOR: The line is open.  
6  
7 MR. PROBASCO: Darrel, go ahead.  
8  
9 MR. WILLIAMS: There's some static on  
10 this line, I hope it's not interfering.  
11  
12 MR. PROBASCO: Darrel, you're breaking  
13 up, try again.  
14  
15 MR. WILLIAMS: I'd like to thank  
16 everybody for (cuts out) I really appreciate that and I'd  
17 like to comment and (phone cutting in and out) OSM  
18 decision.....  
19  
20 MR. PROBASCO: Darrel, your line is  
21 breaking up.  
22  
23 MR. WILLIAMS: Should I call back?  
24  
25 MR. PROBASCO: Are you on a speaker  
26 phone?  
27  
28 MR. WILLIAMS: Hang on, let's try this.  
29 Okay, is that any better guys?  
30  
31 MR. PROBASCO: Sounds better.  
32  
33 MR. WILLIAMS: Okay. Okay, I sincerely  
34 apologize for the phone.  
35  
36 But I'd like to express that we concur  
37 with the OSM's decision, the Southcentral Regional  
38 Advisory Council's decision in supporting Wildlife  
39 Proposal 12-22a and 12-22b.  
40  
41 MR. PROBASCO: And, Darrel, we're on 22a  
42 right now.  
43  
44 MR. WILLIAMS: Okay.  
45  
46 MR. PROBASCO: And this is your  
47 opportunity to testify.  
48  
49 MR. WILLIAMS: Okay. Well, I would like  
50 to say that there's been documented use of Unit 8 brown

1 bear harvest and they were done by the community surveys  
2 that were done here in Ninilchik in -- it's all  
3 documented in OSM's -- the review, and we feel that that  
4 was a very good way to address this issue and to be able  
5 to start setting a regulatory way to be able to go and  
6 harvest in that area. I believe that the community  
7 harvest -- or the harvest in this particularly community  
8 has been low, however, we haven't been able to hunt in  
9 Federal subsistence in that area for quite some time.  
10 We're hoping that this will be able to create that  
11 opportunity and let us, you know, continue doing  
12 traditional and customary type harvest.

13

14 There's some profound links from the  
15 community that go back to that area, you know, one  
16 example is the Kawsnikof (ph) family who fished  
17 extensively there in Kodiak for many, many years.  
18 There's a lot of family ties between here and there also.

19

20 And I think, you know, throughout the  
21 process of regulating wildlife, in general, that the ball  
22 got dropped on this particular issue and we're hoping  
23 that we can bring it back and be able to continue doing  
24 what we would like to do.

25

26 And that's all I have for you guys, and  
27 I know this is difficult to do over the phone. Does  
28 anyone have any questions that I could answer for them.

29

30 MR. VIRDEN: Mr. Chair.

31

32 CHAIRMAN TOWARAK: Go ahead, Mr. Virden.

33

34 MR. VIRDEN: Darrel, this is Gene Virden  
35 with BIA.

36

37 MR. WILLIAMS: Hello Gene.

38

39 MR. VIRDEN: Hi. Can you tell me about  
40 any use of bear in 15A, 15B subsistence use of bear by  
41 Ninilchik?

42

43 MR. WILLIAMS: There is subsistence use  
44 of bear in 15A and in 15B. It's been regulated for quite  
45 a while. One of the biggest issues that brought us to  
46 15A and 15B consideration is the very small area that's  
47 available in 15C and then we've had some events, you  
48 know, for example like the Caribou Hills fire, a very  
49 large wildfire that burned a majority of that area there  
50 and it's made hunting more difficult and we were hoping

1 to be able to hunt by Game Management as far as 15A, B  
2 and C.

3

4                   Would you like to know about harvest,  
5 Gene, is that more of your question?

6

7                   Mr. Virden?

8

9                   MR. VIRDEN: Many on use patterns. And  
10 I just had another question, to, has the urbanization of  
11 that, has that affected the subsistence use down there,  
12 of that whole region?

13

14                   MR. WILLIAMS: I'm sorry, could you  
15 repeat the question, I couldn't hear it?

16

17                   MR. VIRDEN: Has the urbanization of that  
18 area affected the traditional gathering of bear down  
19 there?

20

21                   MR. WILLIAMS: The urbanization like  
22 community sprawl?

23

24                   MR. VIRDEN: Yes.

25

26                   MR. WILLIAMS: I would say no. You know  
27 there have been some issues with sprawl in the community,  
28 both here and in -- and I would even go as far as saying  
29 15B and in 15A. You know the sprawl of communities  
30 spreads out, like here in Ninilchik it's, you know, the  
31 community isn't necessarily localized in one specific  
32 area, it's spread out. Where a lot of people tend to be  
33 close to where they like to gather. However, with the  
34 subsistence issue we have to go to Federal land to be  
35 able to do these harvests. So like in 15C the access  
36 isn't that difficult, there's three or four major access  
37 points where you can get to the Federal lands and waters.

38

39                   Now, in 15B I would say that the  
40 urbanization of areas like (indiscernible - phone cuts  
41 out) River, I'd say it's had an impact but if you can go  
42 and access the Federal public lands, let's say like  
43 Rabbit Run Road access is it, if I recall, if you go up  
44 to the end -- the very end of the road, up towards K  
45 River you can access there also. You know there's a  
46 couple of major access points that people can actually  
47 get to.

48

49                   15A, the community, you know, Sterling  
50 has grown up over the years, there's no doubt about that,

1 but it seems like when you get to Federal lands, of  
2 course, you know, the urbanization stops, there's that  
3 knife shop right there on the right-hand side of the road  
4 when you're heading to Anchorage, right about there is  
5 where the border is where you're entering Federal lands,  
6 before you could hit the Skilak -- Skilak Loop Special  
7 Management Area, and we used to go out and hunt -- you  
8 know, personally we used to go out in 15A and head out  
9 toward Mystery Creek Road and that was an oil service  
10 road and that was a good access point. You know it's  
11 more controlled now and there are other users, other user  
12 groups other than subsistence users who use it. For  
13 example, I recall some folks pulling out there and they  
14 had a bird dog session, where folks would train their  
15 dogs to hunt birds, ptarmigan and what not and those  
16 groups would be out there sometimes.

17  
18 And that's been a little bit of a  
19 concern.

20  
21 MR. VIRDEN: Mr. Chair. Darrel, can you  
22 talk about your subsistence use of bear, what you use the  
23 bear for in 15A and B?

24  
25 MR. WILLIAMS: Mr. Chairman. Gene,  
26 Virden, I believe this is?

27  
28 MR. VIRDEN: Yeah.

29  
30 MR. WILLIAMS: Okay, I just want to make  
31 sure, I'm trying to be as formal as I can.

32  
33 The use of the bear, you know, it's  
34 primarily to eat. You know there's a lot of debate  
35 that's gone on over the years about how good bear meat  
36 is, and, you know, it's a really subjective issue. You  
37 know, personally I like bear just fine, some people  
38 don't. If you compared it to other villages, for  
39 example, where they eat the hooves, they boil the hooves  
40 off of moose or they eat the nose or liver or something  
41 like that. You know, I -- so I want to really avoid the  
42 subjective thing about how good bear meat is. You know,  
43 here, for this particularly community it's a staple, it's  
44 an availability to food.

45  
46 There are some crafts that have been made  
47 that I've seen over the years that people have used fur  
48 and claws and what not to make things out of.

49  
50 But primarily food.

1 MR. VIRDEN: Thank you.  
2  
3 MR. PROBASCO: We lost you Darrel.  
4  
5 MR. WILLIAMS: Can you hear me now, I'm  
6 terribly sorry, guys.  
7  
8 MR. PROBASCO: Yeah, we got you now.  
9  
10 MR. WILLIAMS: Okay. Did I cut off  
11 halfway through what I was saying?  
12  
13 MR. PROBASCO: You were almost done, you  
14 said -- talking about the use of meat and a staple for  
15 the community and then we lost you.  
16  
17 MR. WILLIAMS: Okay. Well, I also was  
18 going to comment that there are some crafts that I've  
19 also seen that's made here. Where people have used fur  
20 and claws and I've even seen bone use, where people have  
21 carved bone, you know, scrimshaw work, little carvings.  
22 Heck, I've even seen people make some pretty neat  
23 windchime things and incorporate it in there.  
24  
25 So there are some crafts that, you know,  
26 have also been made over the years.  
27  
28 You know the interesting part about it is  
29 is for quite a while it got few and far between because  
30 there just wasn't a lot of harvest, there wasn't the  
31 availability to harvest.  
32  
33 But I can personally speak to, you know,  
34 harvesting bear and eating bear and sharing it with my  
35 neighbors. That's a good deal for a community like this  
36 too.  
37  
38 Can you still hear my guys?  
39  
40 MR. PROBASCO: You're doing good.  
41  
42 MR. WILLIAMS: Okay.  
43  
44 CHAIRMAN TOWARAK: Are there any further  
45 questions of Mr. Williams?  
46  
47 Go ahead, Mr. Virden.  
48  
49 MR. VIRDEN: One more question, Darrel,  
50 this is Gene again.

1                   Have the regulation changes -- do you  
2 feel that the regulation changes have affected your  
3 ability to partake of subsistence of bear in 15A and B?

4  
5                   MR. WILLIAMS: Yes. Mr. Chairman. Mr.  
6 Virden. Absolutely. I feel that the regulation changes  
7 have really had an impact on the ability to harvest.

8  
9                   MR. VIRDEN: Thank you.

10  
11                   MR. WILLIAMS: You know I might even go  
12 as far to say even, you know, just the opportunity to  
13 harvest might be a more appropriate answer.

14  
15                   MR. VIRDEN: Thank you.

16  
17                   MR. WILLIAMS: Okay.

18  
19                   CHAIRMAN TOWARAK: Any further questions.

20  
21                   (No comments)

22  
23                   CHAIRMAN TOWARAK: Thank you, Mr.  
24 Williams.

25  
26                   MR. WILLIAMS: Thank you, Mr. Chairman.

27  
28                   CHAIRMAN TOWARAK: We will proceed then  
29 to step number 4, the Regional Council's recommendations  
30 and I notice we have both Southcentral and the Kodiak  
31 Councils with positions on this.

32  
33                   We'll take the Southcentral  
34 recommendation first.

35  
36                   MR. LOHSE: Southcentral Subsistence  
37 Regional Advisory Council recommends support for WP12-  
38 22a. The Council notes longstanding ties and kinship  
39 between residents of Unit 8 and 5 -- 8 and 15, which can  
40 exist even when not officially documented by government  
41 agency records. The Council cites the needs to connect  
42 people to resources that they use in an area and the  
43 Council finds no conservation concerns for bears in the  
44 subject units, while that doesn't apply to customary and  
45 traditional.

46  
47                   And I would like to read a little bit  
48 that the Council had at their meeting.

49  
50                   It says the Ninilchik residents have

1 hunted brown bear in other management units. Table 12  
2 shows the number of brown bears sealed in any management  
3 unit since 1962, cumulative, most 40 percent were  
4 harvested in Unit 15, then Unit 8 had 11 percent, Unit 16  
5 had seven percent and Unit 6, 9, 18, and 20 had four  
6 percent each.

7  
8 So it shows the take of brown bear in  
9 just Unit 15, it doesn't split it up to 15A, B and C, and  
10 it shows the take in Unit 8. And as we've talked about  
11 before it's interesting to me that if they have -- if  
12 they have C&T in A and B for moose and other animals it  
13 would seem interesting to me that they wouldn't have it  
14 for brown bear because as a subsistence hunter they would  
15 take them opportunistically if they took them at all.

16  
17 With that I'll hush my mouth.

18  
19 CHAIRMAN TOWARAK: Thank you. Mr.  
20 Simeonoff.

21  
22 MR. SIMEONOFF: Thank you, Mr. Chairman.  
23 The Kodiak/Aleutians Subsistence Regional Advisory  
24 Council opposed Proposal WP12-22a.

25  
26 There was a great deal of discussion in  
27 1995 when C&T findings were developed for the area, in  
28 Unit 8 and Council sees no reason to change that C&T  
29 finding and the data that was presented didn't seem to  
30 support any C&T use for Ninilchik in Unit 8.

31  
32 I might point out too that people are  
33 coming over to Kodiak and hunting on Kodiak Island, it is  
34 customary for people to seek out those tribes in the area  
35 and, you know, basically get their permission to hunt on  
36 their hunting grounds. If they're coming over and  
37 hunting, getting a permit from Fish and Game is not  
38 customary and traditional use.

39  
40 Thank you.

41  
42 CHAIRMAN TOWARAK: Thank you. Are there  
43 any questions of the two Chairs.

44  
45 (No comments)

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

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

1 Jennifer Yuhas, Alaska Department of Fish and Game. The  
2 Board may notice that the Department treated this  
3 proposal as one comment set even though it was later  
4 separated into an A and B. And I think that's  
5 appropriate as there's two very separate questions being  
6 asked, but our comments address both questions in the  
7 proposal.

8  
9 The Department agreed with the  
10 Kodiak/Aleutians RAC and did not support the positive C&T  
11 finding for Unit 8 for Ninilchik at this time.

12  
13 This question's been posed before.

14  
15 You're not discussing whether to open or  
16 close a season so our conservation concerns, there are  
17 none, but we're not discussing whether or not to hunt,  
18 we're discussing who may have an exclusionary use. We  
19 have to take this time to point out that if the Board is  
20 to vote to approve an exclusionary use for the residents  
21 o Ninilchik for Kodiak area, that's extremely  
22 inconsistent with what we watched yesterday with actually  
23 excluding residents of Dot Lake and Healy Lake for  
24 Chisana caribou hunting because they may be 20 miles away  
25 down the road. The Department's consistently asking for  
26 consistent application of C&T. Understand that the Board  
27 often makes comments that this is a holistic approach in  
28 this system, that it's unlike the State system. There  
29 are eight criteria and the Department, again, makes the  
30 appeal for consistency of application in C&T findings.

31  
32 CHAIRMAN TOWARAK: Thank you. Are there  
33 any questions to the State.

34  
35 (No comments)

36  
37 CHAIRMAN TOWARAK: Thank you for your  
38 comments. We will then move on to InterAgency Staff  
39 Committee comments.

40  
41 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
42 Helen Armstrong from OSM. The InterAgency Staff  
43 Committee comments can be found on Page 715 of your  
44 books.

45  
46 A majority of the InterAgency Staff  
47 Committee found the Staff analysis to be a complete and  
48 accurate evaluation of the proposal and could support the  
49 Southcentral Regional Advisory Council's recommendation.  
50

1                   A minority of the ISC felt that the  
2 information available in the analysis may not be  
3 sufficient to demonstrate a consistent pattern of use of  
4 brown bear for Ninilchik in Unit 15A.

5  
6                   The information available that residents  
7 of Ninilchik, "attempting to harvest brown bear at some  
8 point in their lifetime in Units 15A, B and C" and one  
9 bear permit issued and no brown bears having been  
10 reported harvested over the past 25 years in Unit 15A  
11 does not appear to constitute a consistent pattern of use  
12 of brown bear from Unit 15A for the community of  
13 Ninilchik.

14  
15                   Thank you, Mr. Chair.

16  
17                   CHAIRMAN TOWARAK: Thank you. We are  
18 then at the Board discussion with the Council Chairs and  
19 the State liaison.

20  
21                   (No comments)

22  
23                   CHAIRMAN TOWARAK: Not hearing any we  
24 will then proceed on to final action on 12-22a.

25  
26                   Go ahead.

27  
28                   MR. HASKETT: So this is pretty much  
29 completely within the lands of the Refuge, the area we're  
30 talking about so I'm going to be doing the proposed  
31 motion. But I'll be real honest with you I'm not  
32 completely -- I'm kind of looking for some additional  
33 discussion once I make the motion, before I tell you what  
34 I think I'm going to do because this isn't -- as the  
35 State said this isn't a conservation issue, this is a  
36 whole different situation. I'm making Pete nervous so --  
37 oh, so somebody else, that's good.

38  
39                   (Laughter)

40  
41                   MR. HASKETT: So the motion I plan to  
42 make is to adopt Proposal 22a as recommended by the  
43 Southcentral Regional Council and I will provide my  
44 justification if I get a second but only after we've had  
45 some additional discussion.

46  
47                   MR. CRIBLEY: Second.

48  
49                   CHAIRMAN TOWARAK: You heard the motion  
50 and a second. We will continue with discussion.

1                   Go ahead, Mr. Haskett.

2

3                   MR. HASKETT: So like I said this is not  
4 a conservation issue, so actually I asked Gene if he'd be  
5 willing to talk to this a little bit and kind of get some  
6 thoughts from him before I move forward with what I think  
7 my justification is for how to go forward.

8

9                   Not to put you on the spot, or maybe.

10

11                   (Laughter)

12

13                   MR. VIRDEN: You know I haven't been here  
14 long, and on the Board here there's several of us in that  
15 category, but I did hear since I've been back in Alaska  
16 the last four years here that the Board doesn't support  
17 the RACs. Now, here we have an oppose and a support so  
18 we have conflicting RAC opinions on this.

19

20                   OSM analysis is for adopting it.

21

22                   I kind of see this as, you know,  
23 something that's kind of gone away with, maybe not  
24 urbanization but just kind of gone away with the  
25 traditional hunting of people in Alaska and people other  
26 places also, we're in a different world now than we used  
27 to be, but I really think that we should support the  
28 Southcentral RAC on this and allow -- there's a lot of  
29 Native communities going back -- bringing back their  
30 culture, which has been lost. Some of it forced by being  
31 sent to schools that forbid any English and their  
32 culture.

33

34                   That's all I have to say on it.

35

36                   CHAIRMAN TOWARAK: Mr. Haskett.

37

38                   MR. HASKETT: And that's actually helpful  
39 to me. So I will give my justification for my motion.

40

41                   I would like to say, you'd made the  
42 comment you'd heard that the Board was not supportive of  
43 RAC recommendations. I will say in the three years I've  
44 been here, not that you didn't hear it, but in the three  
45 years that I've been here about 90 percent of the time,  
46 whenever possible, the Board actually does vote for the  
47 RAC recommendation. That's just a matter for the record.

48

49                   What you said, though, was very helpful  
50 to me. And I realize this motion is contrary to the

1 recommendation of the Kodiak/Aleutians Regional Council  
2 and it gets very complicated. Like you said, I mean  
3 there's lots of history here and what led up to this.

4  
5                   It does appear to me, though, that  
6 there's been a pattern of use of brown bear in Unit 8 by  
7 residents of Ninilchik. If we don't acknowledge these  
8 customary and traditional patterns it'll be detrimental  
9 to subsistence users from Ninilchik. Adoption of this  
10 proposal will recognize historical uses of brown bear in  
11 Units 15A, 15B and Unit 8 for those residents. I think  
12 the information presented in the Staff analysis is not  
13 the strongest for the use of brown bear in Units 15A and  
14 15B, but they do have positive C&Ts for black bear and  
15 moose in those and it's hard for me to believe if people  
16 are there harvesting black bear and other animals that  
17 they wouldn't have also, you know, done other things. So  
18 I believe the people of Ninilchik would be out hunting  
19 these other species, you know, and if allowed would take  
20 a brown bear.

21  
22                   So for those reasons I'm going to vote in  
23 favor of the motion.

24  
25                   CHAIRMAN TOWARAK: Any further  
26 discussion.

27  
28                   Go ahead, Mr. Simeonoff.

29  
30                   MR. SIMEONOFF: Yeah, thank you, Mr.  
31 Chairman. I just wanted to reiterate our position that  
32 C&T with Ninilchik on Kodiak has not been established due  
33 to the fact that the communications between the tribes  
34 have not occurred. It is customary and traditional for  
35 tribes to seek out another tribe if they want to go hunt  
36 in the area that's usually frequented by the resident  
37 tribe. Given the fact that they have been taking bear  
38 out of there, you know, eventually or sometime in the  
39 future they -- when C&T between the tribes is established  
40 maybe Ninilchik can get that C&T on Kodiak Island, but  
41 right now Kodiak/Aleutians have recognized that C&T has  
42 not been established.

43  
44                   CHAIRMAN TOWARAK: Could I get an  
45 explanation on how C&T will be considered in this  
46 situation?

47  
48                   Pete.

49  
50                   MR. PROBASCO: Mr. Chair. The purpose of

1 this proposal is to establish C&T for brown bear and so  
2 we're going through the process.

3

4                   Currently residents of Ninilchik do not  
5 have a C&T finding for these species in the three areas  
6 described, 15A, 15B and Unit 8 so that's what we're  
7 working on right now, is to determine, based on the Staff  
8 analysis and the information provided from the Staff and  
9 the Regional Advisory Councils; is there sufficient  
10 information to grant a C&T for all three areas or partial  
11 of the areas.

12

13                   Mr. Chair.

14

15                   CHAIRMAN TOWARAK: Thank you. And how  
16 does the State take the position of supporting the open  
17 season until closed status, but oppose C&T for Ninilchik?

18

19                   MS. YUHAS: Thank you, Mr. Chairman. One  
20 question was whether or not a hunt should be allowed, and  
21 we reached consent agenda with deciding that one should.

22

23                   The other question is exclusionary use  
24 and who should have a customary and traditional finding  
25 above someone else to have a priority for the resource,  
26 and so we are opposed to granting the priority to  
27 residents of Ninilchik based on what we consider lack of  
28 evidence that they've established this customary and  
29 traditional use for this population.

30

31                   So question B, the 22b that we put on the  
32 consent agenda was to have the hunt. 22a was who should  
33 get to hunt there first.

34

35                   CHAIRMAN TOWARAK: Let's take a five  
36 minute break.

37

38                   (Off record)

39

40                   (On record)

41

42                   CHAIRMAN TOWARAK: We're ready to get  
43 back into session.

44

45                   (Pause)

46

47                   CHAIRMAN TOWARAK: The State has a  
48 comment to make while we're waiting.

49

50                   MR. MITCHELL: Yes, Mr. Chairman, Mike

1 Mitchell with the Alaska Department of Law. Just wanted  
2 to comment a bit on the State's view on the application  
3 of the eight factors that are the criteria for a  
4 customary and traditional determination.

5  
6 Those factors are described on Page 699  
7 of the Board's handbook. And those factors are required  
8 determination as to whether they are met with respect to  
9 the particular population at issue, and the State, as has  
10 been pointed out, does not believe that they are met with  
11 respect to the Kodiak Island populations.

12  
13 In looking at the application of those  
14 criteria, the State looks to see whether there is  
15 substantial evidence as to whether those criteria are met  
16 and in this instance whether they are met as to Kodiak  
17 Island. So in looking at the discussion that follows on  
18 Pages 700 through 711 of the Board's handbook, there is  
19 really very little discussion of the customary and  
20 traditional use by the Ninilchik residents of the Kodiak  
21 Island populations.

22  
23 I'd just like to highlight where some of  
24 that discussion occurs and I guess the lack of evidence  
25 that we see in that discussion.

26  
27 On Page 702 in 1998 the State Division of  
28 Subsistence Technical paper found, and I'm looking at the  
29 bottom of the -- in the middle of the page, the bottom,  
30 the reference to the 1998 paper, it was noted only in  
31 Ninilchik were there any brown bear hunters, this  
32 activity occurred within the Refuge boundaries in Unit  
33 15B and off the Kenai Peninsula. But no reference to  
34 Kodiak Island in that. I think that's one of the more  
35 comprehensive studies of subsistence use in the area.

36  
37 Continuing down on the same page, in  
38 1994, the only reference in the Ninilchik Traditional  
39 Council study that I can find is a reference to four of  
40 26 households trying to harvest brown bears and it says,  
41 respondents reported attempting to harvest brown bears at  
42 some point in their lifetimes in Units 15A, 15B, 15C and  
43 in Unit 8, so less than 20 percent of the households had  
44 reported that some point in their lifetimes they had  
45 tried to harvest on Kodiak.

46  
47 So then I see no more reference to  
48 harvesting on Kodiak until we get to Table 12 on Page  
49 709, which -- excuse me, I'm looking -- excuse me I was  
50 looking at Table 6 on Page 705, which as I read it is

1 simply a listing of permits issued, hunts and harvests in  
2 Kodiak area and that shows a total of 17 permits issued  
3 over a 20+ year period, 17 permits issued, nine hunts and  
4 only four harvests by Ninilchik on Unit 8. And, again,  
5 we submit that that's a relative -- a low -- low number,  
6 not a substantial pattern of use over the years.

7

8 And then the only other reference that I  
9 have found to Kodiak Island usage is on Page 711, which  
10 simply refers in general terms to their -- to Kodiak  
11 being an area where there's a wide variety of resources  
12 that have been harvested but no reference to use of brown  
13 bears.

14

15 So in total we don't think that there is  
16 substantial evidence in the record justifying a customary  
17 and traditional use determination. We urge the Board and  
18 have urged the Board with respect to all its C&T  
19 determinations, for it to make a C&T determination only  
20 when there is substantial evidence in the record  
21 supporting that use by the group requesting it.

22

23 Thank you, Mr. Chairman.

24

25 CHAIRMAN TOWARAK: Thank you. Okay, what  
26 I'd like to do, if it's okay with the rest of the Board,  
27 is to defer action on this -- on this proposal and  
28 basically asking the two RACs to work out the difference  
29 that they foresee -- or seem to indicate on this  
30 particular issue. In some cases we don't quite have  
31 enough information in front of us to really make a sound  
32 decision, is that okay then?

33

34 MR. VIRDEN: Mr. Chair. Mr. Chair, can  
35 I just read a little bit out of our analysis here?

36

37 CHAIRMAN TOWARAK: Sure.

38

39 MR. VIRDEN: Just affecting Unit 15.

40

41 On the Kenai Peninsula there's been a  
42 number of factors that have interrupting Ninilchik's  
43 ability to harvest brown bear for which a community has  
44 had little or no control over. Ninilchik residents have  
45 been affected by changes in the State regulations for  
46 harvesting brown bear in Unit 15, especially since 1995.  
47 Hunts have often been closed because of the annual quota  
48 for brown bear deaths has been reached with kills, I  
49 think sometimes automobile kills, I'm not sure. Only  
50 2000/2001 -- in the year 2000/2001 have any permits been

1 available. And I think that's part of what I was talking  
2 about, the urbanization, just the increased traffic down  
3 there.

4  
5 Federal subsistence hunts which have only  
6 been established since 2007 for Kenai Peninsula brown  
7 bears are currently limited to 15C. The Alaska Board of  
8 Game recently instituted a special permit system for  
9 brown bear hunting in 15A and B for which drawing success  
10 is only two percent resulting in further inability of  
11 Ninilchik residents to hunt for brown bear in these  
12 subunits.

13  
14 And then just one comment back to the  
15 State. On C&T determination I don't know that there's --  
16 that even though the usage has been light, that that's a  
17 factor that would disqualify a C&T.

18  
19 Thank you.

20  
21 CHAIRMAN TOWARAK: Mr. Cribley.

22  
23 MR. CRIBLEY: Could we recognize Ralph  
24 for some additional -- or see if he has any additional  
25 information to provide to us to help us with our  
26 decisionmaking process.

27  
28 CHAIRMAN TOWARAK: Sure. Mr. Lohse.

29  
30 MR. LOHSE: Thank you, Mr. Chair. I do  
31 have some things I'd like to share. And with all due  
32 respect to my neighbor from Kodiak, I'd like to remind  
33 the Board that C&T does not depend on tribal membership.  
34 It does not depend on tribe to tribe relationships. C&T  
35 is based on rural residents, Native and non-Native in the  
36 State of Alaska under this program. A non-Native can get  
37 C&T. A non-Native rural resident can get C&T, and as we  
38 see that up in our area we have many communities that are  
39 non-tribal communities, non-Native communities that have  
40 C&T.

41  
42 Ninilchik, if it can demonstrate the use  
43 pattern, whether it is a tribal entity or whether it is  
44 a non-Native community is entitled to get C&T just like  
45 any other community would be, if they demonstrate that  
46 they have made consistent use or made sufficient use of  
47 something.

48  
49 So the question is, does it demonstrate  
50 customary and traditional use.

1                   And, again, we've also, in the past  
2 talked about how long that use has to be. Whether it's  
3 interrupted by things that are out of their control, and  
4 things on that order.

5  
6                   So I would just have to say that that's  
7 the question before you, not whether they've made  
8 relationships with the people in Kodiak, not whether they  
9 have relationships with the people in Kodiak, but the  
10 question is do they have -- have they used brown bear  
11 from Kodiak sufficiently to demonstrate a C&T.

12  
13                   And just a little comment to the person  
14 that's talking from the ADF&G, when he was talking about  
15 only 20 percent of the households, if you've been in most  
16 of communities less than 20 percent of the households  
17 usually hunt bear. In some communities there'll be only  
18 one of two families that hunt bear. And in a lot of  
19 communities there'll be one or two people that do the  
20 hunting and provide for the rest of the community. So 20  
21 percent is actually, from what I remember being out  
22 there, 20 percent is actually a pretty high number of  
23 participants in bear hunting. And I'll stand corrected  
24 if somebody wants to correct me on that because I know  
25 there's differences in different areas.

26  
27                   So my charge to you and looking at what's  
28 there is does Ninilchik demonstrate C&T, and that's what  
29 you need to be looking at.

30  
31                   CHAIRMAN TOWARAK: Keith.

32  
33                   MR. GOLTZ: Yeah, I'll kick the wall just  
34 a little bit more. We've talked about this concept for  
35 years, 20 years, Ralph and I, and we never seem to make  
36 much progress, but I'll say it one more time.

37  
38                   There are no unimportant subsistence  
39 uses.

40  
41                   It doesn't matter if it's a bucket of  
42 blueberries or if it's a brown bear. If that's the  
43 pattern of use that's what we're protecting.

44  
45                   The discussion over substantial evidence  
46 seems to go on forever.

47  
48                   Substantial does not mean 50 percent or  
49 70, 20 percent is actually very high compared to some of  
50 our other analysis.

1                   And when we read the word, substantial,  
2 we're relying on Black's Law Dictionary. Substantial  
3 refers to substance, is it real, does it make sense, is  
4 it logical. It has to be more than a scintilla. It does  
5 not mean it has to be more than 50 percent.

6  
7                   As to the consistency argument. I think  
8 that's a radical misunderstanding of ANILCA.

9  
10                  The entire reason we have Councils is  
11 because it's a large state, various populations, various  
12 use patterns; it would be impossible, it would probably  
13 be contrary to ANILCA if we were entirely consistent. We  
14 are supposed to be reading our actions off the ground,  
15 not over some artificial formula.

16  
17                  This is a bottom up system that starts  
18 with the people who are actually putting their feet close  
19 to the resource.

20  
21                  You are going to have some differences.

22  
23                  And as to the difference between what we  
24 did yesterday and what we do today, yesterday we were  
25 talking about an .804 analysis, which requires us to talk  
26 about proximity to the resource, today we are talking  
27 about C&T, which doesn't even appear in ANILCA, it's  
28 strictly regulatory and it does not necessarily require  
29 proximity to the resource. And if you think about the  
30 large distances we have on the North Slope compared to  
31 some of the distances we're dealing with on the Kenai  
32 Peninsula, you can see how vastly different our results  
33 can be using the same sort of analysis.

34  
35                  CHAIRMAN TOWARAK: Go ahead, Mitch.

36  
37                  MR. SIMEONOFF: Thank you, Mr. Chairman.  
38 Kodiak Island is kind of a unique area, people utilize  
39 that island pretty extensively and they go to Afognak,  
40 they go to utilize those islands up there. If I might  
41 point out that we have a great number of sport hunters  
42 and fishermen that come from Kenai, Homer and those  
43 areas, they come into Kodiak on their own boats and stay  
44 there all summer fishing and hunting and starting August  
45 1st, they go deer hunting. Sometimes they'll charter a  
46 plane to switch out their deer hunters and now we want to  
47 -- from that same area we want a community to come into  
48 Kodiak and get C&T. I think that if we deferred this  
49 proposal to a different date, so that we may confer with  
50 Southcentral and the village of Ninilchik, you know, that

1 -- I don't think it's right that Kodiak has to give up  
2 their -- give up their hunting areas to a different  
3 region, given the fact that they don't get enough of the  
4 bear in their own region, you know, which it could be  
5 rectified by them working with the agencies to give them  
6 more opportunities to hunt.

7

8 Kodiak feels that they shouldn't have to  
9 get C&T or utilize the privilege to hunt on Kodiak  
10 Island.

11

12 CHAIRMAN TOWARAK: Mitch, when you had  
13 your Regional Advisory Council meeting and discussed this  
14 issue, was it just amongst your Council members or were  
15 there any Staff people there?

16

17 MR. SIMEONOFF: There were Staff people  
18 present but the Board didn't feel there was enough data  
19 to support a proposal that asked for C&T on Kodiak  
20 Island.

21

22 CHAIRMAN TOWARAK: And I think that's  
23 part of some of the problems that we're having right now  
24 is we don't have enough information to make a  
25 determination without getting more information and also  
26 with the two Councils getting together and working out a  
27 recommendation to the Board.

28

29 MR. SIMEONOFF: If I may, Mr. Chairman,  
30 Kodiak/Aleutians is having a meeting in March in Kodiak,  
31 I'd be happy to invite the Southcentral and someone from  
32 Ninilchik to come down to that meeting.

33

34 CHAIRMAN TOWARAK: And I'm asking the  
35 Staff if that's an option and correct me if I'm going  
36 down the wrong rabbit hole.

37

38 MR. PROBASCO: Mr. Chair. I don't think  
39 you're going down the wrong rabbit hole. I'm just  
40 looking at when Southcentral meets, which meets prior to  
41 Kodiak, so it would be difficult, for example, if Mr.  
42 Lohse came to the meeting, his meeting would have already  
43 occurred so he couldn't report back to the Southcentral  
44 RAC. However, answer directly to Mr. Simeonoff's  
45 question, we do provide opportunities. We did it with  
46 Bert and Ralph for Southeast and we would do the same for  
47 Kodiak and Southcentral and we could delay it -- I think  
48 we're talking about Unit 8 and we could delay it down the  
49 road.

50

1 Mr. Chair.  
2  
3 Or defer it.  
4  
5 Mr. Chair. You do have a motion on the  
6 table that is addressing the proposal as a whole, which  
7 deals with 15A, 15B and Unit 8. That motion, the Board  
8 does have to deal with it.  
9  
10 Mr. Chair.  
11  
12 MR. CRIBLEY: Mr. Chair.  
13  
14 CHAIRMAN TOWARAK: Go ahead, Mr. Cribley.  
15  
16 MR. CRIBLEY: Could I offer an amendment.  
17  
18 MR. HASKETT: So as I understand it, I  
19 can pull my original motion, with the second, and then we  
20 could start up and try and reconstruct something that  
21 covers the part that aren't troublesome.  
22  
23 MR. CRIBLEY: Well, let me -- well, I  
24 think maybe I could throw an amendment on the table that  
25 would maybe help us out, I don't know, or I could just  
26 muck it up some more, I don't know.  
27  
28 (Laughter)  
29  
30 MR. CRIBLEY: Whichever -- well, I guess  
31 I'd like to offer an amendment and if there's a second I  
32 can explain the amendment and justification.  
33  
34 CHAIRMAN TOWARAK: Correct me if I'm  
35 wrong, but we're still on the main motion and we have the  
36 opportunity to make an amendment.  
37  
38 MR. PROBASCO: That's correct. Mr.  
39 Cribley is well within his rights to make an amendment.  
40  
41 MS. PENDLETON: And I'll second that.  
42  
43 MR. PROBASCO: Haven't heard the  
44 amendment yet.  
45  
46 (Laughter)  
47  
48 MR. CRIBLEY: Oh, do you want me to do  
49 that too.  
50

1 (Laughter)  
2  
3 MS. PENDLETON: I thought you needed a  
4 second before you could move.  
5  
6 MR. CRIBLEY: Somebody tell me what to do  
7 -- no.  
8  
9 Okay, I guess the amendment that I would  
10 like to offer is that we essentially split the decision  
11 here or the proposal, in that, we support giving C&T --  
12 well, let me go ahead and read it here.  
13  
14 While evidence of the Ninil -- no, I'll  
15 go ahead and tell you what the amendment is. Is that we  
16 support C&T for Units 15A and 15B and take Unit 8 off and  
17 not.....  
18  
19 MS. PENDLETON: Defer it.  
20  
21 MR. CRIBLEY: .....or defer it. And if  
22 I get a second I can read my justification.  
23  
24 MS. PENDLETON: I will second that now.  
25  
26 CHAIRMAN TOWARAK: It's been moved and  
27 seconded on an amendment. Proceed with your discussion.  
28  
29 MR. CRIBLEY: While evidence of the  
30 Ninilchik's use of brown bear in Unit 15A and B is not  
31 particularly strong, the fact that they have a positive  
32 C&T for other species in these units is compelling. Had  
33 their not been disruptions into their ability to harvest  
34 in the units I believe the record would have been more  
35 supportive.  
36  
37 The State sealing data in Table 12  
38 indicates five brown bear harvested by Ninilchik  
39 residents over the past 47 years. While this is likely  
40 an incomplete record it nevertheless falls short of  
41 demonstrating a consistent pattern of use.  
42  
43 I don't feel the subsistence harvesting  
44 of brown bear for Unit 8 by Ninilchik residents is  
45 supported by substantive evidence.  
46  
47 In deference to the Kodiak RAC, I will be  
48 voting to oppose a positive C&T finding in Unit 8 of  
49 brown bears, which would be consistent with the amendment  
50 that I've made.

1                   And then also by deferring it, it would  
2 also -- it would provide the opportunity for further work  
3 to be done to see if C&T could be provided for Ninilchik  
4 for Unit 8 at a later date.

5  
6                   Thank you.

7  
8                   MR. HASKETT: So just a clarification  
9 because I heard you say two things, I think.

10  
11                   So you're not going to be voting against  
12 it, what you're asking is to defer that portion, right?

13  
14                   MR. CRIBLEY: Yeah.

15  
16                   MR. HASKETT: Okay.

17  
18                   MR. CRIBLEY: I'm reading too liberally,  
19 so, yes.

20  
21                   MR. HASKETT: All right. Okay.

22  
23                   CHAIRMAN TOWARAK: Go ahead.

24  
25                   MR. PROBASCO: Yes, Mr. Chair. Mr.  
26 Haskett, thanks for your clarification.

27  
28                   The amendment as I have it from Mr.  
29 Cribley is to support a C&T finding for the residents of  
30 Ninilchik for 15A and 15B and to defer action on Unit 8  
31 until a later date.

32  
33                   Mr. Chair.

34  
35                   MR. CRIBLEY: That's correct.

36  
37                   CHAIRMAN TOWARAK: Any discussion,  
38 further discussion on amendment.

39  
40                   MR. VIRDEN: Good amendment.

41  
42                   CHAIRMAN TOWARAK: The floor is open for  
43 action.

44  
45                   MS. MASICA: Call the question.

46  
47                   CHAIRMAN TOWARAK: Question's been called  
48 for. Roll call, please.

49  
50                   MR. PROBASCO: Mr. Chair. We're acting

1 on the amendment as I just read.  
2  
3 Ms. Pendleton.  
4  
5 MS. PENDLETON: Yes.  
6  
7 MR. PROBASCO: Ms. Masica.  
8  
9 MS. MASICA: Yes.  
10  
11 MR. PROBASCO: Mr. Cribley.  
12  
13 MR. CRIBLEY: Yes.  
14  
15 MR. PROBASCO: Mr. Towarak.  
16  
17 CHAIRMAN TOWARAK: Yes.  
18  
19 MR. PROBASCO: Mr. Haskett.  
20  
21 MR. HASKETT: Yes.  
22  
23 MR. PROBASCO: Mr. Virden.  
24  
25 MR. VIRDEN: Yes.  
26  
27 MR. PROBASCO: Amendment carries. And  
28 that brings us back to WP12-22a as amended.  
29  
30 CHAIRMAN TOWARAK: The main question is  
31 on floor.  
32  
33 MR. CRIBLEY: I guess I call for  
34 question.  
35  
36 CHAIRMAN TOWARAK: Question's been called  
37 for. Roll call, please.  
38  
39 MR. PROBASCO: Thank you, Mr. Chair.  
40 Final action on WP12-22a as amended.  
41  
42 Ms. Masica.  
43  
44 MS. MASICA: Yes.  
45  
46 MR. PROBASCO: Mr. Cribley.  
47  
48 MR. CRIBLEY: Yes.  
49  
50 MR. PROBASCO: Mr. Towarak.

1 CHAIRMAN TOWARAK: Yes.  
2  
3 MR. PROBASCO: Mr. Haskett.  
4  
5 MR. HASKETT: Yes.  
6  
7 MR. PROBASCO: Mr. Virden.  
8  
9 MR. VIRDEN: Yes.  
10  
11 MR. PROBASCO: Ms. Pendleton.  
12  
13 MS. PENDLETON: Yes.  
14  
15 MR. PROBASCO: Final action, motion  
16 carries, 6/0.  
17  
18 CHAIRMAN TOWARAK: Thank you. I assume  
19 that the Staff will get together with the two regions --  
20 go ahead -- and get the two Regional Councils together  
21 before the question is brought up to the Board again in  
22 the future.  
23  
24 MR. PROBASCO: Mr. Chair. As far as  
25 deferral, when we'll get at this, I mean it would be  
26 difficult to do a time certain at this point. We need to  
27 sit down with our two Chairs, we need to work out the  
28 schedule, but I'm going to take the direction to do as  
29 soon as practicable.  
30  
31 Mr. Chair.  
32  
33 MR. LOHSE: Mr. Chair. I think this is  
34 an excellent thing. I think that will give Ninilchik a  
35 chance to present their side to Kodiak and we would also  
36 like to invite Kodiak to come to ours which would give  
37 them a chance to hear from more people from Ninilchik and  
38 really what I think it depends on more than the Councils  
39 getting together, I think it depends on the -- you know,  
40 the Ninilchik community getting together with the Kodiak  
41 community and coming to some kind of an agreement or  
42 realization and then presenting that to the Councils. So  
43 I'm hoping Ninilchik shows up at our meeting in strength  
44 and I'm hoping they show up in Kodiak, and I'm hoping  
45 both sides get to hear from them.  
46  
47 CHAIRMAN TOWARAK: I agree. And for your  
48 information the Board is going to be having a retreat  
49 specifically to review our C&T policies and try to come  
50 up with a pattern that's understandable by everyone.

1 MR. PROBASCO: Thank you, Mr. Chair. And  
2 we will be discussing that concept at the end of our  
3 meeting, and I would just respectfully add that we would  
4 be talking about numerous issues as it pertains to our  
5 Federal Subsistence Management Program in light of the  
6 Secretarial Review.

7  
8 Mr. Chair.

9  
10 CHAIRMAN TOWARAK: Thank you. We will  
11 proceed then on to the next proposal, which I think is  
12 12-22b.

13  
14 MR. PROBASCO: Mr. Chair. 12-22b has  
15 been moved to the consensus agenda so we go back to  
16 Southeast Alaska and Bert you're going to be up here  
17 soon.

18  
19 MR. ADAMS: Alrighty.

20  
21 (Laughter)

22  
23 CHAIRMAN TOWARAK: So where are we at?

24  
25 MR. PROBASCO: 12-04 and 0-5.

26  
27 CHAIRMAN TOWARAK: Okay, thank you.  
28 Okay, we're setting aside the Southcentral proposals and  
29 moving into the Southeast proposals.

30  
31 Proposal 12-04 and 05 is on the table and  
32 Staff analysis, please.

33  
34 MR. REEVES: Thank you, Mr. Chairman.  
35 Board members. Council Chairs. For the record my name  
36 is Jeff Reeves, I'm with the U.S. Forest Service. And  
37 I'll be presenting the analysis for WP12-04 and 05.

38  
39 Due to the similarities and what the  
40 proponent's asked for it's been combined into one  
41 analysis. Your executive summary is on Page 624, and the  
42 analysis can be found on Page 627.

43  
44 Proposal WP12-04 was submitted by Monte  
45 Mitchell and it requested extending the coyote trapping  
46 season closing date from February 15th to April 30th in  
47 Units 1 through 4.

48  
49 Proposal 12-05 was submitted by Andy  
50 Savland which requested that any coyote taken

1 incidentally with a trap or a snare during another open  
2 trapping season that it could be retained by the trapper  
3 in those units, one through five.

4  
5           The proponents of these two proposals are  
6 seeking to allow Federally-qualified subsistence users  
7 the ability to retain coyotes taken outside of their  
8 regular season while they are trapping for other species.  
9 The proponents have indicated that coyotes are becoming  
10 more prominent where they trap and it's nearly impossible  
11 to avoid trapping coyotes in a trap or a snare set for a  
12 wolf. The one proponent indicated that he's taken an  
13 average of two coyotes a year after that February closure  
14 which he has had to forfeit to the State.

15  
16           During the 2007 regulatory cycle, WP07-11  
17 was submitted by the Southeast Regional Advisory Council  
18 and that proposal basically aligned the starting date of  
19 the coyote trapping season for Unit 5, with a start date  
20 that was, at that time, under State regulations, and this  
21 Board supported that proposal.

22  
23           Neither Federal or State regulations  
24 require coyotes to be sealed and trappers in Southeast do  
25 not specifically target coyotes and those harvested have  
26 typically been taken in snares that were set for wolf.  
27 The coyote harvest in these units averages less than 10  
28 per years and with the majority of the harvest occurring  
29 in Unit 1C.

30  
31           Multiple suggestions to extend coyote  
32 trapping season to match wolf and wolverine seasons have  
33 been noted in the State's annual trapper survey and  
34 questionnaire. There's comparison to Federal trapping  
35 seasons with the closing dates for coyote, wolf, beaver  
36 and wolverine found on Page 630 of your materials.

37  
38           Proposal 12-04 will extend the ending  
39 date of the trapping season but it will not allow for any  
40 retention of any coyote taken before the coyote season  
41 begins.

42  
43           WP12-05 will allow Federally-qualified  
44 subsistence users to retain coyotes that would have  
45 otherwise had to have been forfeited and this proposal  
46 will not significantly increase the coyote harvest  
47 because they are not specifically targeted and are rarely  
48 taken.

49  
50           There would be no effect on other users.

1                   And the proposal would provide additional  
2 administrative benefit by avoiding future proposals to  
3 change coyote seasons any time a trapping season for  
4 wolf, wolverine or beaver is changed.

5  
6                   The recommendation is to support Proposal  
7 WP05 with a modification to allow for the retention of  
8 coyotes during trapping seasons which extend beyond the  
9 current coyote season and have a higher probability of  
10 catching coyotes.

11  
12                   And to also oppose Proposal WP12-04.

13  
14                   The modified proposed regulation would  
15 read:

16  
17                   In Units 1 through 5, coyotes taken  
18 incidentally with a trap or snare during  
19 an open Federal trapping season for  
20 wolf, wolverine or beaver may be legally  
21 retained.

22  
23                   Adopting this proposal as modified will  
24 allow Federally-qualified subsistence users to retain  
25 coyotes taken in gear set for wolf, wolverine or beaver,  
26 that as I mentioned earlier would otherwise have to be  
27 forfeited to State or Federal law enforcement.

28  
29                   Coyotes harvested outside of the season  
30 has been minimal and allowing trappers to retain these  
31 coyotes should not significantly increase the coyote  
32 harvest since they are not targeted and rarely taken.  
33 There is no conservation concern for coyotes anticipated  
34 and there should be no effect on other users.

35  
36                   Adoption of this proposal, it eliminates  
37 the need for this Board to further change any coyote  
38 regulation if these other seasons were to change.

39  
40                   Proposal 12-04 is opposed since it does  
41 not allow for the retention of coyotes taken -- the  
42 seasons that start prior to the coyote season and does  
43 not accomplish the intent of the proponent. Additionally  
44 with no population estimates of coyotes in Units 1  
45 through 5, extension of a season specifically targeting  
46 coyotes is not supported as it is unclear whether the  
47 harvest would be consistent with the principles of  
48 wildlife conservation.

49  
50                   This concludes my proposal -- or my

1 presentation.

2

3 CHAIRMAN TOWARAK: Thank you. Any  
4 questions of the Staff.

5

6 (No comments)

7

8 CHAIRMAN TOWARAK: Not hearing any then  
9 we will continue on to number 2 with summary of the  
10 public comments from the regional coordinator.

11

12 MR. LARSON: Yes, Mr. Chair. My name's  
13 Robert Larson, I work for the Forest Service.

14

15 Written public comments could be found on  
16 Page 635.

17

18 We have one comment and it is in support  
19 of the proposal but it has a modification and I believe  
20 it's a modification that has a typo in the -- on Page  
21 635. It should say March 31st and not March 1st. But it  
22 asks for a season to be the same as wolverines.

23

24 Thank you.

25

26 MR. PROBASCO: Mr. Chair. We have no one  
27 signed up to testify on this proposal.

28

29 CHAIRMAN TOWARAK: Thank you. We will  
30 then move on to the Regional Council recommendation.

31

32 Mr. Adams.

33

34 MR ADAMS: Mr. Reeves pretty well  
35 described the position of the Council but I'll just go  
36 ahead and say that on WP12-04, we opposed it. The  
37 Council determined that the proposal -- that Proposal  
38 WP12-05 is a more appropriate proposal to address this  
39 issue.

40

41 So here's the way that the Council  
42 supported it, it did so with a modification. And that  
43 modification was to allow the retention of coyotes during  
44 trapping season which extended beyond the current coyote  
45 season and have a high probability of catching coyotes.  
46 The Council determined that there was no conservation  
47 concern. And this proposal, as modified, will promote  
48 subsistence use of coyote and benefit subsistence users.

49

50 The modified proposed regulation would

1 read:

2

3

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50

You may trap wildlife for subsistence uses only within the seasons and harvest limits in these unit trapping regulations. Trapping wildlife out of season or in excess of harvest limits for subsistence uses is illegal and prohibited, however, you may trap unclassified wildlife such as squirrel and marmot species in all units without harvest limits from July 1, 2010 through June 30, 2012.

In Units 1 through 5, coyotes taken incidentally with a trap or snare during an open Federal trapping season for wolf, wolverine or beaver may be legally retained.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Any questions.

MR. ADAMS: I just want to reiterate I'll be happy to answer any questions but I don't answer hard ones.

(Laughter)

MR. ADAMS: I still have that policy.

CHAIRMAN TOWARAK: We will then move on to the Department of Fish and Game comments.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas, Alaska Department of Fish and Game. We're back to that criminalization issue for a species that's caught incidentally and infrequently through a passive action and I don't want everyone to get too hung up on which proposal -- because they were taken together, which proposal's being supported and having the other one modified, I think we're trying to get to a very similar place here.

The State has decided to take no action on 05 and support modification to 04. But the outcome we're looking for is that the Federal subsistence coyote trapping season match the State's wolf trapping season in Units 1 through 4, because we expect that's the gear that

1 it's going to be found in and adjust the trapping season  
2 dates in Unit 2 to December 1st to March 31st.

3  
4 The outcome we're looking for is that the  
5 incidentally and infrequently trapped species would not  
6 criminalize the passive user who obtained them.

7  
8 CHAIRMAN TOWARAK: Any questions to the  
9 State.

10  
11 Go ahead.

12  
13 MS. PENDLETON: Just one question.  
14 Jennifer, could you share whether the State would support  
15 the incidental harvest of coyotes while trapping for  
16 wolves, wolverine and beaver?

17  
18 MS. YUHAS: Through the Chair. That is  
19 the intent. We listed in our recommendation for the wolf  
20 season because it's what the State has.

21  
22 MS. PENDLETON: Thank you.

23  
24 CHAIRMAN TOWARAK: Bert.

25  
26 MR. ADAMS: Thank you, Mr. Chairman.  
27 That's -- I think, you know, 12-04 did not address that  
28 issue, whereas 05 did and that's the reason why we  
29 support it with that modification.

30  
31 Thank you, Mr. Chairman.

32  
33 CHAIRMAN TOWARAK: Pete.

34  
35 MR. PROBASCO: Thank you, Mr. Chair.  
36 Listening to the State and the Council and Forest Service  
37 Staff it looks like we're really close to a very, almost  
38 a consensus on the proposal.

39  
40 Mr. Chair.

41  
42 CHAIRMAN TOWARAK: Even with that  
43 consensus we will go through the whole process.

44  
45 (Laughter)

46  
47 CHAIRMAN TOWARAK: We will do number 6,  
48 InterAgency Staff Committee.

49  
50 MR. ARDIZZONE: Mr. Chair. Staff

1 Committee comments can be found on Page 632 and they  
2 once, again, are the standard comments.

3

4 CHAIRMAN TOWARAK: Thank you. Board  
5 discussion with the Council Chair and State liaison.

6

7 (No comments)

8

9 CHAIRMAN TOWARAK: Not hearing any, we  
10 will go to step eight, final action on Proposal 12-04 and  
11 05.

12

13 MS. PENDLETON: Mr. Chair. I would move  
14 to adopt Proposal WP12-05 with the modification that's  
15 consistent with the Southeast Regional Advisory Council's  
16 recommendation on Page 632 of our Board book. After a  
17 second I'll provide a rationale for my motion, and then  
18 following action on Proposal WP12-05, I'll be proposing  
19 to take no action on Proposal WP12-04.

20

21 MR. HASKETT: Second.

22

23 CHAIRMAN TOWARAK: You heard the motion  
24 and the second. Discussion.

25

26 MS. PENDLETON: It makes sense to allow  
27 the incidental harvest of coyotes when trapping for wolf,  
28 wolverine or beaver in Units 1 through 5 allowing for the  
29 legal retention of coyotes that are taken incidentally  
30 during open Federal season for wolf, wolverine or beaver.

31

32 Following the recommendations that the  
33 Council has laid out will also help to reduce some future  
34 work for the Board, for which I see no downside. There's  
35 also no conservation reason to not support the Council's  
36 modified recommendation. The increase in coyote harvest  
37 as has been stated should be minimal.

38

39 That's it, thank you.

40

41 CHAIRMAN TOWARAK: Any further  
42 discussion.

43

44 (No comments)

45

46 MR. CRIBLEY: Mr. Chairman. I call for  
47 question.

48

49 CHAIRMAN TOWARAK: Question's been called  
50 for. Roll call, please.

1 MR. PROBASCO: Thank you, Mr. Chair.  
2 Final action on WP12-05 as modified by the Southeast  
3 Regional Advisory Council found on Page 632.  
4  
5 Mr. Cribley.  
6  
7 MR. CRIBLEY: Yes.  
8  
9 MR. PROBASCO: Mr. Towarak.  
10  
11 CHAIRMAN TOWARAK: Yes.  
12  
13 MR. PROBASCO: Mr. Haskett.  
14  
15 MR. HASKETT: Yes.  
16  
17 MR. PROBASCO: Mr. Virden.  
18  
19 MR. VIRDEN: Yes.  
20  
21 MR. PROBASCO: Ms. Pendleton.  
22  
23 MS. PENDLETON: Yes.  
24  
25 MR. PROBASCO: Ms. Masica.  
26  
27 MS. MASICA: Yes.  
28  
29 MR. PROBASCO: Motion carries, 6/0.  
30  
31 MS. PENDLETON: At this time I'd move to  
32 take no action on Proposal WP12-04 based on our action  
33 that we just made on WP12-05. This is consistent with  
34 Southeast Regional Advisory Council's recommendation.  
35  
36 MS. MASICA: Second.  
37  
38 CHAIRMAN TOWARAK: You heard the motion  
39 and the second. Any discussion.  
40  
41 (No comments)  
42  
43 MR. CRIBLEY: Mr. Chairman. I call for  
44 question.  
45  
46 CHAIRMAN TOWARAK: Question's been called  
47 for. Roll call, please.  
48  
49 MR. PROBASCO: No action on 12-04.  
50

1 Mr. Towarak.  
2  
3 CHAIRMAN TOWARAK: Yes.  
4  
5 MR. PROBASCO: Mr. Haskett.  
6  
7 MR. HASKETT: Yes.  
8  
9 MR. PROBASCO: Mr. Virden.  
10  
11 MR. VIRDEN: Yes.  
12  
13 MR. PROBASCO: Ms. Pendleton.  
14  
15 MS. PENDLETON: Yes.  
16  
17 MR. PROBASCO: Ms. Masica.  
18  
19 MS. MASICA: Yes.  
20  
21 MR. PROBASCO: Mr. Cribley.  
22  
23 MR. CRIBLEY: Yes.  
24  
25 MR. PROBASCO: No action motion on 12-04  
26 carries.  
27  
28 CHAIRMAN TOWARAK: Thank you. We will  
29 then move on to Proposal 12-06, Staff analysis, please.  
30  
31 MR. CHESTER: Good afternoon, Mr.  
32 Chairman. Members of the Board. Council Chairmans. My  
33 name is Dennis Chester, I'm with the Forest Service in  
34 Juneau and I am presenting the analysis for WP12-06,  
35 which begins in your books on Page 636.  
36  
37 Proposal WP12-06 was submitted by Mike  
38 Svenson of Sitka and requests that the deer harvest  
39 season in Unit 4 close December 31st. The Federal  
40 subsistence season currently goes through January 31st  
41 and the State season goes through December 31st.  
42  
43 The proponent states that it is not fair  
44 chase to harvest deer in January and would like to see  
45 the elimination of the January deer season. The  
46 proponent is also concerned about the harvest of pregnant  
47 does. On average four percent of the reported annual  
48 deer harvest occurs in January in Unit 4, which is the  
49 least of any month during the season, thus adopting the  
50 proposal would likely reduce deer harvest a small amount.

1 Closure of the January season is not necessary for  
2 conservation of the resource. The primary deer  
3 population regulator in Unit 4 is winter weather.

4

5 Current harvest levels are not generally  
6 considered sufficient to regulate the population.

7

8 Adopting this proposal would reduce  
9 opportunities for subsistence users, although the January  
10 harvest is relatively low and provides an important  
11 opportunity for those that may not have been able to hunt  
12 earlier in the season or were not successful earlier. It  
13 can provide an opportunity for fresh meat late in the  
14 season and it can be a relatively efficient hunt under  
15 the right snow conditions. Efficiency of effort is a  
16 characteristic of subsistence hunts.

17

18 Adopting this proposal would not  
19 eliminate harvest of pregnant females. That would  
20 require that we close the doe season approximately by  
21 early October.

22

23 The OSM conclusion is to oppose Proposal  
24 WP12-06.

25

26 Thank you.

27

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

30

31 (No comments)

32

33 CHAIRMAN TOWARAK: If not then we will  
34 continue on to number 2, summary of public comments from  
35 the Regional Council coordinator.

36

37 MR. LARSON: Yes, Mr. Chair. Robert  
38 Larson with the Forest Service.

39

40 Direct you to your handout DCL-004 that  
41 was turned in, submitted by the Sitka Tribe of Alaska, I  
42 believe on the first day of this meeting. In their  
43 written public testimony they were in opposition to 12-  
44 06.

45

46 I'll read two of their most relevant  
47 sentences.

48

49 STA fails to see the difference between  
50 pregnant does harvested in January versus pregnant does

1 harvested in November or December Subsistence is not  
2 about entertainment, it's about putting food on the  
3 table.

4

5 Thank you, Mr. Chair.

6

7 CHAIRMAN TOWARAK: Thank you.

8

9 MR. PROBASCO: Mr. Chair. We have no one  
10 signed up to give testimony at this time.

11

12 CHAIRMAN TOWARAK: Thank you. Then we  
13 will move on to number 4, Regional Council  
14 recommendations.

15

16 Mr. Adams.

17

18 MR. ADAMS: Thank you, Mr. Chairman. The  
19 Southeast Regional Advisory Council opposed Proposal  
20 WP12-06.

21

22 We determined that there was no  
23 conservation concern in Unit 4. And as already  
24 mentioned, you know, our concern was the January season,  
25 it has no impact on non-subsistence users but does  
26 provide an important subsistence opportunity and should  
27 be retained. This is, you know, the time of the year  
28 when female deer are either pregnant or will become  
29 pregnant earlier in the season, so closing the January  
30 season to protect pregnant deer really doesn't make any  
31 sense.

32

33 And just as an afterthought, I said that  
34 I don't answer hard questions, it's just me talking so,  
35 you know, feel free to ask me any questions. I got  
36 expert people over there that will be able to help me if  
37 I stumble.

38

39 (Laughter)

40

41 MR. ADAMS: Or maybe I'll ask Bud to help  
42 me.

43

44 (Laughter)

45

46 CHAIRMAN TOWARAK: Thank you. Any  
47 questions.

48

49 (No comments)

50

1 CHAIRMAN TOWARAK: If not then we will  
2 continue on with the Department of Fish and Game.

3  
4 MS. YUHAS: Thank you, Mr. Chairman.  
5 Jennifer Yuhas, Alaska Department of Fish and Game.

6  
7 This particular proposal was of  
8 particular interest to our area biologist, and while the  
9 Department supports the proposal it might not be for the  
10 same reasons that the proposer brought it but I'd like to  
11 read to you some of our comments from our area biologist.

12  
13 That conservation concerns exist for  
14 portions of the deer populations in Unit 4 due to recent  
15 high winter kills. The Department opposes the January  
16 doe season in this area for the following reasons:

17  
18 During January deer are more likely to  
19 become concentrated on the beaches  
20 making them very vulnerable to high  
21 levels of harvest.

22  
23 When the deer numbers are low, as is the  
24 case in some areas today, the January  
25 season could prove detrimental to the  
26 rebound of deer populations at the local  
27 level due to concentrated areas of high  
28 harvest.

29  
30 And that bucks shedding antlers in late  
31 December and January make it difficult  
32 for hunters to clearly identify bucks  
33 from does, resulting in higher harvest  
34 of does.

35  
36 I thought that it was very important to  
37 put on the record for our biologist, the State has long  
38 objected to the six deer Federal bag limit beginning with  
39 Proposal No. 3 adopted by the Federal Board on July 29th,  
40 1992 because the Federal subsistence bag limit was based  
41 on adopting the State's season in 1990 when the deer  
42 populations in Unit 4 were at a peak abundance level. The  
43 State recommends changing the Federal regulation to use  
44 a five month, four deer season and bag limit which  
45 preceded peak abundance of the deer in the late 1980s.  
46 This harvest regime met local subsistence needs from the  
47 time of statehood most liberalized only to provide  
48 increased opportunities during a peak abundance of deer,  
49 and so we support this proposal.

50

1 CHAIRMAN TOWARAK: Thank you. Any  
2 questions to the State.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Thank you for that  
7 presentation. We will move on to InterAgency Staff  
8 Committee comments.

9  
10 MR. ARDIZZONE: Mr. Chair. Staff  
11 Committee comments can be found on Page 642 and they are  
12 just the standard comments for this proposal.

13  
14 CHAIRMAN TOWARAK: Thank you. We will  
15 move to Board discussion with Council Chair and State  
16 liaison.

17  
18 (No comments)

19  
20 CHAIRMAN TOWARAK: Not hearing any we  
21 will open the floor for Board action on 12-06.

22  
23 MS. PENDLETON: Mr. Chair. I would move  
24 to adopt Proposal WP12-06 and then after a second I'll  
25 provide a rationale for why I will be voting against my  
26 motion which is consistent with the Southeast Regional  
27 Advisory Council's recommendation to oppose the proposal.

28  
29 MS. MASICA: Second.

30  
31 CHAIRMAN TOWARAK: You heard the motion  
32 and the second. Discussion.

33  
34 MS. PENDLETON: Opposing the proposal, as  
35 we've heard will continue to provide for an important  
36 late season subsistence opportunity. There is currently  
37 no conservation reasons for shortening the deer season in  
38 Unit 4 on a permanent basis. Deer in Unit 4 are prolific  
39 breeders with populations typically controlled more by  
40 winter weather and predation than the amount of human  
41 harvest. When there is a conservation concern, and this  
42 is important, which sometimes happens and typically due  
43 to severe winter weather, the Federal Program can quickly  
44 take emergency action to close or modify the season.  
45 That type of action has been taken annually over the last  
46 few seasons in portions of Unit 4 because of severe  
47 winters a few years ago on Chichagof Island. And just  
48 a reminder, that all of the District Rangers on the  
49 Tongass have been delegated deer closure authority and  
50 could take that action, if needed.

1 Thank you.  
2  
3 CHAIRMAN TOWARAK: Any further questions  
4 or discussion.  
5  
6 (No comments)  
7  
8 MR. CRIBLEY: Mr. Chairman. I call for  
9 question.  
10  
11 CHAIRMAN TOWARAK: Question's been called  
12 for. Roll call, please.  
13  
14 MR. PROBASCO: Thank you, Mr. Chair.  
15 Final action on WP12-06 to support.  
16  
17 Mr. Haskett.  
18  
19 MR. HASKETT: I want to -- I think, no --  
20 okay.  
21  
22 (Laughter)  
23  
24 MR. PROBASCO: Mr. Virden.  
25  
26 (Laughter)  
27  
28 MR. PROBASCO: Mr. Virden.  
29  
30 MR. VIRDEN: No.  
31  
32 MR. PROBASCO: Ms. Pendleton.  
33  
34 MS. PENDLETON: No.  
35  
36 MR. PROBASCO: Ms. Masica.  
37  
38 MS. MASICA: No.  
39  
40 MR. PROBASCO: Mr. Cribley.  
41  
42 MR. CRIBLEY: No.  
43  
44 MR. PROBASCO: Mr. Towarak.  
45  
46 CHAIRMAN TOWARAK: No.  
47  
48 MR. PROBASCO: Motion fails, 0/6.  
49  
50 CHAIRMAN TOWARAK: Thank you. We will

1 move on then to Proposal 12-10, Staff analysis, please.

2

3 MR. CHESTER: Thank you. For the record  
4 my name is Dennis Chester with the Forest Service. I  
5 will be presenting the analysis for WP12-10 which begins  
6 in your book on Page 644.

7

8 Proposal WP12-10 was submitted by Andy  
9 Savland of Hoonah and requests the addition of a  
10 regulation to require antler destruction of deer and  
11 moose taken by Federally-qualified designated hunters in  
12 Units 1 through 5.

13

14 The proponent states that some designated  
15 hunters use the benefits to pursue trophy animals which  
16 are not sought for food value. The proponent feels that  
17 adopting this proposal would reduce the take of trophy  
18 animals.

19

20 During this session there are three other  
21 proposals requesting various changes to the designated  
22 hunter program that have been submitted for 2012. You've  
23 already addressed WP12-02 and there's also WP12-11 and  
24 WP12-13.

25

26 Implementing this proposal would create  
27 an unnecessary burden on subsistence users the extent to  
28 which subsistence users target large antlered animals is  
29 unknown but there is nothing illegal about doing so as  
30 long as the salvage requirements are met and there is no  
31 evidence to suggest that it is causing a conservation  
32 concern. Regulations are already in place requiring  
33 designated hunters to salvage all useable meat.  
34 Restricting them to two harvest limits in possession and  
35 requiring them to promptly deliver the wildlife to the  
36 recipient. A designated hunter may not claim for  
37 themselves the meat or any part of the harvested  
38 wildlife.

39

40 Harvest by designated hunters is a small  
41 but socially important percentage of the overall harvest.

42

43 Implementing this proposal is unlikely to  
44 change designated hunter harvest substantially. Deer and  
45 moose in Southeast Alaska do not develop the large  
46 antlers prized by trophy hunters, although there is  
47 likely a relative trophy value to large animals from the  
48 area. Designated hunters are required to salvage the  
49 meat of moose and deer and although adding a burden to  
50 their hunt cutting the antlers is not likely to

1 substantially change their harvest patterns. Large  
2 antlered animals also have large bodies and are desirable  
3 for the amount of meat they provide.

4  
5 The OSM conclusion is to oppose Proposal  
6 WP12-10.

7  
8 Thank you.

9  
10 CHAIRMAN TOWARAK: Thank you. Any  
11 questions for the Staff.

12  
13 (No comments)

14  
15 CHAIRMAN TOWARAK: Not hearing any then  
16 we will move on to summary of public comments from the  
17 regional coordinator.

18  
19 MR. LARSON: Yes, Mr. Chairman. We have  
20 one written public comment in opposition to the proposal.  
21 It's from the Wrangell-St. Elias National Park  
22 Subsistence Resource Commission.

23  
24 They state the proposed change would be  
25 a burden to subsistence users. If there are a few cases  
26 of abuse there are other ways to address them.

27  
28 Thank you, Mr. Chair.

29  
30 CHAIRMAN TOWARAK: Thank you.

31  
32 MR. PROBASCO: Mr. Chair. We have no one  
33 signed up to give testimony at this time.

34  
35 CHAIRMAN TOWARAK: Thank you. That  
36 brings us to the Regional Council recommendations.

37  
38 Mr. Adams.

39  
40 MR. ADAMS: Thank you, Mr. Chairman. You  
41 know, our comments, you know, I failed to mention the  
42 page number but it's on Page 652.

43  
44 The Southeast Regional Advisory Council  
45 opposes this proposal. The proposal does not address a  
46 conservation issue and current Federal regulations  
47 require all parts of the animal be taken by a designated  
48 hunter be provided to the recipient. Neither the Staff  
49 analysis nor the experience of Council supports a  
50 conclusion that trophy hunting is occurring by designated

1 hunters. So the proposal may limit subsistence uses of  
2 deer and moose.

3

4 Thank you, Mr. Chairman.

5

6 CHAIRMAN TOWARAK: Any questions of the  
7 Chair.

8

9 (No comments)

10

11 CHAIRMAN TOWARAK: Not hearing any we  
12 will hear from the Department of Fish and Game.

13

14 MS. YUHAS: Thank you, Mr. Chairman.  
15 Jennifer Yuhas. The Department's comments are based on  
16 consistency. We support the proposal because this is the  
17 standard under our proxy hunting system and as an entity  
18 of the State I have to carry that position forward. We  
19 understand there's two different programs working here,  
20 but that's the standard under our system.

21

22 CHAIRMAN TOWARAK: Any questions of the  
23 State.

24

25 (No comments)

26

27 CHAIRMAN TOWARAK: Thank you for your  
28 comments. We will move on to the InterAgency Staff  
29 Committee comments.

30

31 MR. ARDIZZONE: Mr. Chair. Staff  
32 Committee comments could be found on Page 652, and, once,  
33 again, they're the standard comment.

34

35 CHAIRMAN TOWARAK: Thank you. We will  
36 move to the Board discussion with the Council Chair and  
37 State liaison.

38

39 (No comments)

40

41 CHAIRMAN TOWARAK: Not hearing any, the  
42 floor is open for action -- final action.

43

44 MS. PENDLETON: Mr. Chair. I'd move to  
45 adopt Proposal WP12-10 and then following a second I'll  
46 provide rationale for why I'll be voting against my  
47 motion and this is consistent with the Southeast Regional  
48 Advisory Council's recommendation to oppose the proposal.

49

50 MS. MASICA: Second.

1 CHAIRMAN TOWARAK: You heard the motion  
2 and the second. Further discussion.

3  
4 MS. PENDLETON: The rationale for my  
5 opposition to this proposal, I think, is very clearly  
6 written and has been reflected in comments by Staff and  
7 Mr. Adams, on Page 651 in the justification for OSM  
8 conclusion.

9  
10 Just a couple of the highlights.

11  
12 Again, the proposal would create an  
13 unnecessary burden on subsistence users. Regulations are  
14 already in place requiring designated hunters to salvage  
15 all usable meat. The designated hunter may not claim for  
16 themselves the meat or any part of the harvested  
17 wildlife. Harvesting by designated hunters, while small,  
18 is a very important socially and should be retained.

19  
20 Thank you.

21  
22 CHAIRMAN TOWARAK: Thank you. Any  
23 further discussion.

24  
25 (No comments)

26  
27 MR. CRIBLEY: Mr. Chairman. I call for  
28 question.

29  
30 CHAIRMAN TOWARAK: The question's been  
31 called for. Roll call, please.

32  
33 MR. PROBASCO: Thank you, Mr. Chair.  
34 Final action on WP12-10. The motion was to adopt.

35  
36 Mr. Virden.

37  
38 MR. VIRDEN: No.

39  
40 MR. PROBASCO: Ms. Pendleton.

41  
42 MS. PENDLETON: No.

43  
44 MR. PROBASCO: Ms. Masica.

45  
46 MS. MASICA: No.

47  
48 MR. PROBASCO: Mr. Cribley.

49  
50 MR. CRIBLEY: No.

1 MR. PROBASCO: Mr. Towarak.  
2  
3 CHAIRMAN TOWARAK: No.  
4  
5 MR. PROBASCO: Mr. Haskett.  
6  
7 MR. HASKETT: No.  
8  
9 MR. PROBASCO: Motion fails, 0/6.  
10  
11 CHAIRMAN TOWARAK: Thank you. We will  
12 move on then to Proposal 12-10, Staff analysis, please.  
13  
14 MR. PROBASCO: 11.  
15  
16 CHAIRMAN TOWARAK: 11, sorry. Wrong  
17 page, wrong bible.  
18  
19 (Laughter)  
20  
21 CHAIRMAN TOWARAK: Staff analysis,  
22 please.  
23  
24 MS. OEHLERS: Good afternoon, Mr. Chair.  
25 Members of the Board. Council Chairs. For the record my  
26 name is Susan Oehlers, I'm with the U.S. Forest Service  
27 based out of Yakutat. I'm presenting the Staff analysis  
28 for WP12-11, which starts on Page 658 of your book.  
29  
30 Proposal 12-11 was submitted by Monte  
31 Mitchell and requests adding the mountain goat to the  
32 Federal designated hunter permit in Southeast Alaska  
33 Units 1 through 5.  
34  
35 The proponent states that due to the  
36 nature of the terrain that goats inhabit some Federally-  
37 qualified subsistence users are physically unable to  
38 pursue them. Adding goats to the list of eligible  
39 species to hunt under the designated hunter permit in  
40 these units would allow Federally-qualified users the  
41 benefits of the meat and hides of the species.  
42  
43 Some background information.  
44  
45 In Units 1 through 5 the State uses a  
46 weighted point system whereby males equal one point and  
47 females are two points. General management guidelines  
48 are to maintain a guideline harvest not to exceed six  
49 points per 100 goats observed.  
50

1                   Each hunt area is delineated into  
2 discreet geographic management areas and a quota is  
3 established for each area. Quotas for each management  
4 area are generally low ranging from one to 30. Some  
5 examples include two to five in Unit 4; five to six in  
6 Unit 5; and from one to 10 in Unit 1D.

7  
8                   Some current events, I'll point out.  
9 There has been a State emergency order closure in a  
10 portion of Unit 5 near Yakutat since 2009 and there has  
11 been some recent Federal and State closures in portions  
12 of Unit 4.

13  
14                   Just some biological background that's  
15 important to point out. Goats do have a low reproductive  
16 rate and are very sensitive to adult female mortality.  
17 A male only harvest is encouraged to maintain population  
18 productivity.

19  
20                   But I probably don't need to point out  
21 but important to this analysis is that subsistence does  
22 include a cultural value system of sharing.

23  
24                   There were several alternatives that we  
25 did consider for this analysis, I won't go into details  
26 here but those are listed on Page 662 if you need to  
27 refer to those in your discussion.

28  
29                   If this proposal is adopted, it's  
30 expected that the designated hunter effort and harvest  
31 for mountain goats may be similar to the current pattern  
32 of designated hunter harvest for moose which is fairly  
33 low.

34  
35                   Because the State manages mountain goat  
36 harvest in a combined State and Federal quota, the total  
37 harvest of goats is not expected to change. Although the  
38 total harvest is not likely to change the percent of the  
39 total harvest by subsistence users, including designated  
40 hunters may increase, thereby reducing the opportunities  
41 for State hunters.

42  
43                   If designated hunters are allowed to have  
44 two harvest limits in their possession at any one time,  
45 they may harvest two animals out of one herd, potentially  
46 resulting in the harvest quota being met sooner or  
47 possibly being exceeded in areas of low quotas before an  
48 emergency order could be implemented. Designated hunters  
49 targeting two animals out of one herd may also be less  
50 selective in the sex of animals taken. High female

1 harvest by designated hunters would result in the harvest  
2 quota being reached sooner and has the potential to  
3 negatively affect the reproductive rate of that  
4 population.

5  
6 While the option to designate a hunter  
7 will benefit the recipient and supports the traditional  
8 practice of hunting for others, opportunities for other  
9 users to harvest goats may be diminished.

10  
11 The preliminary conclusion is to support  
12 Proposal WP12-11, with the modification to allow only one  
13 harvest limit in possession at any one time.

14  
15 As stated by the proponent, due to the  
16 nature of the terrain that goes inhabit, some Federally-  
17 qualified subsistence users are physically unable to  
18 pursue them and therefore are unable to enjoy the  
19 benefits of the species under Federal regulations.  
20 Adopting this proposal, as modified, will enable these  
21 subsistence users to enjoy the benefits of this species  
22 and supports the traditional practice of hunting for  
23 others.

24  
25 Because there's a combined State and  
26 Federal quota for goats, adopting this proposal is not  
27 expected to affect the total harvest of goats in Units 1  
28 through 5. And the modification to allow the designated  
29 hunter to have no more than one harvest limit in their  
30 possession at any one time will help to minimize any  
31 overharvest and potential waste as well as maintain the  
32 opportunities for other subsistence and non-Federally-  
33 qualified subsistence users.

34  
35 That concludes my presentation.

36  
37 Thank you.

38  
39 CHAIRMAN TOWARAK: Thank you for that  
40 presentation. Any questions for the Staff.

41  
42 (No comments)

43  
44 CHAIRMAN TOWARAK: If not then we will  
45 continue on to the summary of public comments from the  
46 regional coordinator.

47  
48 MR. LARSON: Yes, Mr. Chairman. Robert  
49 Larson with the Forest Service.

50

1                   If you look on Page 668 of your Board  
2 book you will find that there is one comment in  
3 opposition to this proposal. That's from the Wrangell-  
4 St. Elias National Park Subsistence Resource Commission.  
5 The current designated provisions already provide for  
6 people needing someone else to hunt for them and there  
7 are concerns about the health of the goat population in  
8 Unit 5.

9  
10                   In addition to that public comment, on  
11 the testimony -- the written testimony that was submitted  
12 by the Sitka Tribe of Alaska 004, they state, and I'll  
13 read this one paragraph:

14  
15                   Although Proposal FP12-11 appears to  
16 benefit subsistence users STA opposes  
17 this proposal. Recent declines in  
18 mountain goat populations on Baranof  
19 Island have caused the Alaska Department  
20 of Fish and Game to implement  
21 restrictive emergency management  
22 measures. STA is supportive of  
23 restrictive regulatory measures that  
24 support resident hunters but fear this  
25 proposal would put excessive pressure on  
26 the currently depleted mountain goat  
27 populations in the Sitka area.

28  
29                   STA would support such a proposal in the  
30 future if resident populations could  
31 handle the hunting pressure.

32  
33                   Thank you, Mr. Chairman.

34  
35                   MR. PROBASCO: Mr. Chair. We have no one  
36 signed up for testifying at this time.

37  
38                   CHAIRMAN TOWARAK: Thank you. We will  
39 then go to the Regional Council recommendations.

40  
41                   Mr. Adams.

42  
43                   MR. ADAMS: Thank you, once, again, Mr.  
44 Chairman. On Page 665 you will find the Southeast  
45 Regional Advisory Council's comments. The Council  
46 supports the proposal with a modification.

47  
48                   That is to allow only one harvest limit  
49 in possession at any one time. The Council agrees with  
50 the conclusion and rationale as presented in the Staff

1 analysis. Allowing one goat by a designated hunter will  
2 support a cultural practice and provide an increased  
3 subsistence opportunity. The ability to harvest two  
4 goats on any one trip may be wasteful and could result in  
5 conservation concern.

6  
7 Let me just add to that. We talked, you  
8 know, about allowing a designated hunter to take  
9 possession of two goats. The discussion, you know, was  
10 -- that would be very burdensome on one person to take  
11 two goats and try to process it, time to get it to the  
12 proper places for preservation. Like for instance, you  
13 know, you might see a goat a hundred yards or so away and  
14 shoot it but it's going to probably take you, you know,  
15 going through a bunch of gullies and mountains and all  
16 kinds of obstacles that will take you a lot longer than  
17 what you think so we didn't want to put the burden on the  
18 designated hunter for that.

19  
20 The modification of this proposal should  
21 read:

22  
23 In Unit 1 through 5 designated hunter.

24  
25 If you are a Federally-qualified  
26 subsistence user you may designate  
27 another Federally-qualified subsistence  
28 user to take deer, moose and caribou and  
29 goats in Units 1 through 5 on your  
30 behalf. Designated hunters may hunt for  
31 any member of recipients but have no  
32 more than two harvest limits in  
33 possession at any one time except for  
34 goats where designated hunters may have  
35 no more than one harvest limit in  
36 possession at any one time. And where  
37 specified under unit specific  
38 provisions. Any designated hunter  
39 taking wildlife on behalf of another  
40 rural Alaska resident shall deliver the  
41 wildlife promptly to that rural Alaska  
42 resident.

43  
44 So that's our position on this proposal,  
45 Mr. Chairman. Thank you.

46  
47 CHAIRMAN TOWARAK: Thank you, Mr. Adams.  
48 Any questions of the Chair.

49  
50 (No comments)

1 CHAIRMAN TOWARAK: Not hearing any then  
2 we will move on to the Department of Fish and Game.

3  
4 MS. YUHAS: Thank you, Mr. Chairman.  
5 Jennifer Yuhas, Alaska Department of Fish and Game. And  
6 just because it's kind of a happy moment I want to make  
7 sure the record reflects that we're on the same page as  
8 the Sitka Tribe on this.

9  
10 (Laughter)

11  
12 MS. YUHAS: Our comments -- or our  
13 conclusion can be found on Page 667, our conservation  
14 concerns on the previous page.

15  
16 We got two issues here for the Department  
17 that can't allow us to support this proposal. One is the  
18 conservation concern and I do want to recognize that the  
19 Federal Staff and the Southeast RAC put a lot of time and  
20 effort in to trying to address this. Your initial  
21 concerns were for these groups, especially of females  
22 which are more vulnerable and grouped together and can be  
23 easily found and are very important to the sustainability  
24 of the population. And so I think we've come a long way.  
25 Much like we heard yesterday from someone else we don't  
26 think that it went far enough though.

27  
28 The other reason I can't support this on  
29 behalf of the State is because we prohibit the proxy  
30 hunting for goats. So we don't have this opportunity in  
31 our system, we didn't recognize this.

32  
33 You know, the conservation issues have  
34 been addressed about as far as I think the Board and the  
35 RAC is willing to address them and we want to recognize  
36 that they've come very far but we don't have that  
37 mechanism on the State side and I'm not able to support  
38 having the proxy or the designated hunter for this  
39 species on this regulatory side either.

40  
41 CHAIRMAN TOWARAK: Thank you. Any  
42 questions to the State.

43  
44 Beth.

45  
46 MS. PENDLETON: Yes, thank you, Mr.  
47 Chair. Ms. Yuhas, would concerns -- State concerns  
48 perhaps be reduced with the modifications that have been  
49 provided by the Southeast Regional Advisory Council that  
50 would allow for the possession of only one harvest limit

1 at any one time?

2

3 MS. YUHAS: Through the Chair. Yes, Ms.  
4 Pendleton, they are significantly reduced which is why we  
5 thank the Southeast RAC for their efforts and I  
6 appreciated listening to the conservation down there, it  
7 just doesn't get us as far as being able to support it.

8

9 MS. PENDLETON: Thank you.

10

11 CHAIRMAN TOWARAK: Thank you. Next we'll  
12 go to the InterAgency Staff Committee comments.

13

14 MR. ARDIZZONE: Mr. Chair. Staff  
15 Committee comments can be found on Page 665 and they are  
16 the standard comment.

17

18 CHAIRMAN TOWARAK: Thank you. We will  
19 move then to the Board discussion with Council Chairs and  
20 State liaison.

21

22 (No comments)

23

24 CHAIRMAN TOWARAK: Not hearing any we  
25 will move on then to final action on 12-11.

26

27 MS. PENDLETON: Mr. Chair. I'd move to  
28 adopt Proposal WP12-11 with modification consistent with  
29 the Southeast Regional Advisory Council's recommendation  
30 on Page 665, and after a second I'll provide a rationale  
31 for my motion.

32

33 MR. HASKETT: Second.

34

35 CHAIRMAN TOWARAK: You heard the motion  
36 and the second. Further discussion.

37

38 MS. PENDLETON: As we've heard mountain  
39 goats are a very difficult species to hunt but many rural  
40 residents like the benefit of them especially the meat  
41 and hide. Allowing for Federally-designated hunters  
42 supports the traditional practice in many rural  
43 communities of hunting for others. Because mountain goats  
44 are easily over hunted it is important to carefully  
45 control the potential harvest.

46

47 And the modification as presented by the  
48 Southeast Regional Advisory Council, for which I support,  
49 is to allow only one goat in possession. It does just  
50 that in helping to support -- or prohibit over hunting.

1                   In Southeast Alaska all of the district  
2 rangers with goats in their area of jurisdiction are also  
3 delegated, they've got that authority by the Board to  
4 close the goat season, if needed, for conservation and  
5 this is done in consultation with the Alaska Department  
6 of Fish and Game as well as the Southeast RAC Chair.  
7 That authority has been used a number of times on Baranof  
8 Island, just last year, because of overharvest of  
9 nannies. I mention this, however, because if a  
10 conservation concern is identified, I want the Board to  
11 know that Federal managers are quickly able to take  
12 action to close an area to further harvest.

13

14                   Thank you.

15

16                   CHAIRMAN TOWARAK: Further discussion.

17

18                   MR. LORD: Mr. Chair.

19

20                   CHAIRMAN TOWARAK: Go ahead.

21

22                   MR. LORD: Mr. Chair, thank you. Just a  
23 quick remark. We've heard from the SRC and the State  
24 about how they oppose this, in part, because of  
25 conservation concerns, but to me a designated hunter  
26 proposal isn't about how many animals can be taken, it's  
27 about who can take on behalf of whom. If there's a  
28 conservation concern then we have other tools in our  
29 toolbelt that are more appropriate for addressing that  
30 concern.

31

32                   Thank you.

33

34                   CHAIRMAN TOWARAK: Thank you. Bert.

35

36                   MR. ADAMS: Thank you, Mr. Chairman. You  
37 know, Beth made a statement, a statement here that I  
38 really support. You know, while it is within, you know,  
39 the power of the Federal manager, you know, to offer a  
40 special action to close areas or reopen them or something  
41 but it's always in concurrence with the State and with  
42 the Regional Advisory Council Chair. In the past when I  
43 was, you know, tribal president for the Yakutat Tlingit  
44 Tribe and the Forest Service was going to address moose,  
45 particularly in the Nunatak Bench, which goats are very  
46 low, you know, right now so that area's closed. But when  
47 an emergency order was to come out, you know, they called  
48 all of the interested parties together and they included  
49 the tribal government and as the tribal president I  
50 participated in that. I don't see that happening right

1 now and I think it would be -- you know with tribal  
2 consultation coming into the fold now, I think it would  
3 be really appropriate if we can, you know, encourage that  
4 from here and then see it happen.

5  
6 So I just wanted to make that statement.  
7 Thank you Beth for reminding me about that.

8  
9 CHAIRMAN TOWARAK: Further comments or  
10 discussion.

11  
12 (No comments)

13  
14 MR. CRIBLEY: Mr. Chairman. I call for  
15 question.

16  
17 CHAIRMAN TOWARAK: Question's been  
18 called. Roll call, please.

19  
20 MR. PROBASCO: Thank you, Mr. Chairman.  
21 Final action on WP12-11, as modified by the Southeast  
22 Regional Advisory Council and found on Page 665.

23  
24 Ms. Pendleton.

25  
26 MS. PENDLETON: Yes.

27  
28 MR. PROBASCO: Ms. Masica.

29  
30 MS. MASICA: Yes.

31  
32 MR. PROBASCO: Mr. Cribley.

33  
34 MR. CRIBLEY: Yes.

35  
36 MR. PROBASCO: Mr. Towarak.

37  
38 CHAIRMAN TOWARAK: Yes.

39  
40 MR. PROBASCO: Mr. Haskett.

41  
42 MR. HASKETT: Yes.

43  
44 MR. PROBASCO: Mr. Virden.

45  
46 MR. VIRDEN: Yes.

47  
48 MR. PROBASCO: Motion carries, 6/0.

49  
50 CHAIRMAN TOWARAK: Thank you. We will

1 move on then to the next proposal, which is 12-13, Staff  
2 analysis, please.

3

4 MR. REEVES: Thank you, Mr. Chair. Jeff  
5 Reeves, Forest Service. The executive summary for WP12-  
6 13 is found on Page 669 of your materials, the analysis  
7 begins on Page 671.

8

9 Proposal WP12-13 was submitted by the  
10 Wrangell Fish and Game Advisory Committee and it requests  
11 that the Federal designated hunting provisions limit the  
12 number of Federally-qualified recipients that a  
13 designated hunter may hunt deer for in Units 1B and 3.

14

15 The proponent is concerned that the  
16 designated hunter program allows for over exploitation of  
17 deer within these units and believes that the deer  
18 populations in these units will increase by limiting the  
19 number of recipients that a designated hunter can harvest  
20 for within a season. In 2002 WP02-4, 5 and 6 were all  
21 considered within the same analysis, and these proposals  
22 were similar to the one currently on the table seeking to  
23 limit the eligibility of recipients along with the number  
24 of recipients that the designated hunter can hunt for.  
25 Proposal WP02-10 was also considered during that same  
26 cycle and it was asking for a prohibition on designated  
27 hunting within a portion of Unit 3. The proposals were  
28 opposed by both the Council and by this Board.

29

30 Since 2003 deer harvest have been  
31 estimated in these units and you can find them in Table  
32 1, which is on Page 674. Deer harvests are also reported  
33 on the Federal designated hunting permits and they are  
34 low. Table 1 also shows those harvests along with  
35 comparisons of the overall harvest, maximum harvest  
36 reported on a permit, average harvest per permit and from  
37 the designated permits that have been received back for  
38 those units.

39

40 The proposal reduces the number of  
41 Federally-qualified recipients that a designated hunter  
42 can hunt deer for in those units. Adopting the proposal  
43 will have a negative effect on rural residents unable to  
44 hunt for themselves and will not likely reduce deer  
45 harvest in these areas. Adopting the proposal results in  
46 an exception to the general designated hunting  
47 regulations in these units and will have no measurable  
48 effect on the deer population. There would be no effect  
49 on non-Federally-qualified users.

50

1                   The preliminary conclusion is to oppose  
2 Proposal 12-13 as the proposal restricts the traditional  
3 practice of hunting for others and limits the ability of  
4 some qualified users to enjoy the benefits of deer  
5 harvested by others. The deer populations in this area  
6 are predominately influenced by winter weather conditions  
7 and predation. Additionally deer conservation is managed  
8 by applicable seasons and bag limits with further  
9 reinforcement from the designated hunting regulations.

10

11                   Since the number of deer taken annually  
12 by Federally designated hunters in this unit is very  
13 small when compared to the total harvest, the proposal  
14 has no measurable effect on deer populations and there is  
15 no need to further -- to restrict the traditional  
16 practice of hunting for others.

17

18                   Thank you.

19

20                   CHAIRMAN TOWARAK: Thank you for that  
21 report. Any questions for the Staff.

22

23                   (No comments)

24

25                   CHAIRMAN TOWARAK: Not hearing any then  
26 we will move on to number 2, public comments through the  
27 regional coordinator.

28

29                   MR. LARSON: Mr. Chair. There are no  
30 written public comments.

31

32                   MR. PROBASCO: Mr. Chair. There's no one  
33 signed up to testify on this proposal.

34

35                   Thank you.

36

37                   CHAIRMAN TOWARAK: Thank you. We will  
38 then move on to the Regional Council recommendations.

39

40                   Mr. Adams.

41

42                   MR. ADAMS: Thank you, Mr. Chairman.  
43 Again, you can find SERAC's comments on Page 675 in the  
44 book.

45

46                   SERAC opposed the Proposal WP12-13. The  
47 Council agreed with the conclusions contained in the  
48 Staff analysis and determined that complaints regarding  
49 the current regulations originated with only a few  
50 individuals. Their motivation and circumstances

1 regarding high harvesters was not adequately described by  
2 the proponent. The issue is likely transitory in nature  
3 and may have been resolved. The designated hunting  
4 program in the units as a whole is successful and is  
5 working as intended.

6  
7 That's the extent of our comment, Mr.  
8 Chairman.

9  
10 Thank you.

11  
12 CHAIRMAN TOWARAK: Thank you. Any  
13 questions.

14  
15 (No comments)

16  
17 CHAIRMAN TOWARAK: If not we will move on  
18 to number 5, the Department of Fish and Game.

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

22  
23 The Department supports this proposal  
24 with modifications as specified by our area biologists  
25 who consider this a particularly important proposal. It  
26 can be found on Page 678. You just adopted a proposal  
27 for designated hunter that did limit the bag limits.  
28 This was the main concern, was that deer populations,  
29 after suffering three years of hard winters, 2006, '7 and  
30 '8, for Units 1, 1B and 3 where they were markedly lower  
31 than other parts of Southeast Alaska would be especially  
32 vulnerable to a designated to hunter, not all of them,  
33 not the usual designated hunter, but the super hunter who  
34 went out with unlimited designated hunter permits and in  
35 a hard winter event could happen upon a larger population  
36 of deer that were particularly vulnerable, that they  
37 would be harvested all at once. The reporting would come  
38 after the harvest happened and that would leave that  
39 local population of deer, especially in those areas,  
40 especially vulnerable.

41  
42 So I'm trying to summarize what everyone  
43 can read on these two pages in the book as concisely as  
44 I can.

45  
46 That's our conservation concern.

47  
48 Our particular modifications that we are  
49 suggesting can be found on Page 678, there are three of  
50 them. One is to reduce the allowed possession and bag

1 limits, similar to what you folks just did with goats.  
2 One is to not do that in areas where they don't have the  
3 conservation concerns, such as I've listed in Units 1, 1B  
4 and 3. And to adopt an antler destruction similar to  
5 what we've already discussed and that's simply because  
6 that's the standard on the State side for proxy hunting.

7  
8 CHAIRMAN TOWARAK: Thank you. Any  
9 questions to the State.

10  
11 (No comments)

12  
13 CHAIRMAN TOWARAK: Not hearing anything,  
14 thank you for that report, we will move on to item seven  
15 Board discussion with.....

16  
17 MR. PROBASCO: Staff Committee.

18  
19 CHAIRMAN TOWARAK: I'm sorry, InterAgency  
20 Staff comments.

21  
22 MR. ARDIZZONE: Mr. Chair. Staff  
23 Committee comments are found on Page 676 and, once,  
24 again, they are the standard comments.

25  
26 CHAIRMAN TOWARAK: Thank you. We will  
27 then move on to Board discussion with Council Chairs and  
28 State liaison.

29  
30 (No comments)

31  
32 CHAIRMAN TOWARAK: Not hearing any we are  
33 ready for final action on 12-13.

34  
35 MS. PENDLETON: Mr. Chair. I move to  
36 adopt the Proposal WP12-13 and after a second I'll  
37 provide a rationale for why I will be voting against my  
38 motion consistent with the Southeast Regional Advisory  
39 Council's recommendation to oppose the proposal.

40  
41 MR. HASKETT: Second.

42  
43 CHAIRMAN TOWARAK: You heard the motion  
44 and the second. Any discussion.

45  
46 MS. PENDLETON: Yes. First of all the  
47 number of deer harvested by Federally-designated hunters  
48 in Units 1B and 3 is relatively small as we saw in the  
49 table on Page 674. And limiting the number of recipients  
50 that a designated hunter may hunt for would make a

1 negligible difference in the number of deer taken but  
2 this could have a significant effect on those unable to  
3 hunt deer or provide for by a designated hunter.

4  
5 It's also unlikely that the total deer  
6 harvest would be significantly reduced by adopting this  
7 regulation because the majority of deer mortality is  
8 from winter weather conditions and predation.

9  
10 In Southeast Alaska, as I've noted  
11 before, all of the rangers in their area of jurisdiction  
12 are delegated authority by the Board to close seasons, if  
13 needed, for conservation, and, again, this would be done  
14 in consultation with the Department of Fish and Game as  
15 well as the Southeast Regional Advisory Council Chair.

16  
17 Thank you.

18  
19 CHAIRMAN TOWARAK: Any further  
20 discussion.

21  
22 (No comments)

23  
24 MR. CRIBLEY: Mr. Chairman. I call for  
25 question.

26  
27 CHAIRMAN TOWARAK: Question's been called  
28 for. Roll call, please.

29  
30 MR. PROBASCO: Thank you, Mr. Chair.  
31 Final action on WP12-13. The motion was to adopt.

32  
33 Ms. Masica.

34  
35 MS. MASICA: No.

36  
37 MR. PROBASCO: Mr. Cribley.

38  
39 MR. CRIBLEY: No.

40  
41 MR. PROBASCO: Mr. Towarak.

42  
43 CHAIRMAN TOWARAK: No.

44  
45 MR. PROBASCO: Mr. Haskett.

46  
47 MR. HASKETT: No.

48  
49 MR. PROBASCO: Mr. Virden.

50

1 MR. VIRDEN: No.  
2  
3 MR. PROBASCO: Ms. Pendleton.  
4  
5 MS. PENDLETON: No.  
6  
7 MR. PROBASCO: Motion fails, 0/6.  
8  
9 CHAIRMAN TOWARAK: Thank you. We will  
10 move to the final proposal from Southeast, 12-15, Staff,  
11 analysis, please.  
12  
13 MS. OEHLERS: Good afternoon. Mr. Chair.  
14 Members of the Board. Council Chairs. Again, for the  
15 record, my name is Susan Oehlers with the Forest Service  
16 out of Yakutat and I'll be presenting the analysis for  
17 WP12-15, which begins on Page 681 of your Board books.  
18  
19 Proposal WP12-15 submitted by Brian  
20 Salazar requests closing subsistence bear hunting within  
21 one quarter mile of Margaret Creek located in Unit 1  
22 downstream of the outlet of Margaret Lake and also to  
23 close bear hunting within one quarter mile of the Dog  
24 Salmon Creek viewing area. This is located on Prince of  
25 Wales Island in Unit 2. And within one quarter mile of  
26 Dog Salmon Creek downstream of the viewing platform to  
27 Polk Inlet. And I'll point out there's maps of both of  
28 these areas on Page 682 and 683.  
29  
30 The Forest Service does maintain wildlife  
31 viewing platforms at both of these sites and regulates  
32 commercial bear viewing tours in these areas throughout  
33 Federal guide permitting. The proponent states that  
34 there are inherent dangers of bear viewing and hunting  
35 taking place at the same location and that the proposed  
36 regulation is necessary to maintain a healthy bear  
37 population for those wanting to enjoy wildlife viewing in  
38 a wilderness setting, as well as for the safety of these  
39 same people.  
40  
41 The proponent did clarify that the intent  
42 of this proposal was to close these areas to subsistence  
43 harvest of bear so it would not affect subsistence  
44 harvest hunting -- or subsistence hunting of other  
45 species.  
46  
47 Currently at Dog Salmon Creek there is  
48 signage at the main road, trailhead and parking area,  
49 which prohibits shooting within reference 36 CFR  
50 22.61.110(d), which prohibits shooting within 150 yards

1 of a developed recreation site, which these wildlife  
2 viewing areas are.

3  
4 At their November 2010 meeting, the  
5 Alaska Board of Game passed a hunting closure within a  
6 quarter mile of Margaret Creek downstream from the mouth  
7 of Margaret Lake to the mouth of the creek. The Board of  
8 Game rejected a similar proposal for a hunting closure in  
9 Dog Salmon Creek on the grounds that the Alaska  
10 Department of Fish and Game and the Forest Service are  
11 collaborating -- are currently collaborating on  
12 developing a viewing management plan for this area, which  
13 may include an expanded hunting closure area.

14  
15 And just a little background information.

16  
17 There was a similar proposal submitted by  
18 the National Park Service to the Federal Subsistence  
19 Board in 1995. This proposal requested that lands within  
20 one mile of the Kantishna airport to the former Mt.  
21 McKinley Park boundary be closed to all subsistence  
22 hunting from June 1st to September 30th. And this was  
23 with the reasoning to improve safety and reduce potential  
24 user conflicts between wildlife viewers and subsistence  
25 users. So a similar proposal for similar issues. After  
26 much discussion the Board deferred action on this  
27 proposal while going on record supporting the National  
28 Park Service taking the necessary administrative action  
29 to address the public safety issue. The National Park  
30 Service did follow through with a regulation, a summer  
31 season arm safety zone reflective of the Eastern Interior  
32 Regional Council Denali Subsistence Resource Commission  
33 and the ISC recommended modification to the date range.

34  
35 In Margaret Creek, as far as bear  
36 populations the indications are that black and brown bear  
37 populations in Unit 1 are stable and black bear  
38 populations around the Dog Salmon Creek area appear to be  
39 stable.

40  
41 During the period from 2000 to 2010 there  
42 were no bears harvested by Federally-qualified  
43 subsistence users in the Margaret Creek viewing area  
44 watershed. During that same time period there were a  
45 total of 16 black bears harvested by subsistence users in  
46 the Dog Salmon Creek area watershed. And I will point  
47 out that these data were provided by Fish and Game, there  
48 is not harvest data specific to that wildlife viewing  
49 area. So these data represent a harvest within about 30  
50 to 50 square miles around these viewing areas so it's a

1 broad area that we're looking at harvest data for here.

2

3                   If this proposal was adopted it would  
4 align Federal and State regulations in the Margaret Creek  
5 area. Federally-qualified bear hunters would be  
6 restricted by closing this area. Non-Federally-qualified  
7 subsistence users and Margaret Creek would not be  
8 affected since that area is already closed to bear  
9 harvest under State regulations.

10

11                   Adopting the proposal at Dog Salmon would  
12 not affect non-Federally-qualified subsistence users  
13 since it remains open under State regulations and  
14 subsistence users could still harvest bears in this area  
15 under the State regulations.

16

17                   The Forest Service is currently  
18 evaluating increasing the size of the area close to the  
19 discharge of weapons around the viewing site at Dog  
20 Salmon Creek to address those public safety issues.

21

22                   Whereas the Federal Subsistence Board can  
23 regulate the taking of wildlife the Forest Service has  
24 the authority to prohibit the discharge of weapons which  
25 may better address any safety issues in this area -- or  
26 these areas.

27

28                   The preliminary conclusion is to -- I'm  
29 sorry -- the conclusion is to oppose Proposal WP12-15.

30

31                   Adopting this proposal would  
32 unnecessarily restrict subsistence users from taking  
33 bears in both areas.

34

35                   Federally-qualified users can only be  
36 restricted if there is a conservation concern with the  
37 resource to continue subsistence uses or for public  
38 safety. No conservation with subsistence users taking  
39 bears has been identified at either location. A closure  
40 clearly does not continue subsistence uses of bears in  
41 these areas. The safety concern is minimal since there  
42 is minimal subsistence harvest and minimal overlap  
43 between the subsistence hunting season and wildlife  
44 viewing tours.

45

46                   Additionally Forest Service regulations  
47 prohibits the discharge of a weapon within 150 yards of  
48 a developed recreation site, which includes both of these  
49 wildlife viewing areas. Furthermore, adopting the  
50 proposal at Dog Salmon Creek would not have the intended

1 effect of reducing bear hunting since it remains open  
2 under State regulations and subsistence users could still  
3 harvest bears in this area under those State regulations.

4  
5 A closure to bear hunting would only  
6 partially address the concerns stated by the proponent.  
7 As I stated whereas the Federal Subsistence Board can  
8 regulate the taking of wildlife, the Forest Service has  
9 the authority to prohibit the discharge of weapons which  
10 would better address any safety issues in these areas.

11  
12 The development of a comprehensive  
13 recreation management plan by the U.S. Forest Service  
14 with users and cooperators including the Department of  
15 Fish and Game would create a more effective solution.

16  
17 That concludes my analysis.

18  
19 Thank you.

20  
21 CHAIRMAN TOWARAK: Thank you. Any  
22 questions of the Staff.

23  
24 (No comments)

25  
26 CHAIRMAN TOWARAK: If not, then we thank  
27 you for your work and we will move to the summary of  
28 public comments by the regional coordinator.

29  
30 MR. LARSON: Mr. Chair. Robert Larson  
31 with the Forest Service. And there are no written public  
32 comments.

33  
34 MR. PROBASCO: And, Mr. Chair, no one's  
35 signed up to testify on this proposal.

36  
37 CHAIRMAN TOWARAK: Thank you. Assuming  
38 there are no public testimony we'll move to the Regional  
39 Council's recommendation.

40  
41 Mr. Adams.

42  
43 (No comments)

44  
45 MR. ADAMS: Thank you, Mr. Chairman. You  
46 can find our comments on Page 689 in the book.

47  
48 The Southeast Regional Advisory Council  
49 opposed this proposal.

50

1                   Although very few bears are taken by  
2 hunters at these two locations, the Council determined  
3 that adopting the proposal would unnecessarily restrict  
4 subsistence users. These sites are developed recreation  
5 locations and the U.S. Forest Service regulations  
6 prohibit the discharge of firearms within 150 yards of  
7 any developed recreation facility.

8  
9                   So that is our comment on that, Mr.  
10 Chairman. Thank you very much.

11  
12                   NORMAN: He needs to speak up louder, Mr.  
13 Chair.

14  
15                   CHAIRMAN TOWARAK: Okay.

16  
17                   NORMAN: It sounds like he's having a  
18 one-sided conversation there.

19  
20                   CHAIRMAN TOWARAK: Thank you. We will  
21 continue then with the Department of Fish and Game  
22 comments.

23  
24                   MS. YUHAS: Thank you, Mr. Chairman.  
25 Jennifer Yuhas, Alaska Department of Fish and Game. Can  
26 Norman hear me.

27  
28                   (No comments)

29  
30                   MS. YUHAS: Can you hear me?

31  
32                   NORMAN: Yes, I'm sitting right behind  
33 you.

34  
35                   (Laughter)

36  
37                   MS. YUHAS: Okay.

38  
39                   NORMAN: It's those over there that have  
40 the mic that aren't speaking into the mic.

41  
42                   MS. YUHAS: Okay. The Department finds  
43 no conservation concerns for this proposal, however, on  
44 Page 690 you will find the statute and recent Board of  
45 Game action that dictate our position.

46  
47                   Because of recent Board of Game action  
48 the Department supports this proposal with modification  
49 to match the Board of Game action to close the area  
50 within a quarter mile of Margaret Creek but not near Dog

1 Salmon Creek. So just so we're clear there's no  
2 conservation concern we are bound to support the Board of  
3 Game action.

4  
5 CHAIRMAN TOWARAK: Thank you for those  
6 comments. Any questions of the State.

7  
8 (No comments)

9  
10 CHAIRMAN TOWARAK: Not hearing any we  
11 will go to the Inter-Agency Staff Committee.

12  
13 MR. ARDIZZONE: Mr. Chair. Staff  
14 Committee comments could be found on Page 689 and, once  
15 again, standard comments for this proposal.

16  
17 CHAIRMAN TOWARAK: Thank you. We will  
18 then move on to Board discussion with the Council Chairs  
19 and State liaison.

20  
21 (No comments)

22  
23 CHAIRMAN TOWARAK: Not hearing any, the  
24 floor is open for final action on Proposal 12-15.

25  
26 MS. PENDLETON: Mr. Chair. I move to  
27 adopt Proposal WP12-15 and after a second I'll provide a  
28 rationale for why I will be voting against my motion.  
29 This will be consistent with the Southeast Regional  
30 Advisory Council recommendation to oppose the proposal.

31  
32 MR. CRIBLEY: Second.

33  
34 CHAIRMAN TOWARAK: You heard the motion  
35 and a second. Discussion.

36  
37 MS. PENDLETON: As we've heard this  
38 proposal would unnecessarily restrict Federally-qualified  
39 subsistence users. We've also heard that there is no  
40 conservation concern.

41  
42 If there were a safety concern, and I  
43 think this is important to reiterate, I might vote to  
44 support all or part of this proposal, however, the Forest  
45 Service is the land manager, and outside of the Federal  
46 Subsistence Program has the authority to close areas for  
47 safety. And as has been stated, currently the Forest  
48 Service prohibits discharge of a weapon within 150 yards  
49 of a developed recreation site including the wildlife  
50 viewing platforms at both Margaret and Dog Salmon Creeks.

1 The safety concern is also minimal because Federally-  
2 qualified users rarely hunt in these areas and the  
3 wildlife viewing tours are mostly conducted in the summer  
4 when the bear hunting season is closed.

5  
6 Adopting the proposal at Dog Salmon Creek  
7 would not also have the intended effect because  
8 Federally-qualified hunters could hunt under State  
9 regulations.

10  
11 Thank you.

12  
13 CHAIRMAN TOWARAK: Any further  
14 discussion.

15  
16 (No comments)

17  
18 CHAIRMAN TOWARAK: And I'm going to -- I  
19 see Mr. Wilson asking for recognition. Did you have  
20 something to say?

21  
22 MR. WILSON: Mr. Chair, I did. If I may.

23  
24 Bristol Bay Katmai National Monument, we  
25 are under some of the same types of scenarios here in our  
26 area with our people, where you have an entity that's  
27 developed themselves in a Park system or a Refuge and  
28 developed bear viewing areas and it just -- it seems like  
29 they're starting to take precedence over the people and  
30 their needs. And it's so disturbing to hear how they  
31 start to grow regulations about, okay, now you've got a  
32 population being on this bear viewing stand and now  
33 you've got to be 150 feet or 150 yards or whatever -- I  
34 mean they're starting to regulate and trying to get  
35 people away from this area that aren't bear viewers and  
36 we are -- we have a lot of these same types of feelings  
37 and issues going on in our area because we've been -- we  
38 have a National Park system and their rules, you know, do  
39 not go along with ANILCA. We have no rights in there  
40 pretty much.

41  
42 So there's a lot of -- it's just -- I  
43 just wanted to bring that up because the rights of the  
44 people should be -- and the subsistence users should  
45 outweigh bear viewers.

46  
47 CHAIRMAN TOWARAK: Are there any further  
48 discussion on motion.

49  
50 (No comments)

1 MR. CRIBLEY: Mr. Chairman. I call for  
2 question.  
3  
4 CHAIRMAN TOWARAK: Question's been called  
5 for. Roll call, please.  
6  
7 MR. PROBASCO: Thank you, Mr. Chairman.  
8 Final action on WP12-15. The motion was to adopt.  
9  
10 Mr. Cribley.  
11  
12 MR. CRIBLEY: No.  
13  
14 MR. PROBASCO: Mr. Towarak.  
15  
16 CHAIRMAN TOWARAK: No.  
17  
18 MR. PROBASCO: Mr. Haskett.  
19  
20 MR. HASKETT: No.  
21  
22 MR. PROBASCO: Mr. Virden.  
23  
24 MR. VIRDEN: No.  
25  
26 MR. PROBASCO: Ms. Pendleton.  
27  
28 MS. PENDLETON: No.  
29  
30 MR. PROBASCO: Ms. Masica.  
31  
32 MS. MASICA: No.  
33  
34 MR. PROBASCO: Motion fails, 0/6.  
35  
36 CHAIRMAN TOWARAK: That concludes the  
37 Southeast Alaska proposals. We have.....  
38  
39 MR. ADAMS: Mr. Chairman.  
40  
41 CHAIRMAN TOWARAK: Yes.  
42  
43 MR. ADAMS: I'd just like to make a  
44 comment, if I might. You know, I feel that maybe  
45 sometimes our Staff people are ignored and they're the  
46 ones who make us look good up here and I just want to  
47 show publicly, you know, our appreciation, you know, to  
48 them, particularly our coordinator who is, really not  
49 only helped us but he's also helped other coordinators  
50 become better coordinators. But I just wanted to thank

1 you to all of our Southeast Staff. They really honestly,  
2 you know, are concerned about the subsistence issues and  
3 working on behalf of the people of Southeast. So I just  
4 want to publicly show my appreciation to them.

5

6 Thank you.

7

8 (Applause)

9

10 CHAIRMAN TOWARAK: Thank you. Getting  
11 back to our proposals, we have already taken care of  
12 Proposal 12-22a and we're down to our last three and I  
13 would like to try to get these taken care of before we  
14 leave at 5:00 o'clock.

15

16 MR. PROBASCO: We only have two.

17

18 CHAIRMAN TOWARAK: Okay, I'm sorry I was  
19 just told that 12-22b went to consensus. We only have  
20 two left, 12-32 and I'd like to ask the Staff for your  
21 analysis.

22

23 MR. MCKEE: Chris McKee with OSM again.  
24 Mr. Chair. Members of the Board. Regional Chairs --  
25 Regional Council Chairs. The analysis for WP12-32 begins  
26 on Page 730 of your meeting materials booklet.

27

28 It was submitted by the Cheesh'na Tribal  
29 Council and requests the season dates for the elder hunt  
30 and the joint minor/elder sheep hunts in Units 11 and 12  
31 be changed from September 21st through October 20th to  
32 August 1st through August 9th.

33

34 The proponent states that the elder hunt  
35 provisions are intended to provide a hunting opportunity  
36 that is accessible to elders so they can pass their  
37 knowledge of traditional sheep hunting customs and  
38 practices on to local youth. The current season has snow  
39 conditions that make it difficult for elders to travel  
40 and the proposed time changes would be during a time of  
41 the year when travel conditions are less difficult. The  
42 proponent also felt that the shorter recommended season  
43 would offset any increase in participation in the hunt.

44

45 From 2004 to 2010 the elder hunt within  
46 Unit 11 resulted in 124 permits being issued and 43  
47 reports returned and two sheep being harvested. In Unit  
48 12 66 permits were issued during this time period with 20  
49 individuals reporting hunting and no sheep being  
50 harvested.

1                   The OSM conclusion is to support this  
2 WP12-32 with modification. You can find this -- the  
3 language for this modification on Page 740 of your  
4 analysis.

5  
6                   The elder hunt allows a person 60 years  
7 of age or older to harvest a sheep by Federal  
8 registration permit. The unit specific regulation allows  
9 joint elder/minor hunt by Federal permit and provides a  
10 hunting opportunity that's successful to elders so that  
11 they can pass their knowledge of hunting on to the youth.  
12 Reducing the elder hunt season and the subsequent unit  
13 specific regulation associated with the joint elder/minor  
14 hunt would allow elders and minors to travel during a  
15 time of year when travel conditions are less difficult.  
16 In addition the earlier timing of the hunt would be nine  
17 days prior to the opening of the hunt for other users and  
18 should provide greater accessibility to elders.

19  
20                   The -- oops sorry, my bad, I was reading  
21 the wrong section. I'll try to start over on the  
22 justification here. Excuse me.

23  
24                   This proposal is requesting season dates  
25 for the elder hunt and the joint minor/elder sheep hunts  
26 in Units 11 and 12 changed from 21 September to October  
27 20 to August 1st to August 9.

28  
29                   The proponent requested the season to  
30 open nine days prior to the opening of the hunt for other  
31 users to minimize competition and requested a reduced  
32 season to offset any potential negative reaction to the  
33 request.

34  
35                   Unit 11 is part of the Southcentral  
36 region and Unit 12 is part of the Eastern Interior  
37 Region.

38  
39                   The Southcentral Regional Advisory  
40 Council met first and heard testimony from the proponent  
41 and supported Proposal WP12-32 with modification to  
42 change the season to August 1st through August 30th. The  
43 Wrangell-St. Elias Subsistence Resource Commission,  
44 Eastern Interior Regional Advisory Council subsequently  
45 met and supported the change of season to August 1  
46 through October 20th. There are no conservation concerns  
47 if the season ends on October 20th.

48  
49                   Thank you.  
50

1 CHAIRMAN TOWARAK: Thank you for that  
2 report. Any questions of the Staff.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Not hearing any then  
7 we will move on to summary of public comments from the  
8 regional coordinator.

9  
10 MR. JOHNSON: Thank you, Mr. Chair. Carl  
11 Johnson with OSM. There were two separate written public  
12 comments provided for this proposal.

13  
14 First, as noted by Staff, one from the  
15 Wrangell-St. Elias National Park Subsistence Resource  
16 Commission supporting WP12-32 with modification. The  
17 season dates of August 1 to October 20th. While the  
18 Commission supports the proponents interest, an early  
19 August elder season when travel conditions are easier and  
20 kids are out of school. It suggests also keeping the  
21 late season when the sheep are lower down. With only two  
22 sheep taken in the elder season in the last six years  
23 there does not appear to be a conservation concern with  
24 this hunt.

25  
26 The second written comment was from AHTNA  
27 Incorporated.

28  
29 "We support 12-32 to have an earlier  
30 Unit 11 sheep hunting season of August 1  
31 through August 9 so that the youth and  
32 elders will be able to hunt for sheep  
33 and pass on customs and practices of  
34 sheep uses and hunting of sheep. It is  
35 important for elders to pass on their  
36 knowledge to the younger generation!"

37  
38 And that is it for submitted written  
39 comments.

40  
41 Thank you.

42  
43 CHAIRMAN TOWARAK: Thank you.

44  
45 MR. PROBASCO: Mr. Chair. We have two  
46 people signed up to testify on this proposal. The first  
47 one is Ms. Gloria Stickwan.

48  
49 MS. STICKWAN: I support OSM's  
50 modification with -- for Unit 11 sheep hunting with a

1 date of August 1 through October 20th. Ewes cannot be  
2 accompanied -- cannot be taken with lambs or rams. Youth  
3 and elders will be able to learn how to hunt sheep and  
4 pass on custom and practices. And it will be important  
5 for the elders to teach younger generations. AHTNA  
6 elders can still hunt during the month of August, and for  
7 others it can still hunt in lower -- in the later part of  
8 the month, in October when the sheep are in the lower  
9 part of the mountain.

10

11 Those are my comments.

12

13 CHAIRMAN TOWARAK: Thank you, Gloria.  
14 Any questions of Gloria.

15

16 (No comments)

17

18 CHAIRMAN TOWARAK: Thank you for your  
19 comments, Gloria.

20

21 MR. PROBASCO: And our last person to  
22 testify, Mr. Chairman, is Mr. Elmer Marshall. Mr. Elmer.

23

24 MR. MARSHALL: Good afternoon, Mr.  
25 Chairman. Board. RAC Committee. I support this -- I am  
26 representing AHTNA Customary and Traditional Subsistence  
27 Committee. I support the early sheep hunt that was  
28 stated by Cheesh'na Tribal Council.

29

30 And one of the reasons why I support that  
31 is because the hunting pressure is so severe when you  
32 have sheep hunting season opening the 10th of August.  
33 You have airplanes and everything, four-wheelers and  
34 everything running back in there looking for the big rams  
35 so it kind of spooks the sheep up higher. And also it's  
36 a subsistence type of occasion, that the elders can have  
37 the other people there in their camp, they can be berry  
38 picking and everything else with that.

39

40 But I also support the late season, too,  
41 because in 1978, I think it was my father, Robert  
42 Marshall, proposed that elder sheep hunt. And up in our  
43 area, in the Chitina area, they can access that hunt by  
44 the roads, up McCarthy and they can hunt within -- you  
45 know, along that area for Unit 11. So that's the reason  
46 why he proposed it initially, and that's still being done  
47 today, which is good, to get the elders some animals.

48

49 So that's my -- my speech there for now,  
50 thank you.

1 CHAIRMAN TOWARAK: Thank you. Are there  
2 any questions.

3  
4 (No comments)

5  
6 CHAIRMAN TOWARAK: Thank you. Thank you  
7 for your comments, Mr. Marshall. That's it?

8  
9 MR. PROBASCO: Yes, Mr. Chair.

10  
11 CHAIRMAN TOWARAK: With that we will  
12 continue on to the Regional Council recommendations. We  
13 have two, Southcentral and the Eastern regional. Is Sue  
14 Entsminger on line.

15  
16 (No comments)

17  
18 CHAIRMAN TOWARAK: Apparently she is not.  
19 Then we will move to the Southcentral Regional Council.

20  
21 Mr. Lohse.

22  
23 MR. LOHSE: Thank you, Mr. Chair. The  
24 Southcentral Subsistence Regional Advisory Council  
25 supported Proposal WP12-32 with modifications.

26  
27 They set the season date from August 1st  
28 to August 30th, and stipulated that the harvest of ewes  
29 accompanied by lambs be prohibited. And the Council felt  
30 that elders would be provided with more flexibility and  
31 more harvest opportunity and better weather conditions by  
32 adjusting the season dates to an earlier date.

33  
34 You can see the OSM preliminary  
35 conclusion for the regulation language that our Council  
36 was thinking would be adequate.

37  
38 And with that, that's what our Council  
39 said. I'll add some other comments after we get on to  
40 Board and Council discussion.

41  
42 CHAIRMAN TOWARAK: Thank you for your  
43 comments. I'd like to know if Andrew Firmin is on the  
44 line, he was on earlier, and he's also on the Eastern  
45 Interior Council.

46  
47 MR. PROBASCO: Operator, Andrew Firmin,  
48 please.

49  
50 OPERATOR: Your line is open.

1 MR. FIRMIN: Yes, this is Andrew.  
2  
3 CHAIRMAN TOWARAK: Andrew, we're on  
4 Proposal 12-32, and the Eastern Interior Council is  
5 supporting this proposal with modification. Do you have  
6 any comments on it?  
7  
8 MR. FIRMIN: Well, we supported that,  
9 that was for the elder and the youth hunts.....  
10  
11 CHAIRMAN TOWARAK: Yes.  
12  
13 MR. FIRMIN: .....and I believe we  
14 supported that with a modification to extend the length  
15 of the season a little longer for them because the length  
16 and time that they had in there seemed short to us.  
17  
18 And, I believe, yeah, we -- I don't think  
19 we went with the SRC's modification, we went with our  
20 own. But that was one thing that we thought would be  
21 necessary as sheep hunts can be difficult especially with  
22 an elder and a youth and we supported that type of  
23 activity.  
24  
25 Thank you.  
26  
27 CHAIRMAN TOWARAK: Thank you, Mr. Firmin.  
28 We will move then on to the Department of Fish and Game  
29 comments.  
30  
31 MS. YUHAS: Thank you, Mr. Chair.  
32 Jennifer -- oh.....  
33  
34 CHAIRMAN TOWARAK: Let's back up here a  
35 minute. The Staff.....  
36  
37 MR. JOHNSON: Thank you, Mr. Chair. I  
38 just wanted to note for the record, review of the Eastern  
39 Interior transcripts from the fall meeting indicates a  
40 need to correct the binder on Page 732 and 742. It's  
41 just that the Eastern Interior wanted an August 1 through  
42 August 20 season, that is incorrect, it is August 1  
43 through October 20 for the suggested season, and that  
44 should be corrected as the Eastern Interior's  
45 recommendation for a modification on that proposal.  
46  
47 Thank you, Mr. Chair.  
48  
49 CHAIRMAN TOWARAK: Okay.  
50

1 MR. PROBASCO: Mr. Chair.  
2  
3 CHAIRMAN TOWARAK: Go ahead.  
4  
5 MR. PROBASCO: Mr. Chair. On Page --  
6 there is a conflict but what Mr. Johnson said articulates  
7 the correct dates.  
8  
9 Mr. Chair.  
10  
11 CHAIRMAN TOWARAK: Okay. Now, we can go  
12 back to the State.  
13  
14 MS. YUHAS: Thank you, Mr. Chairman. The  
15 Department's recommendation can be found on Page 745.  
16 And I would like to say that I really appreciated the  
17 great deal of deliberation that both the Southcentral and  
18 the Eastern Interior RAC put into this and appreciate the  
19 Department suggested modification there to stipulate that  
20 it would be only one sheep with lambs and ewes  
21 accompanies -- or ewes accompanied by lambs and lambs  
22 would not be taken. I understand that elders would not  
23 do this anyway but having this in the regulation supports  
24 that.  
25  
26 The proposer, as was stated, proposed a  
27 shorter season, even though they wanted to start earlier  
28 than September 21st, the Department actually supported a  
29 longer season, didn't think they needed to shorten it up  
30 as much as they did. But our biologists were only  
31 willing to back up to August 10th. So we are in conflict  
32 with the RAC recommendation of August 1st. You know,  
33 again we're just talking about 10 days. I realize that,  
34 but the Department's making the concession to back up  
35 from September 21st, and we felt that for biological  
36 reasons that that should not start before August 10th.  
37 But we do support the longer season for this.  
38  
39 Thank you.  
40  
41 CHAIRMAN TOWARAK: Thank you. Any  
42 questions of the State.  
43  
44 (No comments)  
45  
46 CHAIRMAN TOWARAK: Thank you for your  
47 comments. We will move on then to InterAgency Staff  
48 Committee.  
49  
50 MR. ARDIZZONE: Mr. Chair. Staff

1 Committee comments can be found on Page 743, and just the  
2 standard comments on that page.

3

4 CHAIRMAN TOWARAK: Thank you. We'll have  
5 Board discussion then with the Council Chairs and State  
6 liaison.

7

8 Pete.

9

10 MR. PROBASCO: Mr. Chair. I know that  
11 we've heard from Andy Firmin on behalf of Eastern  
12 Interior but just to let you know that Ms. Entsminger is  
13 now also on line so if Board members have any questions.

14

15 Thank you.

16

17 CHAIRMAN TOWARAK: Sue, we'll give you an  
18 opportunity to make any comments, if you wish, on  
19 Proposal 12-32.

20

21 MS. ENTSMINGER: Yes, can you hear me?

22

23 CHAIRMAN TOWARAK: Yes, we can.

24

25 MS. ENTSMINGER: Okay. I just got on so  
26 I didn't hear everything and I just wanted to make sure  
27 that people were aware that this proposal for the late  
28 season was put in by an elder, Robert Marshall, from  
29 Copper Center, and that is very important to remember.  
30 I assume that you guys have already discussed that and I  
31 don't need to go into it deeply.

32

33 CHAIRMAN TOWARAK: That's correct.

34

35 MS. ENTSMINGER: Okay, I'll stay on line.

36

37 CHAIRMAN TOWARAK: Thank you. We will  
38 then move on to Board discussion with the Council Chairs  
39 and the State liaison.

40

41 Thank you, Mr. Chair.

42

43 MR. LOHSE: Thank you, Mr. Chair. I'd  
44 like to also reiterate what Mr. Marshall said. I was  
45 instrumental in getting this on the table awhile back.

46

47 I'm glad that there are elders that want  
48 to go sheep hunting on the 1st of August when the sheep  
49 are up on the top of the mountain, but the idea was that  
50 we'd wait until some of the sheep got down a little lower

1 for some of the rest of that didn't want to climb to the  
2 top of the mountain. So I would feel pretty bad if we  
3 shortened the back end of the season off. I can  
4 understand the rationale of adding it on the front of the  
5 season simply because I can see that, you know, people  
6 could be -- especially with the young people, they're not  
7 in school yet then. You could be up on the mountain  
8 doing something else. And if you're only 60 and you got  
9 a couple of young kids to pack the meat and take you up  
10 there it might be fun to be up on top of the mountains  
11 picking berries and looking for sheep. So I would  
12 support the front part of the season but I would think  
13 that for a lot of people the back part of the season  
14 would be just as important.

15  
16 CHAIRMAN TOWARAK: Thank you. Any  
17 further discussion.

18  
19 (No comments)

20  
21 CHAIRMAN TOWARAK: The floor is open for  
22 final action then on Proposal 12-32.

23  
24 MR. LOHSE: One more comment, Mr. Chair,  
25 if I may.

26  
27 CHAIRMAN TOWARAK: Sure.

28  
29 MR. LOHSE: As we've seen so far, the  
30 impact of this hunt hasn't been very great. We've had  
31 interest in people getting permits. We've had some  
32 people hunt. The success rate is pretty low. It gives  
33 people an excuse to go it, or at least go think about  
34 doing it. And, you know, I'll say that when some of you  
35 get a little bit older, you'll find that just having --  
36 just being able to think about going and doing something  
37 is enough to give you some impetus for keeping planning.  
38 I would hate to see something like this go away and if it  
39 ever becomes a severe impact on the sheep population and  
40 a conservation problem, we've always reserved the right  
41 that we can adjust it. And at this point in time I'd say  
42 we have no problem.

43  
44 CHAIRMAN TOWARAK: Thank you.

45  
46 MS. AHTUANGARUAK: Mr. Chairman.

47  
48 CHAIRMAN TOWARAK: Go ahead, Rosemary.

49  
50 MS. AHTUANGARUAK: I'd like to say that

1 I really support this discussion. It's been very  
2 important and it's important to help facilitate the elder  
3 and youth interactions.

4  
5 Thank you.

6  
7 CHAIRMAN TOWARAK: Thank you. Sue.

8  
9 MS. MASICA: Mr. Chairman. I move that  
10 we support WP12-32 with the modification as proposed by  
11 the Eastern Interior RAC and if I get a second I'll speak  
12 to my motion.

13  
14 MR. CRIBLEY: Second.

15  
16 CHAIRMAN TOWARAK: You heard the motion  
17 and a second. Discussion.

18  
19 MS. MASICA: Mr. Chairman. This would  
20 change the season and the harvest limits as presented on  
21 Page 740. I think that's the cleanest text where all the  
22 dates line up the way they're supposed to and the  
23 correction on Page 742 was mentioned, but it's clean on  
24 740, that we're looking at the season of August 1 to  
25 October 20.

26  
27 This amendment is consistent with -- this  
28 motion is consistent with the recommendations of the  
29 Eastern Interior RAC and the Wrangell-St. Elias  
30 Subsistence Resource Commission.

31  
32 The earlier date, August 1, will allow  
33 elders and elders hunting with youth to hunt sheep when  
34 travel conditions are easier and the kids are out of  
35 school. It will also provide a window before the start  
36 of the general hunt to increase hunting opportunities for  
37 these subsistence users.

38  
39 The closing date, October 20, will allow  
40 hunting opportunity when the sheep are at lower  
41 elevations.

42  
43 Finally, the addition of language to  
44 prohibit the take of lambs or ewes accompanied by lambs  
45 in Unit 11 will help reduce the potential for future  
46 conservation concerns. And it was stated during the  
47 Staff presentation that there are no conservation  
48 concerns if the season ends on October 20th.

49  
50 Thank you.

1 CHAIRMAN TOWARAK: Thank you.  
2  
3 MR. CRIBLEY: Mr. Chairman. I call for  
4 question.  
5  
6 CHAIRMAN TOWARAK: Question's been called  
7 for. Roll call, please.  
8  
9 MR. PROBASCO: Thank you, Mr. Chair.  
10 Final action WP12-32 as modified by the Eastern Interior  
11 RAC. And as Ms. Masica said, the correct language is  
12 found on Page 740.  
13  
14 Mr. Towarak.  
15  
16 CHAIRMAN TOWARAK: Yes.  
17  
18 MR. PROBASCO: Mr. Haskett.  
19  
20 MR. HASKETT: Yes.  
21  
22 MR. PROBASCO: Mr. Virden.  
23  
24 MR. VIRDEN: Yes.  
25  
26 MR. PROBASCO: Ms. Pendleton.  
27  
28 MS. PENDLETON: Yes.  
29  
30 MR. PROBASCO: Ms. Masica.  
31  
32 MS. MASICA: Yes.  
33  
34 MR. PROBASCO: Mr. Cribley.  
35  
36 MR. CRIBLEY: Yes.  
37  
38 MR. PROBASCO: Motion carries, 6/0.  
39  
40 CHAIRMAN TOWARAK: Okay, I have a  
41 question. We were supposed to be out of this building by  
42 5:00, do we have time to do the last proposal?  
43  
44 MR. PROBASCO: If we can do it and give  
45 my Staff about, we need at least 35, 40 minutes to break  
46 down so I think we can do it.  
47  
48 (Pause)  
49  
50 CHAIRMAN TOWARAK: I was told that we

1 have until 6:00 now.

2

3 MR. PROBASCO: Mr. Chair. We have to be  
4 out of the room by 6:00. You see all the effort that goes  
5 to set this up, we have to take it all down and be out of  
6 here by 6:00 so you have to allow time to let us take it  
7 down.

8

9 CHAIRMAN TOWARAK: Can we do this in five  
10 or 10 minutes?

11

12 MR. PROBASCO: Yes.

13

14 (Laughter)

15

16 MR. ARDIZZONE: Mr. Chair. Staff can do  
17 it in that short of time. I don't know about the Board.

18

19 (Laughter)

20

21 CHAIRMAN TOWARAK: Okay. We will then  
22 proceed. I would like to start on a clean slate tomorrow  
23 and not have to come back to these. It would be, I  
24 think, more efficient if we could complete this list  
25 right here now and then with that I will ask the Staff  
26 for their analysis on WP12-70 and 73.

27

28 MR. FOX: All right, thank you, Mr.  
29 Chair. Trevor Fox with OSM. And I'll give the  
30 summarized version of the summary here.

31

32 The combined analysis for WP12-70 and 73  
33 begin on Page 749 in your book.

34

35 Proposal WP12-70 was submitted by the  
36 Upper Tanana Fortymile Fish and Game Committee and  
37 request dividing Unit 11 into two hunt areas, changing  
38 the harvest limits and dates for the fall moose season in  
39 Unit 12 remainder and creating a single joint  
40 Federal/State registration permit to administer the hunt  
41 along the Nabesna Road in Units 11 and 12 remainder.

42

43 Proposal WP12-73 was submitted by the  
44 Wrangell-St. Elias National Park Subsistence Resource  
45 Commission and requests changing the dates of the fall  
46 moose season in Unit 12 remainder and removing the spike-  
47 fork antler harvest restriction during August 14th  
48 through 23rd.

49

50 So there are two different sets of moose

1 season dates and harvest limits along the Nabesna Road in  
2 Units 11 and 12 and two permits/tags required for  
3 Federally-qualified subsistence users hunting under  
4 Federal regulations.

5  
6 Let's see the population appears healthy  
7 enough to allow for a few more bulls to be harvested.

8  
9 And let's see the OSM conclusion is to  
10 support Proposals WP12-70 and 73 with modification to  
11 divide Unit 11 into two hunt areas, change the dates of  
12 the fall moose season in Unit 12 remainder, establish a  
13 harvest limit of one antlered bull and create a single  
14 joint Federal/State registration permit to administer the  
15 hunt along the Nabesna Road in Units 11 and Unit 12  
16 remainder.

17  
18 Just to note, though, that joint  
19 Federal/State registration permit would be contingent on  
20 action by the Alaska Board of Game. And so if that  
21 doesn't happen it would then default to a Federal  
22 registration permit.

23  
24 The modified language can be found in the  
25 executive summary on Pages 747 and 748.

26  
27 And I'll leave it at that.

28  
29 Thank you, Mr. Chair.

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

33  
34 (No comments)

35  
36 CHAIRMAN TOWARAK: Not hearing any, then  
37 we will proceed to summary of public comments and public  
38 testimony.

39  
40 MR. JOHNSON: Thank you, Mr. Chair. Carl  
41 Johnson with OSM. We received comments from two separate  
42 parties regarding 70 and 73.

43  
44 First Wrangell-St. Elias National Park  
45 Subsistence Resource Commission indicated its support of  
46 Proposal WP12-70/73 as modified by the OSM Staff  
47 recommendation. The proposals will benefit subsistence  
48 users by reducing the number of permits that they need to  
49 obtain and by aligning the seasons and the harvest limits  
50 along the Nabesna Road.

1                   Secondly, we received written comments  
2 from AHTNA Incorporated regarding WP12-70.

3  
4                   "We adamantly oppose WP12-70 which would  
5 establish a joint State/Federal  
6 registration permit. Federal moose  
7 hunting seasons should be more liberal  
8 if there is not a conservation concern  
9 of the species. We do not support any  
10 joint State/Federal regulation hunts."

11  
12                   And regarding WP12-73.

13  
14                   "We support WP12-73, Unit 12 remainder.  
15 One antlered bull with hunting season  
16 date of August 25th through September  
17 25th with an amendment to have a Federal  
18 registration permit hunt only in Unit 12  
19 for moose. Deleting the multiple moose  
20 hunting seasons which were adopted from  
21 the State would make it easier for the  
22 public to understand Federal  
23 regulations. Additionally, a later  
24 moose hunting season would allow  
25 Federally-qualified subsistence users to  
26 take a moose when it is cooler during  
27 the moose hunting season. Meats would  
28 not spoil during the cooler months."

29  
30                   Thank you, Mr. Chair.

31  
32                   CHAIRMAN TOWARAK: Thank you.

33  
34                   MR. PROBASCO: Thank you, Mr. Chair. We  
35 do have a late submittal to do a public testimony, and  
36 that's Mr. Wilson Justin.

37  
38                   MR. JUSTIN: Thank you, Mr. Chairman.  
39 Members of the Board. I'm going to keep the comments  
40 brief on the proposal.

41  
42                   Cheesh'na isn't very happy with the joint  
43 Federal/State idea under 70. We question -- we think --  
44 we think number 1 that the issue really is all about  
45 advocating on behalf of subsistence users and  
46 practitioners and a lot of the State philosophy seems to  
47 be developing data sets and looking at allocation on the  
48 basis of numbers, which Cheesh'na really can't support in  
49 concept. So on 70 we're lukewarm.

50

1                   We do support 73. Cheesh'na thinks that  
2 the OSM has done a very good job on evaluation and has a  
3 really good suggestion in terms of 73. We like 73 in  
4 total.

5  
6                   I'm going to add a comment that was  
7 brought up many, many, many years ago and we continue --  
8 Cheesh'na continues to harp on the matter.

9  
10                   The idea of game management unit  
11 boundaries dissecting community harvest activities dating  
12 from Statehood Act has been a thorn in tribal  
13 government's side from the beginning. It's always been  
14 divisive and the issue is going to be even more divisive  
15 in the future. You're beginning to sense and see a  
16 little bit of the kind of divisiveness that's going to  
17 keep cropping up on the issue of game management unit  
18 boundaries. When the transfer from the State to the Feds  
19 happened following the court case in the late '80s, one  
20 of the comments we made then that there should be no game  
21 management unit boundaries inside of Federal reserve  
22 systems and we still stand by that statement today.

23  
24                   We know that this is not the time and the  
25 place to argue that issue but I do want to let this Board  
26 know that one of the main issues you're going to have to  
27 contend with in the future is the fact that game  
28 management unit boundaries run through all of the  
29 potential community harvest activities in our region.

30  
31                   With that I say thank you.

32  
33                   CHAIRMAN TOWARAK: Thank you. Are there  
34 any questions.

35  
36                   (No comments)

37  
38                   CHAIRMAN TOWARAK: And we appreciate you  
39 being brief, you understand our situation of needing to  
40 leave the building but we will address it, your concerns  
41 in future Board meetings.

42  
43                   MR. JUSTIN: Thank you.

44  
45                   CHAIRMAN TOWARAK: We will go quickly to  
46 the Regional Council recommendations.

47  
48                   Mr. Lohse.

49  
50                   MR. LOHSE: The Southcentral Subsistence

1 Regional Advisory Council supports WP12-70/73 with the  
2 modifications suggested by OSM.

3

4 The Council feels that these proposals  
5 will reduce confusion among hunters.

6

7 CHAIRMAN TOWARAK: Thank you. That was  
8 the Southcentral. We will go to the Eastern Interior,  
9 and, I think Sue is on the phone.

10

11 MS. ENTSMINGER: Yes, I am. Eastern  
12 Interior supports with modification suggested by OSM.

13

14 The Council feels this proposal will  
15 benefit subsistence users by providing a more generous  
16 season and reducing the number of permits and aligning  
17 the seasons on the Nabesna Road.

18

19 CHAIRMAN TOWARAK: Thank you, Sue. We  
20 will then move on to the Department of Fish and Game  
21 comments.

22

23 MS. ENTSMINGER: Thank you.

24

25 MS. YUHAS: Thank you, Mr. Chairman.  
26 Jennifer Yuhas, Alaska Department of Fish and Game.

27

28 The Department appreciates the  
29 modifications that were implemented at the RACs and  
30 through OSM here. We had a few conservation concerns and  
31 see that they've been addressed. And I think as we wrap  
32 up our non-consent proposals, that this is a very good  
33 example of Wooch.een, which is my favorite Tlingit word  
34 that Mr. Adams has given me permission to use, which  
35 means, working together, and we did that through a couple  
36 of the different RAC meetings.

37

38 Because this proposal is also before the  
39 Board of Game and they have not acted yet, the Department  
40 is bound to make the recommendation to defer the proposal  
41 until after the March Board of Game meeting, but our  
42 conservation concerns have been addressed through the  
43 modifications.

44

45 CHAIRMAN TOWARAK: Thank you.

46

47 MR. PROBASCO: Mr. Chair. Ms. Stickwan  
48 is raising her hand. I believe she wants to testify on  
49 this proposal.

50

1 MS. STICKWAN: I thought I put 71 and 72,  
2 I didn't do that.

3  
4 MR. PROBASCO: This is 70/73.

5  
6 MS. STICKWAN: Yeah, I thought I put that  
7 on there.

8  
9 CHAIRMAN TOWARAK: Go ahead.

10  
11 MS. STICKWAN: I just want to say that I  
12 support 71/73 with OSM's modification to extend the  
13 winter season only to February 28th and not March 31st,  
14 and to create a joint State/Federal registration for the  
15 fall season only.

16  
17 A longer moose season in Unit 12 will  
18 allow the Federally-qualified subsistence users an  
19 opportunity to harvest a moose. A joint State/Federal  
20 permit would give Federally-qualified users less  
21 cumbersome regulations to comply with by having to apply  
22 for a State and a Federal registration permit at the same  
23 time.

24  
25 And I'm just supporting what the C&T said  
26 they would support. There was clarification on that  
27 proposal at a later date so we changed our position.

28  
29 CHAIRMAN TOWARAK: Thank you. Are there  
30 any questions of Gloria.

31  
32 (No comments)

33  
34 CHAIRMAN TOWARAK: Thank you for your  
35 comments. We'll move on then to the InterAgency Staff  
36 Committee.

37  
38 MR. ARDIZZONE: Mr. Chair. Staff  
39 Committee comments are found on Page 762 and for the last  
40 time the standard comments.

41  
42 CHAIRMAN TOWARAK: Thank you. Board  
43 discussion with Council Chairs and the State liaison.

44  
45 (No comments)

46  
47 CHAIRMAN TOWARAK: Not seeing any or  
48 hearing any our floor is open for final action on 12-70  
49 and 73.

50

1 MS. MASICA: Mr. Chair.  
2  
3 CHAIRMAN TOWARAK: Yes, Sue.  
4  
5 MS. MASICA: I move that we adopt  
6 Proposal WP12-70 with the modifications proposed by the  
7 Southcentral and Eastern Interior RACs and after a second  
8 I'll speak to my motion.  
9  
10 MR. HASKETT: Second.  
11  
12 CHAIRMAN TOWARAK: You heard the motion  
13 and the second. Continue the discussion.  
14  
15 MS. MASICA: As proposed by the two RACs,  
16 the proposal changes the season dates and harvest limits  
17 as presented in the OSM conclusion on Page 760.  
18  
19 This proposal also, as modified, is  
20 consistent with the recommendations of, as I mentioned  
21 the two RACs but also the Wrangell-St. Elias National  
22 Park Subsistence Resource Commission.  
23  
24 Aligning the seasons and harvest limits  
25 in Units 11 and 12 remainder simplifies the regulations  
26 and provides greater opportunity for Federally-qualified  
27 subsistence users.  
28  
29 The use of a single joint Federal/State  
30 registration permit along the length of the Nabesna Road  
31 should improve harvest reporting and provide important  
32 information for managing moose in this popular road  
33 accessible hunting area.  
34  
35 And then if this amendment passes would  
36 propose no action on -- or this motion passes, no action  
37 on 12-73.  
38  
39 Thank you.  
40  
41 CHAIRMAN TOWARAK: Any discussion.  
42 Further discussion.  
43  
44 (No comments)  
45  
46 CHAIRMAN TOWARAK: Okay.  
47  
48 MS. PENDLETON: Call for the question.  
49  
50 CHAIRMAN TOWARAK: Question's been called

1 for. Roll call, please.  
2  
3 MR. PROBASCO: Thank you, Mr. Chairman.  
4 Final action on WP12-70.  
5  
6 Mr. Haskett.  
7  
8 MR. HASKETT: Yes.  
9  
10 MR. PROBASCO: Mr. Virden.  
11  
12 MR. VIRDEN: Yes.  
13  
14 MR. PROBASCO: Ms. Pendleton.  
15  
16 MS. PENDLETON: Yes.  
17  
18 MR. PROBASCO: Ms. Masica.  
19  
20 MS. MASICA: Yes.  
21  
22 MR. PROBASCO: Mr. Cribley.  
23  
24 MR. CRIBLEY: Yes.  
25  
26 MR. PROBASCO: Mr. Towarak.  
27  
28 CHAIRMAN TOWARAK: Yes.  
29  
30 MR. PROBASCO: Motion carries, 6/0.  
31  
32 CHAIRMAN TOWARAK: That concludes our  
33 non-consensus agenda proposals.  
34  
35 MR. PROBASCO: Mr. Chair. Just to keep  
36 the record clear then we would be taking no action on  
37 WP12-73.  
38  
39 CHAIRMAN TOWARAK: Are there any  
40 objections.  
41  
42 (No objections)  
43  
44 CHAIRMAN TOWARAK: Without hearing any  
45 objections it's so moved.  
46  
47 MR. L. WILDE: Mr. Chair. Mr. Chairman.  
48  
49 CHAIRMAN TOWARAK: Mr. Wilde.  
50

1                   MR. L. WILDE: I will not be able to  
2 attend the morning session or tomorrow's session because  
3 I will be leaving in the morning at 9:00.

4  
5                   MR. PROBASCO: Thank you, Lester. Board  
6 members, Mr. Chair. I would request that we have a start  
7 up time at 9:00 tomorrow morning. This will allow my  
8 Staff the opportunity to make sure everything's set up  
9 correctly and also gives ample opportunity to go through  
10 our security. So if we can start at 9:00 tomorrow morning  
11 that would be better for us.

12  
13                   MR. HASKETT: And it's at Fish and  
14 Wildlife.

15  
16                   MR. PROBASCO: And it's at U.S. Fish and  
17 Wildlife Service on the corner of Tudor and New Seward,  
18 so is 9:00 okay.

19  
20                   (Board nods affirmatively)

21  
22                   CHAIRMAN TOWARAK: 10:00 o'clock would  
23 have been even better.

24  
25                   (Laughter)

26  
27                   (Off record)

28  
29                   (PROCEEDINGS TO BE CONTINUED)

