

1 with changes in regulations, you know, Wayne Heimer did
2 quite a bit of work in the central Alaska Range and came
3 up with the idea that these young males were contributing
4 or participating in the rut prematurely with rams larger
5 than three-quarter-curl removed. And through his efforts
6 largely of getting the word out on that, you know,
7 ultimately the regulations were changed to full-curl
8 throughout most of the state. But that reason for that
9 really was to increase the number of full-curl trophies
10 out there. You know, his argument was that survival of
11 these intermediate age classes of rams was generally
12 pretty high, so that if you held off for a couple years
13 and you waited, excuse me -- instead of shooting them at
14 three-quarter-curl, if you waited until they became full-
15 curl, you would essentially be able to harvest about the
16 same number of sheep, but you would have full-curl
17 trophies instead of three-quarter-curl sheep being taken.
18 So, you know, that was the main impetus behind the change
19 in the regulations.

20

21 And throughout all those discussions I
22 don't remember any mention or any evidence to show that
23 there was any sort of change in productivity of sheep as
24 a result of that regulation change.

25

26 MR. EDWARDS: Thank you.

27

28 CHAIRMAN FLEAGLE: All right. Some of
29 the discussions there were leaning toward deliberations,
30 and I understand that they were mostly questions just to
31 get more information. We will have the folks still on
32 line for further questioning once we get into
33 deliberations if we need.

34

35 I would like to go ahead and move through
36 the rest of the comments and testimony. And up next is
37 the summary of written public comments. Vince.

38

39 MR. MATHEWS: Mr. Chairman. There were
40 no written comments submitted, but the Regional Council
41 meeting had extensive testimony when they met in Arctic
42 Village, and we have copies of the transcript that would
43 be available if the Board so desires.

44

45 CHAIRMAN FLEAGLE: Thank you. Next is
46 any public testimony. Pete.

47

48 MR. PROBASCO: Mr. Chair. We have no
49 people signed up for this agenda item.

50

1 CHAIRMAN FLEAGLE: Thank you. We now
2 turn to the Regional Council recommendation. Sue
3 Entsminger.

4
5 MS. ENTSMINGER: Yeah. Thank you, Mr.
6 Chair. My heart's just pounding right now.

7
8 I would like to have actually asked a few
9 questions during all of that, but I guess I'm going to
10 wait to deliberations, because I wanted to let you know
11 that I probably know a little bit about sheep myself
12 since I've been hunting sheep for 32 years, and I live in
13 the Sheep Mountains and I spend a great deal of time each
14 year photographing, observing and hunting. One of the
15 things I've done in the 80s for Fish and Game was a
16 volunteer at a natural sheep lick, and I feel like I
17 might be able to contribute into this conversation about
18 the biology, even though I'm not a biologist.

19
20 But I would like to just read into the
21 record the Eastern Interior position. And before I read
22 it, I want you to know that we went to Arctic Village as
23 you well know, and it -- this is a highly sensitive issue
24 I know, and we're trying to do the best, and I try to
25 represent the people there as best I can.

26
27 And the Council listened to, I think I
28 wrote this down from our transcripts, that there was six
29 people, and I know a year ago we also had probably as
30 many as eight people from Arctic Village testifying about
31 sheep hunting.

32
33 And the Council, as you well know, last
34 year they were concerned when this was asked to be opened
35 about just the data. They were really -- I remember one
36 of the ladies from Tok who's on the committee being
37 concerned he way the data was presented, it didn't appear
38 that -- it was like getting the cart ahead of the horse,
39 so to speak. We wanted to hear more about the biology
40 about it before we heard that it just had to be open.
41 And I hope that doesn't confuse you, but when you're on
42 the Council, you hear the information, and you listen to
43 it, and when you -- I understood things, but new people
44 coming in, they didn't understand from the data given, so
45 that it was like getting the cart ahead of the horse. We
46 didn't even -- we didn't have the surveys ahead of time
47 to say, hey, yes, you can open that. We understand that
48 there's a policy in ANILCA that it should be open.

49
50 So the Council in all of that decided to

1 defer, because the people of Arctic Village didn't want
2 to see it open. I don't think they truly understood
3 exactly our regulations. But at the same time, it was a
4 very important area to them, and so we voted to defer,
5 and I'm going to read this so I don't miss anything.

6
7 We recommended the Board defer this
8 proposal for one year to form a working group of
9 representatives from affective villages, hunting
10 interests and agencies to decide what an acceptable sheep
11 harvest or number of sheep hunters would be in this area
12 and then draft a proposal to the Board of Game at its
13 March '08 meeting. The proposal would contain the number
14 of non-Federally-qualified hunters to be allowed to hunt
15 sheep in the Red Sheep and Cane Creek area. The working
16 group time line will give the Federal Subsistence Board
17 time to monitor the progress of the working group, the
18 Alaska Board of Game proposals and the actions of the
19 Alaska Board of Game before the Federal Subsistence Board
20 meets in the spring of '08.

21
22 And the justification, the Council
23 received testimony from the people who requested the
24 closure. Testimony included the cultural importance of
25 the area because of the burial sites, allotments, and
26 being a traditional area where they hunt sheep. And they
27 would not be able to compete with other hunters if the
28 area was opened to other hunters. Testimony also
29 included the high cost of accessing the area and the
30 difficulty reaching the area other than by aircraft.

31
32 And I'm not going to continue this. I'm
33 just going to give you a quick synopsis.

34
35 It sounded like at that meeting the
36 people were very concerned about the volume of people
37 that come in, not just from hunting, I guess, and also
38 because of the Refuge. There's a lot of hikers and
39 everything. And so they're having a hard time sharing
40 their -- what they consider their hunting area with all
41 of these new people.

42
43 And so it would be -- and that was kind
44 of the compromise that was talked about at the Council
45 meeting, was to come up with something that might work
46 that the people would accept.

47
48 And if you have any more questions, I'll
49 be happy to answer them.

50

1 MS. GOTTLIEB: Mr. Chair.

2

3 CHAIRMAN FLEAGLE: Judy.

4

5 MS. GOTTLIEB: Thank you, Sue, for that
6 report. And I missed this year's meeting, but I remember
7 the previous meeting. And so at one point it didn't seem
8 like the community was that interested in a working group
9 or cooperative discussions, but it sounds like that did
10 shift at these -- at your most recent RAC meeting, so is
11 that -- am I hearing that correctly? And I do know Fish
12 and Wildlife has done a tremendous amount of work at the
13 community, too.

14

15 MS. ENTSMINGER: I believe it's a
16 reluctance, but if it's going to be opened, they'd like
17 to have some hand in things. And I think the -- what's
18 missing I believe in these RACs in these communities, is
19 it might be a lot of interaction that's done -- this one
20 particularly has been done through the Service up there,
21 and it just needs to be the people feel like they're
22 being cooperated with. And I specifically asked several
23 of the people testifying about, you know, we have to go
24 by these laws, are you guys willing to talk to us about
25 it, and they have a -- the leader's -- she was reluctant
26 to say that on the record, but as I pushed her, she
27 finally said that they would talk to their people, and,
28 yes, they would consider doing that.

29

30 MR. EDWARDS: Sue, you know, given to
31 what you said, I think we all recognize for the folks up
32 there, this is a very sensitive issue, and we certainly
33 heard that when we did open this area. But it seems that
34 given that a lot of the concerns that we heard, and it
35 seemed that you heard, seemed to have less to do with the
36 actual harvest of the sheep, but more the increase of
37 presence of folks up there, the trespassing that occurs,
38 the litter, and all the things that can occur when you
39 have people come into a land that's not their home, so to
40 speak. And if that is sort of the heart of it, what
41 would you kind of visualize might come out of this
42 working group to kind of address those kinds of problems?
43 And are those really addressable given that, you know,
44 the lack of jurisdiction on -- you know, certainly
45 trespassing is a serious issue and needs to be addressed,
46 but, you know, it's not within the purview of this Board,
47 for example, you know, to address those kind of issues.

48

49 MS. ENTSMINGER: I will say it's hard for
50 me to speak for them, but I'll do the best I can. I

1 believe that once you -- if you want to work with people,
2 and you reach out to them like the Fish and Wildlife
3 Service is doing now, then you start to gain respect from
4 the people, and I think gaining respect, they're more
5 likely to -- and then to understand. A lot of times the
6 people don't really understand these regulations.
7 They're doing the best they can, but they don't really
8 understand them. And this outreach to me is important.
9 And you might even have them on your side when you're
10 finished.

11
12 CHAIRMAN FLEAGLE: Any other questions,
13 Board members, for the RAC's presentation.

14
15 (No comments)

16
17 CHAIRMAN FLEAGLE: Vince, did you have
18 something to add?

19
20 MR. MATHEWS: Yes, Mr. Chairman. The
21 representative for North Slope's not here, and would like
22 to get that on the record what the North Slope Regional
23 Council did, if that's okay.

24
25 CHAIRMAN FLEAGLE: You bet. Thanks.

26
27 MR. MATHEWS: Okay. Mr. Chair. The
28 North Slope opposes Proposal 56. Their justification is
29 they said there was no evidence that this action would
30 not impact the villages. For each village the resource
31 needs to be assessed to insure subsistence users' needs
32 are being met. The population is so small, it would not
33 support harvest by commercial and sport hunters. So
34 North Slope opposes this proposal.

35
36 CHAIRMAN FLEAGLE: Thank you, Vince.
37 Alaska Department of Fish and Game comments.

38
39 MR. REAKOFF: Mr. Chairman.

40
41 CHAIRMAN FLEAGLE: Terry Haynes.

42
43 MR. REAKOFF: Mr. Chairman.

44
45 CHAIRMAN FLEAGLE: Jack Reakoff. Excuse
46 me, Terry, I'll back up here. Jack, please.

47
48 MR. REAKOFF: I live in the Brooks Range,
49 have hunted in the Brooks Range since I was seven years
50 old, and also, like Sue, have observed sheep. And Mr.

1 Heimer's data comes from the Alaska Range where there's a
2 more uniform horn growth of those populations there. The
3 Brooks Range and especially the south slope of the Brooks
4 Range is impacted by deep snow falls and the body size of
5 sheep on the south slope of the Brooks Range are larger
6 than the north slope populations. There's usually
7 typically two or three horn styles in each block of
8 hills, which is vastly different than Heimer's data
9 reflects. The faster growing sheep in the population are
10 killed first, and the slower -- there's usually a sub-
11 dominant horn style that's killed last.

12
13 The problem with full extirpation of
14 full-curl sheep is you kill all of the best genetics out
15 of the population first, and you retain the poorer
16 genetics over time.

17
18 I've observed sheep when they're evading
19 wolves, and large rams, they do two things. They have
20 range knowledge, and they also lead in those breeding
21 aggregates when there's deep snow. They stay with the
22 ewes or most of the winter. When the wolves show up, the
23 big rams start bailing out of there, and they're breaking
24 trail for all the young rams and all the ewes, so they
25 help evade predators also, to meet escape terrain.

26
27 And so those factors have to be
28 deliberated by this Board. If this population is going
29 to be highly targeted, and full extirpation ensues, there
30 will be a degradation of the genetic stocks.

31
32 This issue came before the '02 Game Board
33 and was not received, but there's been no genetic
34 understanding of the Brooks Range populations, and so
35 large body size is integral to maintaining those
36 populations. And I wanted to have those inputs.

37
38 Thank you.

39
40 CHAIRMAN FLEAGLE: We appreciate that,
41 Jack. George.

42
43 MR. OVIATT: I'm sorry. I have a
44 question. I was wondering what -- before the closure
45 happened, what the history of hunting in this area was.
46 Does anybody have that information? It might give us an
47 idea of what it might be in the future.

48
49 CHAIRMAN FLEAGLE: Let me just move
50 through the -- can you hang onto that question until we

1 get down to the Board discussion? We're still moving
2 through the testimony portion. And I'd like to get
3 through that. But that's a good question to ask when we
4 start getting into the discussion.

5

6 And I'm going to turn it over to Terry
7 Haynes for the Department of Fish and Game comments.
8 Terry.

9

10 MR. HAYNES: Thank you, Mr. Chairman. On
11 line for the Department, Beth Leonard is the new area
12 biologist for the area that includes the Arctic Village
13 Sheep Management Area. She replaced Bob Stephenson who
14 has been the area biologist there for a number of years.
15 They're both available to answer questions. And Bob can
16 probably provide some historical information on sheep
17 hunting in that area when we get to that point in your
18 deliberations.

19

20 I'm going to summarize our more detailed
21 written comments. The Department supports this proposal
22 consistent with the reasons expressed in the
23 justification on Page 537 of the Staff analysis, and with
24 the information that was posted on your screen earlier
25 during the presentation. Retaining the existing closure
26 of the Red Sheep and Cane Creek drainages to non-
27 Federally-qualified hunters is not necessary for any of
28 the following reasons authorized by ANILCA: for the
29 conservation of sheep, to provide subsistence
30 opportunities for Federally-qualified rural residents on
31 Federal land, for public safety, administration, or
32 pursuant to other applicable law. Without justification
33 to retain the closure of this area to non-Federally-
34 qualified hunters, there is no reason to maintain the
35 closure.

36

37 The Department is sensitive to concerns
38 regarding possible trespass and transporter problems that
39 were raised by local Arctic Village residents during
40 public testimony at the Federal Board meeting last year.
41 To address those concerns, the Department worked very
42 closely with Fish and Wildlife Service Staff and in
43 consultation with Arctic Village representatives to
44 produce a map and brochure that served as a land status
45 map and reminds transporters and hunters to be respectful
46 of private property and the natural resources. This
47 brochure helped to ensure a successful, albeit temporary
48 hunt in 2006 that to the best of our knowledge resulted
49 in no trespass situations or other conflicts with Arctic
50 Village residents.

1 Assuming these area is reopened to
2 hunting, and this closure is lifted, the Department fully
3 intends to again consult with the Fish and Wildlife
4 Service and with local representatives and Arctic Village
5 to refine or update the brochure as needed prior to the
6 next hunting season.

7

8 And we will be happy to try to answer
9 questions if you have any, Mr. Chairman.

10

11 Thank you

12

13 CHAIRMAN FLEAGLE: Questions. Excuse me.

14

15 (No comments)

16

17 CHAIRMAN FLEAGLE: Terry, I have a
18 question. Just reading the proposed language there,
19 we're only dealing with the Arctic Village Sheep
20 Management Area, so if the Federal regulation were to
21 remove the Red Sheep Creek and Cane Creek portions of
22 that from the closed area, where would that move to the
23 State regulation? Which one of those -- we have two
24 options there, Unit 25A east of the middle fork or -- can
25 you just tell me where -- what portion of the State regs
26 would apply if this were -- if this area were removed?

27

28 MR. HAYNES: Mr. Chairman. You're
29 looking at the State regulations and wondering which
30 piece of the State regulations would be affected by this?

31

32 MS. GOTTLIEB: Mr. Chair.

33

34 CHAIRMAN FLEAGLE: Judy.

35

36 MS. GOTTLIEB: Maybe I can help, because
37 I was just having the same question myself. The way I
38 understand it now, if you look to the right at those --
39 at the dates, we're just talking about the -- excuse me,
40 let me start again. Right now on our books is the
41 regulation where the drainages are closed to non-
42 Federally-qualified users. If by adding that language in
43 bold, that opens that particular area to State hunting
44 during those particular times. And then if you drop down
45 to just the Unit 25A description just below on Page 532,
46 that's what would be applicable from August 10th to
47 September 20th, the one full-curl ram.

48

49 CHAIRMAN FLEAGLE: I read that, but I
50 don't see where the -- the middle fork of the Chandalar.

1 So basically it would read 25A, east of the middle fork
2 Chandalar, residents, one ram with full-curl or larger
3 harvest; or three sheep available by permit. Both hunts
4 would apply?

5
6 MR. HAYNES: Mr. Chairman. Only the fall
7 season was opened under the temporary special action last
8 year. And I guess it's a question of which proposal is
9 actually on the table at this point. We've got
10 recommendations to defer and so that's one issue you'll
11 need to address in your deliberations what type of a
12 season we're looking for. But the special action request
13 last year lifted the closure in the Red Sheep and Cane
14 Creek drainages only for the fall season, early fall
15 season.

16
17 CHAIRMAN FLEAGLE: Okay. Thanks, Terry.
18 That was a piece of information I didn't absorb during
19 the presentation. I obviously wasn't here when that
20 action was taken, so that clarifies it. Thank you.

21
22 Other questions for the State. Yeah,
23 Mike Quinn, go ahead.

24
25 MR. QUINN: Okay. Mike Quinn, Seward
26 Peninsula RAC.

27
28 I'm just curious, of the seven sheep that
29 were harvested, exactly which of those two drainages did
30 they come from, and the information here shows some sort
31 of landing strip in Red Sheep Creek. So I'm curious as
32 to what -- how access is in the rest of the area. I see
33 from the scale on the one map here, both drainages look
34 like they're about 20 miles long. Does that one airstrip
35 allow really good access to the whole rest of the area,
36 or is access limiting most of the hunting to around that
37 airstrip. Maybe either Refuge or State Staff on line
38 could comment on that.

39
40 CHAIRMAN FLEAGLE: Terry.

41
42 MR. HAYNES: Mr. Chairman. Maybe I could
43 ask Bob Stephenson and Beth Leonard to see if they could
44 respond to that question.

45
46 MR. STEPHENSON: Mr. Chairman, this is
47 Bob Stephenson.

48
49 I think on the map that we developed and
50 included in our brochure last fall, we show there are a

1 couple other airstrips aside from the larger one near the
2 mouth of Red Sheep Creek. And they're Super Cub
3 airstrips. There are not many of them, but there were a
4 couple others in addition to that main airstrip. And
5 sheep hunters are often willing to walk quite a ways, but
6 I would imagine the hunting is a little big concentrated
7 near those airstrips, and maybe some of the really higher
8 country toward the Continental Divide, the farthest from
9 the east fork, might get a little bit less hunting than
10 lower down. But those drainages aren't that big. But we
11 don't know exactly, but there are a couple additional
12 access points.

13

14 MR. QUINN: And of the seven harvested
15 sheep, you know, were they all in one drainage, were they
16 divided between the two?

17

18 MR. STEPHENSON: Mr. Chairman. I think
19 Beth Leonard here has the harvest data, and we'll check
20 here real quick, see what we can tell.

21

22 MS. ENTSMINGER: Mr. Chair. While he's
23 checking, is this the time.....

24

25 MS. LEONARD: This is Beth Leonard. And
26 most of the harvest was -- it just says Red Sheep Creek.
27 Most of it occurred in Red Sheep Creek.

28

29 CHAIRMAN FLEAGLE: Thanks, Beth. Sue,
30 did you have.....

31

32 MS. ENTSMINGER: Yeah. Is this the time
33 to ask all these questions for us Council members, or
34 should we wait until deliberation, because I've been
35 holding back.

36

37 CHAIRMAN FLEAGLE: I'm confused, too. I
38 thought we would do all of this under Board discussion
39 with Council Chairs and State liaison. But I have the
40 State up here with their discussion, and I opened it up
41 to Board members for questions, and I got a RAC member.
42 So I recognized him out of deference.

43

44 MS. ENTSMINGER: Am I recognized or not?

45

46 CHAIRMAN FLEAGLE: Do you want to ask the
47 State a question?

48

49 MS. ENTSMINGER: I would love to, but I
50 just don't think it's appropriate right now, because it's

1 going to be -- come all up in deliberation. So it's up
2 to you, Mr. Chair.

3
4 CHAIRMAN FLEAGLE: They're on the table
5 to answer questions right now, if you want to go ahead
6 and ask it.

7
8 MS. ENTSMINGER: Okay. I have the two
9 State biologists on line, and I would like to ask, of 188
10 sheep observed, was the State involved in that survey at
11 all?

12
13 MR. STEPHENSON: Ma'am, no, we were not.

14
15 MS. ENTSMINGER: And then another
16 question. Knowing what I do of sheep, when I hear this
17 figure of 18 mature rams, is there someone in the State
18 or these biologists can tell me that -- I mean, we can't
19 hang our hat on 18. It could be more based on the survey
20 results. I mean, when you're flying surveys, you're not
21 seeing every sheep out there. Again, I'm asking this to
22 the -- all the biologists, either the people that did the
23 survey or the State.

24
25 MS. WERTZ: Ma'am, this is Tara Wertz
26 from the Refuge. If I understood your question right,
27 you're asking if we saw all the rams, if that 18 was a
28 solid number or not. Is that correct?

29
30 MS. ENTSMINGER: No, that's not what I'm
31 asking. I'm asking you if you recognize that you don't
32 see every sheep when you're flying?

33
34 MS. WERTZ: Yes, ma'am, I've already
35 stated that we know this is a minimum count, that we are
36 100 percent sure that we did not count all of the sheep.

37
38 MS. ENTSMINGER: So your 18 sheep that
39 you're saying mature rams, are you calling them full-curl
40 or not? All full-curl?

41
42 MS. WERTZ: No, we decided to be on the
43 safe side and just put the three-quarter-curly or larger
44 in one group, because it is extremely difficult to count
45 sheep, or to identify full-curl and three-quarter-curl
46 from a Super Cub aircraft.

47
48 MS. ENTSMINGER: Yeah, I understand that.
49 It's hard to see which is a male and a female sometimes
50 of young sheep when you're on the ground.

1 And I guess what -- does -- do you have,
2 and I know Wayne had this, but I don't know exactly what
3 the data shows, but of 188 sheep counted, I think there
4 would normally be more than 18 available. What I'm
5 trying to get at is hanging your hat on that 18 are
6 mature might be a little restrictive.

7

8 MR. W. ADAMS: Wayne Adams. Maybe I can
9 step in here and provide some perspective.

10

11 One of the major objectives of the work
12 we did in Northwestern Alaska was to actually evaluate
13 aerial survey techniques, and we did it over a marked
14 population of sheep. And out there under relatively
15 similar survey conditions using Super Cubs, we figured
16 over the course of this three-year project that we saw
17 about 88 percent of the sheep in our study area based on,
18 you know, the marked animals that were within the units
19 we were counting.

20

21 Now, a key thing about that is that the
22 sheep that we missed, it's largely dependent on group
23 size, and just to give you an example, for groups that
24 were 10 sheep, we had about a 90 percent probability of
25 picking those groups up, and anything larger than that,
26 you know, the probability of seeing those groups got
27 bigger. For small groups, a group of one lone sheep, we
28 had about 60 percent chance of seeing those. So I think
29 there's certainly some potential that -- well, you know,
30 there definitely were sheep missed in the course of this
31 survey. I would hang my hat on that. And the
32 preponderance of those would be sheep that were in
33 relatively small groups, ones, twos and threes, which are
34 -- which tend to be, you know, large rams.

35

36 CHAIRMAN FLEAGLE: Other questions to the
37 State's testimony.

38

39 (No comments)

40

41 CHAIRMAN FLEAGLE: All right. Hearing
42 none, InterAgency Staff Committee comments.

43

44 MR. BUKLIS: Mr. Chairman. The
45 InterAgency Staff Committee comments can be found on Page
46 538, and as we noted yesterday, there was an error in
47 book production, and the last two paragraphs were
48 omitted, and so we have a supplemental sheet in your
49 folders, and more at the back table for the public. And
50 that includes the final two paragraphs. We have a page

1 538a and b for the record. I'll highlight the main
2 points.

3

4 The Staff Committee found that the
5 Eastern Interior Council recommendation to defer the
6 proposal and establish a working group to develop harvest
7 recommendations may not be consistent with provisions in
8 Section .815(3) of ANILCA in that a deferral of the
9 proposal would continue the pre-2006 restriction on non-
10 subsistence taking of sheep in the drainages of Red Sheep
11 Creek and Cane Creek without substantial evidence that
12 such restriction is necessary for the conservation of a
13 healthy sheep population or to continue subsistence uses
14 of sheep in the area.

15

16 The Staff Committee reviewed the special
17 action WSA06-03 from 2006 in which the Board determined
18 that a closure of these drainages to non-subsistence
19 sheep hunting was no longer necessary for conservation or
20 subsistence use reasons. The Board's review of available
21 biological and subsistence use information in 2006 and
22 the Staff analysis for this proposal, WP07-56, indicate
23 that the sheep population in these drainages is healthy,
24 albeit at a low density, and is capable of supporting
25 harvest of rams under current Federal and State
26 regulations for the fall season.

27

28 Additionally, little reported subsistence
29 harvest has occurred over the past 11 years while the
30 closure to non-subsistence hunting was in effect.
31 Subsistence hunters have the benefit of a long season,
32 August 10th to April 30th, and a more liberal ram harvest
33 limit than is provided under the State's non-subsistence
34 regulations.

35

36 No new information has been presented in
37 the Staff analysis or in testimony to substantiate an
38 alleged adverse effects of non-subsistence hunting on the
39 sheep population or on subsistence hunting opportunity.

40

41 The Staff Committee reviewed the
42 biological and 2006 harvest information presented in the
43 analysis and considered whether the reported harvest of
44 rams combined with possible unreported harvest and
45 natural mortality constitutes a sufficient conservation
46 concern to warrant continuation of the closure to non-
47 subsistence hunting. The written comments go on into
48 some detail about these biological considerations, and
49 concludes, based on the available information, the 2006
50 harvest of rams from the two drainages does not threaten

1 the health of the sheep population.

2

3 And then the paragraphs that were omitted
4 from the bound book.

5

6 The Regional Council heard testimony from
7 Arctic Village residents requesting that the closure of
8 Red Sheep Creek and Cane Creek to non-subsistence hunters
9 remain in effect. This testimony reiterated the concerns
10 previously voiced by village representatives at Federal
11 Subsistence Board meetings in 1995 when these drainages
12 were first closed to non-subsistence hunting, and in 2006
13 when the Board determined that a continuation of the
14 closure for the fall season in 2006 was not necessary to
15 continue subsistence use.

16

17 Although the Council's recommendation to
18 establish a working group to develop harvest
19 recommendations could help improved information exchange
20 and dialogue among affected interests, Arctic Village
21 residents who testified at the Council meeting were
22 strongly opposed to any relaxation of the closure to non-
23 subsistence hunting, and it was not clear from the
24 testimony that they would support or participate in such
25 a working group.

26

27 For the fall non-subsistence hunt in
28 2006, the State and Federal agencies prepared
29 informational material for prospective hunters and
30 transporters to make them aware of villagers' concerns
31 regarding trespass and littering. The Arctic Refuge
32 Staff and State managers are sensitive to these and other
33 concerns of Arctic Village residents. If the proposal is
34 adopted, the agencies will continue to monitor the sheep
35 population and hunting effort in the area and provide
36 informational outreach to the public.

37

38 Mr. Chairman. That concludes my synopsis
39 of the Staff Committee comments.

40

41 CHAIRMAN FLEAGLE: Questions, Board
42 members.

43

44 (No comments)

45

46 CHAIRMAN FLEAGLE: All right. Excuse me.
47 Under discussion. Just a question, Keith, for you. I
48 was just looking through the regulations 100.19 that
49 speak about special action requests and looking for time
50 lines, and I found a couple of different references, and

1 emergency action shall be effective, but may not exceed
2 60 days, and then a temporary action shall be confined to
3 the minimum of time period or harvest limit determined by
4 the Board, will not extend beyond the regulatory year.

5
6 Is that the one we're operating under?
7 So if we don't do anything here, that special action that
8 was taken by the Board disappears, correct?

9
10 MR. GOLTZ: I believe that's correct.

11
12 CHAIRMAN FLEAGLE: And that was the point
13 made by the InterAgency Staff Committee, that if we
14 simply defer this proposal, we go back to square one,
15 which is closed to all non-Federally-qualified users.

16
17 MR. GOLTZ: That's correct.

18
19 CHAIRMAN FLEAGLE: All right. So that
20 question is clear.

21
22 MR. GOLTZ: Yes, that's correct.

23
24 CHAIRMAN FLEAGLE: Okay. That's all I
25 needed to get clarified.

26
27 Discussion among Board members. Gary.

28
29 MR. EDWARDS: Mr. Chairman, and it might
30 help a little bit, because, you know, we have spoke
31 several times again about the concern of Arctic Village.
32 Maybe Richard Voss could share a little bit with the
33 Board some of the things that they did last year and what
34 they might be planning to do this year assuming that if
35 this -- if we continue the hunt to try to address some of
36 the concerns of the folks up there.

37
38 Richard, could you do that for us,
39 please?

40
41 MR. VOSS: Well, basically we worked in
42 cooperation with the State on putting together news
43 releases and flyers and maps and distributing them to the
44 hunting public, and also to the people in the villages,
45 also to air taxi operators, and just hunters in general.
46 I also talked with one commercial guide that has some of
47 the Red Sheep Creek area in his area. So we outreached
48 the program basically, what was going on.

49
50 MR. EDWARDS: What about -- assuming that

1 this -- if this hunt continues, the same type of actions
2 for this year, or would you look at some other options,
3 or what?

4
5 MR. VOSS: Well, certainly the commercial
6 guide in the area says that he didn't plan on conducting
7 commercial operations in the area until he worked with
8 the village and agreeing with what -- on how to conduct
9 his business in the area.

10
11 MR. EDWARDS: So most of the out -- so if
12 I'm correct.....

13
14 MR. VOSS: With the village, where we go
15 over the reports and the surveys that we conduct and
16 possible public use and biological surveys. We're
17 planning on continuing the biological surveys over the
18 next couple years in the Red Sheep Creek area, and we're
19 conducting another public use monitoring effort in Red
20 Sheep Creek again this fall.

21
22 As we would respond that we've conducted,
23 let's see, I believe it was six law enforcement patrols
24 in the area last year. We have that same effort outlined
25 this year also. So it's a combination of outreach, law
26 enforcement, communication with the people in the
27 villages and the general hunters, and working with the
28 State to document what's going on and how it changes.

29
30 I do -- I would think there would be more
31 hunters in the next season versus what happened last year
32 since it was a small announcement and the period between
33 the announcement and the hunting was small. I would
34 think based on the phone calls that we receive, there
35 would be more interest in the area, whether they go out
36 or not.

37
38 CHAIRMAN FLEAGLE: Is that good, Gary?

39
40 MR. EDWARDS: Yes, sir.

41
42 CHAIRMAN FLEAGLE: Wini.

43
44 MS. KESSLER: I'd like to take a question
45 I addressed to the sheep experts on the phone and now
46 address it to the sheep experts in the room, Jack and
47 Sue. What do you think about the results of the 2006
48 hunt following the special action, and if that pattern
49 were to not only remain the same, but actually it may
50 increase with more word out about the hunt, and more

1 interest in that type of thing. I'd like to ask your
2 opinions on that. Do you have concerns?

3

4

CHAIRMAN FLEAGLE: Sue.

5

6

MS. ENTSMINGER: Yeah, thank you, Mr.
7 Chair. One of the first things I have thought about is
8 the information provided here that there was two non-
9 residents and they was not guided by the guide that has
10 the area. So how were they guided? I can't understand
11 why we don't have that information. The State should
12 have that, because that would be -- if they did not hunt
13 with a guide and there was two non-resi -- they would
14 have had to have hunted with a second degree of kindred,
15 otherwise they weren't hunting properly. It was illegal.

16

17

Yeah, I imagine that -- it's my
18 understanding that the guide in the area, from what
19 Richard had told us here, he is reluctant to hunt there,
20 because he's working with the village. This is what I
21 was told. He's working with the village. He's only
22 going to hunt there when the village would agree to this.
23 So that is a good thing.

24

25

But I would have to ask the State to
26 answer your question. Was that a registration hunt or
27 was it not?

28

29

CHAIRMAN FLEAGLE: Terry Haynes.

30

31

MS. ENTSMINGER: Because that was opened,
32 you know, as an emergency, so -- or whatever we did,
33 whatever you call it. So you would have had the old
34 regulations, right?

35

36

MR. HAYNES: Through the Chair. Sue, no,
37 it was not a registration hunt, but the State regulations
38 specify that there may be Federal restrictions that apply
39 to these hunts. And typically in these cases we try to
40 ensure that people come into the office to get
41 information and harvest tickets and other paperwork for
42 hunts, are well-informed about the circumstances for the
43 hunt. But they did not have to obtain registration
44 permits for this hunt.

45

46

MS. ENTSMINGER: I guess the only concern
47 I would have is if you are a resident of Alaska and you
48 just pick up the book and you start reading regulations,
49 and you don't even know what has transpired here, you
50 would say, oh, there's a sheep season here, I'm going

1 hunting there. So without a registration hunt, and what
2 they've done here seems rather highly expensive, but they
3 could do more, which is not our jurisdiction, it's State
4 jurisdiction, to have a registration hunt, and then maybe
5 have a clearer handle what's going on up there.

6

7 Does that help? I could probably say
8 more.

9

10 MS. KESSLER: Yeah, that helps, thanks.

11

12 CHAIRMAN FLEAGLE: Jack.

13

14 MR. REAKOFF: Through the Chair. I don't
15 consider three-quarter-curl rams as adult rams. Those
16 sheep would be probably around the age class of four to
17 five years old. Adult rams are eight years old. And so
18 the full-curl sheep that were harvested in that -- almost
19 twice the age of some of those sheep that were counted as
20 in larger rams. Even though they may not have had the
21 sightability, they did have experienced crew, and so they
22 -- and the Chandalar surveys, and some of those surveys
23 in the Brooks Range, they've been having fairly good
24 success on sighting most of the sheep. And it depends on
25 the conditions they have.

26

27 I would just proceed with caution. This
28 has focused a spotlight on this area. The Red Sheep is a
29 good landing area, and a lot of people know about it.
30 That's why it became such an issue with the people there
31 at Arctic Village, and so I would proceed with caution on
32 monitoring that harvest.

33

34 And I don't consider harvesting for
35 subsistence sub-legal sheep incidental to where people
36 find them as being nearly as detrimental to the genetic
37 stocks than if the ram -- it's like wolves, they harvest,
38 they eat animals randomly. You can do genetics, I've got
39 a study laying in front of me here that I carry in my
40 brief on how they've -- on the full extirpation in an
41 area in Canada where they reduced the sheep size by
42 almost one-third, 20 to 30 percent in horn length and
43 body size under full extirpation, so I would be -- if you
44 want to maintain natural populations or healthy
45 populations of sheep, I would proceed with caution with
46 this highlighted area. And that would be my comment.

47

48 Thank you.

49

50 CHAIRMAN FLEAGLE: Time for a break, 10

1 minutes.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN FLEAGLE: All right. We're back
8 on record. I just want to -- before we resume discussion
9 and potential deliberation on the issue, I just want to
10 raise up to the Board that of the proposals before us, as
11 of noon the Board accomplished, took action on 11 leaving
12 us with 19. So basically at our half-way point, we were
13 a third done. And now we're spending most of our
14 afternoon on one proposal. I'd just remind the Board
15 that in addition to this proposal and the other 18 we
16 have to deal with, we have an RFR and we have until
17 tomorrow. So I'd like to just see if we can maybe
18 summarize our comments or get to our points a little
19 quicker. A lot of the data that's being discussed is
20 already in the record in written form. I do anticipate
21 that we'll probably have to come back after the dinner
22 break and work for a couple of hours just to kind of get
23 caught up to ensure that we're finished by tomorrow.

24

25 And with that, Pete, do you have a
26 comment?

27

28 MR. PROBASCO: Yeah, Mr. Chair. Just
29 maybe you want to add a little incentive, too, that we do
30 have this room all day and all night if we need to meet.
31 So please keep that in mind.

32

33 Mr. Chair.

34

35 CHAIRMAN FLEAGLE: Will they bring
36 breakfast in?

37

38 MR. PROBASCO: I'll have to ask Gary on
39 that one.

40

41 CHAIRMAN FLEAGLE: With that, let's go
42 ahead and resume. We're still under the Board discussion
43 portion. Gary.

44

45 MR. EDWARDS: Mr. Chairman. And I won't
46 try to drag this on, but Tara, I did have one question,
47 maybe we needed to clarify. In response to the question
48 about the survey, I think you had indicated that you
49 included three-quarter-curl rams in the survey, but in
50 reviewing the report from the survey, it says that we

1 chose to use a more conservative method in which rams
2 were classified as mature or other, and we acknowledge
3 that mature rams included those with full-curl horns as
4 well as large bodied rams having horns with massive bases
5 and horns tipped pointed upwards, but less than full-
6 curl. With the horn tips pointed upward, wouldn't that
7 imply something more than a three-quarter, closer to
8 seven-eighths, and not really picking up a lot of three-
9 quarter inch rams?

10

11 MS. WERTZ: Well, we weren't really sure
12 how to explain it in our report, but be assured that
13 those are three-quarter-curl and full-curl rams. And you
14 could assume from most other sheep populations even the
15 composition we've done on the refuge in other areas, like
16 the Hulahula, the majority of those would be three-
17 quarter-curl rams, not full-curl rams.

18

19 CHAIRMAN FLEAGLE: Other discussion.

20

21 MS. KESSLER: Mr. Chair

22

23 CHAIRMAN FLEAGLE: Wini.

24

25 MS. KESSLER: I suppose one of the things
26 that really influences me here is the stated objective
27 for management as on Page 532. The current ADF&G
28 management objectives for Unit 25A sheep population are
29 to manage for full-curl or larger horned rams and for
30 population growth. And that I think is the crux of my
31 concern here about whether what we've seen so far on this
32 trial basis would allow us to do that, manage for
33 population growth.

34

35 So maybe I'll address a question to the
36 State. Assuming the closure were removed or perhaps what
37 I think in the best world deferred so that some kind of a
38 working group might be able to act on it, how would the
39 State go about managing the level of the hunt? Some sort
40 of a quota, limited entry? I mean, what are the
41 possibilities there? What is the State thinking about
42 that?

43

44 CHAIRMAN FLEAGLE: Beth, can you answer
45 that?

46

47 MS. LEONARD: Yes. This is Beth Leonard.
48 As of right now, if we manage it at full-curl, which
49 would be the regulation, then there isn't a biological
50 concern. And then from there it would go if there are

1 different groups of people to propose, if they wanted
2 like a drawing hunt or something like that, then it would
3 go to our Board of Game and that becomes an allocation
4 issue, and then that is up to the Board of Game under
5 that circumstance.

6
7 So initially it would be the fall season,
8 August 10th through September 20th for full-curl rams.

9
10 MR. EDWARDS: And, Beth, this is.....

11
12 MR. STEPHENSON: And if I could add
13 something. This is Bob Stephenson.

14
15 Just for a perspective, we have this, the
16 full-curl season throughout the eastern Brooks Range and
17 much of the rest of Alaska, and we don't have, you know,
18 any need or see any great need to try to limit harvest
19 beyond that unless we want to do something like we do in
20 the Tok Management Area, which is manage for even larger
21 trophy sheep. And there we do limit participation. And
22 that could be done here, but from the standpoint of, you
23 know, just minimizing effects on population dynamics, a
24 full-curl season is already a conservative tool

25
26 In much of the eastern Brook Range we
27 find -- you know, and if we look around the state, when
28 we do these sheep surveys during the summer, we'll find
29 two to four percent of the population is comprised of
30 legal rams. In this case, when the Service did the
31 survey last summer, it was a little bit higher than that,
32 which I think we could expect based on the fact that it
33 wasn't hunted for several years. So the hunting is
34 limited to affecting that small percentage of the
35 population.

36
37 You know, Mr. Reakoff has some concerns
38 about genetics, that we can sure try to figure out and
39 address, but it's kind of a self-limiting situation with
40 the full-curl limit for male sheep only.

41
42 MS. KESSLER: Follow up with a question?

43
44 CHAIRMAN FLEAGLE: Sure. Go ahead, Wini.

45
46 MS. KESSLER: So are there other units
47 where roughly 50 percent of the large, mature rams are
48 hunted on a yearly basis or taken?

49
50 MR. STEPHENSON: Did you say where six

1 percent?

2

3 MS. KESSLER: Roughly 50 percent.

4

5 MR. STEPHENSON: Oh, 50 percent. I would
6 imagine so. I don't think that's high. It's just that
7 the proportion of the population that was older rams in
8 this case was higher than we normally see, and I suspect
9 that was because it was closed for several years to -- at
10 least to general hunting, full-curl hunting. But there
11 are places, for example, in western 25A in the upper
12 Chandalar area where there's a nice sheep population.
13 It's mostly State and BLM and private land. The guiding
14 activity is very heavy, because it isn't regulated, and
15 it's not something we're happy with, but that's part of
16 the -- what happened when the State Guide Board was
17 dismantled years ago. Now they're trying to put it back
18 together.

19

20 But even there we see like three and half
21 percent full-curl rams in our summer surveys, and it's a
22 very heavily hunted area. I think the harvest there is
23 about -- I think it's about 30 rams a years, 35, and we
24 still the next summer we'll find 40 to 50 rams, something
25 like that. So they -- even though, you know, the
26 hunting's heavy, they don't get all of them, and then
27 they're growing right back into that age group by the
28 next hunting season.

29

30 So as I said, it's pretty self-limiting.
31 It's a conservative -- it's like a 50-inch, four brow
32 tine moose harvest -- or antler restriction. It really
33 constrains the harvest, or limits the harvest to a small
34 segment of the population.

35

36 And these sheep populations are
37 controlled by predation and weather. Wolf predations is
38 important. Golden eagles take a lot of lambs. Spring
39 weather and winter weather have a large effect on lamb
40 production and survival, and adult survival of older
41 adults.

42

43 So this little harvest of -- I know Beth
44 has clarification on the harvest, but of a relatively
45 small number of adult rams, has a very small effect on
46 the population. And I know some of the rams that were
47 taken this year were quite old. Their teeth were worn
48 down, and it would probably be their last year anyway.

49

50 So anyway I hope that clarifies things.

1 MS. KESSLER: Thank you.
2
3 CHAIRMAN FLEAGLE: Other discussion.
4 George.
5
6 MR. OVIATT: Thank you, Mr. Chairman. If
7 I can ask the question that I asked before, if somebody
8 could answer, what the pressure or hunt that was put on
9 prior to the closure. How many people were hunting in
10 this area? Does anybody have that answer? Prior to the
11 closure.
12
13 CHAIRMAN FLEAGLE: Terry Haynes.
14
15 MR. HAYNES: Mr. Chairman. Are you
16 talking about under the -- the area was only open under
17 Federal regulations between like '93 and last year.
18 And.....
19
20 MS. LEONARD: Mr. Chairman. Beth
21 Leonard. I have some information.
22
23 MR. HAYNES: Oh, I'll defer to Beth, but
24 I'll point out that the documentation of hunting in the
25 Red Sheep and Cane Creek areas was almost nil.
26
27 CHAIRMAN FLEAGLE: Beth.
28
29 MS. LEONARD: Thank you, Mr. Chair. I
30 have some information on the number of sheep harvested,
31 and it depends on how you look at it. If you look at all
32 of the Arctic Village Sheep Management Area, the highest
33 in one year was 18, but in most years it was below 10,
34 and within Red Sheep and Cane Creek, it was more like 5
35 to 7 sheep that were harvested. And this was in the late
36 80s before the Arctic Village Sheep Management Area was
37 established.
38
39 MR. VOSS: Mr. Chairman. This is Richard
40 Voss from Arctic Refuge.
41
42 I would add that the public use
43 monitoring protocol we followed this time around was
44 similar to a similar observation period in 1997, and it's
45 in that report. But the numbers that we came up with
46 were pretty similar, too. There were 30 people observed
47 in '97. And it's true that these weren't all hunters.
48 These were just observations of the Red Sheep Creek. But
49 it matches the '97 data, the 2006 data. And that's
50 specifically in the Red Sheep Creek drainage.

1 CHAIRMAN FLEAGLE: Board members.
2
3 MR. LOHSE: Mr. Chair.
4
5 CHAIRMAN FLEAGLE: Ralph.
6
7 MR. LOHSE: I'd like to ask a question,
8 if I may. I was just wondering from some of the
9 biologists there, what is the average age of a full-curl
10 ram in the Brooks Range, and what is the average life
11 expectancy of a ram in the Brooks Range.
12
13 MR. STEPHENSON: Mr. Chairman. I don't
14 know particularly. We would have to do some analysis. I
15 think we've got those numbers in our data base and could
16 run some, you know, statistics on them, but the full-curl
17 rams are in the 7 or 8-year-old minimum, and then they go
18 up to 10, 11, 12, and they usually are disappearing by
19 that age. So they'd be in that range. It's not too
20 different than other places. They may be a little slower
21 growing than the Chugach Mountains or the Wrangells, I'm
22 not sure, because it's a shorter growing season, but
23 that's roughly the situation. But we could -- to get
24 averages, we rely on hunters usually to age sheep.
25
26 Does that answer your question.
27
28 MR. LOHSE: Yeah, pretty much. I was
29 just wondering what the life expectancy of the sheep were
30 after they reached full curl, how many years of breeding
31 they had.
32
33 MR. STEPHENSON: A few generally. It's
34 not too long and then they're getting stiff, and, you
35 know, depending on severity of winters, become more
36 vulnerable to wolves or whatever, and if you have a bad
37 winter, you can lose them. I think a really old sheep is
38 like 15 or 16 years. That's extremely old.
39
40 CHAIRMAN FLEAGLE: All right. Thank you,
41 Bob.
42
43 MS. ENTSMINGER: Mr. Chair.
44
45 CHAIRMAN FLEAGLE: We've got a lot of
46 information, and maybe we're going to get some more, but
47 we really need to get a motion and get moving here. Sue.
48
49 MS. ENTSMINGER: I wouldn't say it if I
50 didn't think it was important. I had asked the State

1 about the two non-residents, and from what he asked the
2 gal at break, do you want to speak to it?

3

4 CHAIRMAN FLEAGLE: Terry.

5

6 MR. HAYNES: Mr. Chairman. I think Beth
7 Leonard can respond to that question regarding the two
8 out-of-state hunters who reported, who appeared to have
9 in the Arctic -- in the Red and Cane Creek drainages.

10

11 CHAIRMAN FLEAGLE: Beth Leonard.

12

13 MS. LEONARD: Thank you, Mr. Chair. At
14 the time that I was looking at the harvest tickets, I
15 didn't realize that the registered in the Arctic Village
16 Sheep Management Area had chosen not to take hunters. So
17 two of the harvest tickets show that they have a
18 registered guide, and their comments are east of Red
19 Sheep Creek. And the way we code our harvest
20 information, it includes part of that area, so I just
21 gave it the benefit of the doubt at the time and assumed
22 that it was in the Arctic Village Sheep Management area,
23 but it's likely it was just across from that airstrip,
24 and they were hunting outside of the Arctic Village Sheep
25 Management area. So if that's what happened, then we
26 would have two less sheep harvested in the Arctic Village
27 Sheep Management Area this year.

28

29 CHAIRMAN FLEAGLE: All right. So we're
30 talking about five sheep.

31

32 MS. LEONARD: Correct.

33

34 CHAIRMAN FLEAGLE: Board members.

35

36 MS. GOTTLIEB: Mr. Chair.

37

38 CHAIRMAN FLEAGLE: Gary.

39

40 MS. GOTTLIEB: Oh, go ahead, Gary.

41

42 MR. EDWARDS: No, go ahead. I'm going to
43 make a motion, so if you want to say something.

44

45 CHAIRMAN FLEAGLE: Judy.

46

47 MS. GOTTLIEB: I guess just one more
48 thought from past history, and, of course, it may not be
49 100 percent applicable, but just something we've done
50 before, this has to do with sheep over in Unit 23 in

1 northwest Alaska, and that was establishing a quota. You
2 know, if we're -- if some people are starting to have
3 some conservation concerns, then a quota might be
4 something we incorporate into our further deliberations.

5

6

CHAIRMAN FLEAGLE: Gary.

7

8

MR. EDWARDS: Mr. Chairman. In order to
9 continue to move forward, I guess I'm prepared at this
10 time to make a motion. And I would move that we would
11 reject the Eastern Interior Regional Council's
12 recommendation on Proposal 56 and remove the closure of
13 Federal public lands to non-Federal-eligible sheep
14 hunters in the Red Sheep Creek and the Cane Creek
15 drainages in Unit 25A during the fall season.

16

17

We've heard an awful lot of testimony
18 today, both from the RAC, certainly from biologists from
19 USGS and the Fish and Wildlife Service as well as the
20 State. At least from what I heard, I think there's good
21 information out there that this hunt has not had an
22 impact on the population and continuation of it is not
23 expected to have any impact. And I don't feel that we've
24 gotten any new information that would lead one to believe
25 otherwise. You know, certainly our charge under ANILCA
26 is not to restrict non-subsistence users if we don't
27 have, you know, good reason to do so, particularly for
28 conservation purposes. I don't think we heard anything
29 today that would indicate that we would.

30

31

Certainly the idea that the Council had
32 of a working group, you know, that certainly might have
33 merit, but I guess I would say that that should not be
34 dependent upon whether we have a hunt or not. That's
35 certainly something that could take place regardless of
36 whether we have a hunt or not. I have a lot of
37 confidence in the Refuge is going to continue to work
38 with the folks in Arctic Village as best they can. And
39 we certainly heard that the State would be willing to do
40 so.

41

42

So, Mr. Chairman, that's my motion and my
43 rationale for such.

44

45

CHAIRMAN FLEAGLE: Right. Can you just
46 restate the motion itself and see if we get a second.

47

48

MR. EDWARDS: I move that we reject
49 Eastern Interior Regional Council's recommendation on
50 Proposal 56, and remove the closure on Federal public

1 lands to non-Federally-eligible sheep hunters in the Red
2 Sheep Creek and Cane Creek drainages in Unit 25A during
3 the fall season.

4

5 MR. OVIATT: I'll second.

6

7 CHAIRMAN FLEAGLE: We've got a motion
8 that's seconded, and we did have the supporting
9 statements by Gary rolled into the motion.

10

11 Discussion, Board members. Wini.

12

13 MS. KESSLER: I share the goal behind
14 this proposal, which is the removal of restriction based
15 on absence of a conservation concern, but I cannot
16 support the lifting at this time knowing the intensity of
17 harvest on large and old rams that occurred following the
18 special action, and the likelihood of that intensity
19 increasing in subsequent years. For me it raises
20 conservation concerns, which could be resolved through
21 cooperative effort and consideration of options to limit
22 the harvest, and better insure its continued growth and
23 long-term sustainability. So I think lifting at this
24 time is premature, and I can't support that.

25

26 CHAIRMAN FLEAGLE: Other Board members.

27

28 (No comments)

29

30 CHAIRMAN FLEAGLE: I'd like to ask a
31 question of the State. One question that hadn't been
32 asked throughout the question and answer period there was
33 I know, having worked with the State system for so many
34 years, I'm confident that the State can manage its sheep
35 populations. They do, they do well.

36

37 There is an issue that was raised in the
38 discussion previous to this motion in that this is a
39 small area that has been closed, and we all know how
40 opportunistic hunters are. Once they learn of an
41 opening, they tend to rush an area and that is a
42 possibility. Now, does the State have any -- other than
43 just relying on the small percentage of the population
44 that's full-curl or greater, is there any way that you
45 can watch that, monitor that and close it by EO to the
46 general hunt if you need to, and would that be an
47 intention given the concerns that have been raised here,
48 if it were necessary.

49

50 Ken Taylor.

1 MR. TAYLOR: Thank you, Mr. Chairman.
2 Yes, that is an option, and we would leave that to the
3 area biologists, to their discretion. I think all of our
4 area biologists are very conservation oriented, and are
5 not likely to allow an over-harvest to occur.

6
7 CHAIRMAN FLEAGLE: George.

8
9 MR. OVIATT: I'm not seeing a real
10 conservation reason to keep the area closed. From what
11 we've heard, I believe that the population of the sheep
12 herd is increasing and can support. And I'm encouraged
13 with what I just heard from the State, that they can
14 manage this area and will manage it. So I think I would
15 be supporting the opening.

16
17 CHAIRMAN FLEAGLE: Other Board members.
18 Judy.

19
20 MS. GOTTLIEB: Mr. Chairman. Well, I've
21 certainly heard and seen quite a bit of new information
22 from what we've had before, and appreciate especially the
23 outreach efforts that the Department and the Refuge have
24 done, because that is something this Board very strongly
25 requested not only -- well, a couple times last year, and
26 I think there was a great deal of follow-through.

27
28 I would feel better if there was a very
29 strong commitment. I think we heard it, but just to
30 verify for continued not only outreach efforts, but those
31 survey efforts, and keeping a close handle on the
32 harvest. I think that's important.

33
34 I guess I'd like to go back to my
35 suggestion of a quota, you know, if we open up this area
36 under our regulations, it would be I think important for
37 this program to ask for, you know, quick and timely
38 feedback so that if it's perceived that there's 18
39 available next year and a certain number get taken up
40 pretty quickly, and I guess I'd leave that number for the
41 Refuge manager maybe and Fish and Game to sort out soon.
42 I would feel more comfortable, because I think we did
43 hear some information today that leads me on that track.

44
45 CHAIRMAN FLEAGLE: Other Board members.
46 Mike. Niles.

47
48 MR. CESAR: I share Judy's and Wini's
49 concern. And although I think there's sufficient
50 information to open that, I'm concerned about the

1 numbers, and I think there's enough uncertainty and there
2 seems to be, you know, not real solid information as to
3 where are even hunting. And so that kind of distresses
4 me somewhat that, you know, we're not sure where they
5 hunted, in or out, and so I think a quota number would be
6 my preference. and, again, as Judy said, leave the
7 closure up to the State biologist and Refuge manager.

8

9 MS. GOTTLIEB: And the RAC Chair.

10

11 MR. CESAR: The RAC Chair.

12

13 CHAIRMAN FLEAGLE: What mechanism exists
14 for us to do that, Pete? Keith? Somebody. This is
15 something new to me.

16

17 MR. W. ADAMS:breaking in, but this
18 is laid out. I've got to (cutting out) just wanted to
19 let you know that I'm going to disconnect from the
20 conference call.

21

22 CHAIRMAN FLEAGLE: I didn't catch the
23 name, but thank you.

24

25 MR. W. ADAMS: Wayne Adams.

26

27 CHAIRMAN FLEAGLE: Okay. Wayne, thanks.

28

29 Yeah, I think the point is that by
30 opening this hunt to non-Federally-qualified subsistence
31 -- non-subsistence user -- yeah, subsistence users, we
32 then turn it over to the State to manage, and how can we
33 establish a quota hunt on a State hunt? I just don't see
34 the mechanism that would exist there. That's the
35 question I have. If it's been done before, I don't know.
36 Just curious.

37

38 Ken Taylor.

39

40 MR. TAYLOR: Thank you, Mr. Chairman.
41 Yes, once you've opened it to not non-Federally-eligible
42 subsistence hunters, and it becomes a State hunt, the
43 State is responsible for managing that resource, and I
44 have full confidence that our area biologist will work
45 with the Refuge biologist to insure that an over-harvest
46 doesn't occur.

47

48 CHAIRMAN FLEAGLE: Thank you. I sure
49 that confidence, and I'm going to support the motion.

50

1 Other Board members.
2
3 MR. EDWARDS: Mr. Chairman.
4
5 CHAIRMAN FLEAGLE: Terry.
6
7 MR. EDWARDS: I guess that would mean
8 then that the State -- you could close it under emergency
9 order if you felt you could, right? Or need to?
10
11 MR. TAYLOR: That's correct. And the
12 area biologist can do that. They have that designated
13 authority.
14
15 MS. GOTTLIEB: Mr. Chair.
16
17 CHAIRMAN FLEAGLE: Judy.
18
19 MS. GOTTLIEB: And so how will the
20 feedback be available to that area biologist to be able
21 to close? I sounds like much of the survey work was
22 done, and I'm not clear on this, maybe by Fish and
23 Wildlife Service. So what would be the feedback
24 mechanism?
25
26 CHAIRMAN FLEAGLE: Ken Taylor.
27
28 MR. TAYLOR: Mr. Chairman. We get
29 harvest reports back on a fairly regular basis, which
30 probably would not be timely enough for the concerns that
31 are being expressed by this Board. It's possible that
32 surveys could be conducted in-season, and we do that on
33 some hunts around the State, and if the hunting pressure
34 looks like it's excessive, then the area biologist would
35 have the authority to close the hunt.
36
37 MR. EDWARDS: Mr. Chairman.
38
39 CHAIRMAN FLEAGLE: Gary.
40
41 MR. EDWARDS: Maybe one other question
42 for Ken. I mean, it's my understanding right now because
43 this was emergency action on our part, it's -- currently
44 right now it's closed. It's going to require action of
45 the Board of Game? Assuming if we take a positive action
46 here, and remove the closure, will it take action on the
47 part of -- it will not take action on the part of the
48 Board of Game to do it so there's not an opportunity for
49 the Board of Game to give some kind of instructions or
50 guidance as to how this area should be managed

1 specifically or anything like that.

2

3 CHAIRMAN FLEAGLE: Terry Haynes.

4

5 MR. HAYNES: Mr. Chairman. This area is
6 open in State regulations. The closure is in Federal
7 regulations.

8

9 CHAIRMAN FLEAGLE: Other discussion.

10

11 (No comments)

12

13 CHAIRMAN FLEAGLE: Are we ready for the
14 question. The question is recognized on Proposal 56.
15 Pete.

16

17 MR. PROBASCO: Mr. Chair. Final action
18 on Proposal WP07-56 as read into the record by Mr.
19 Edwards. Mr. Cesar.

20

21 MR. CESAR: No.

22

23 MR. PROBASCO: Mr. Oviatt.

24

25 MR. OVIATT: Aye.

26

27 MR. PROBASCO: Ms. Kessler.

28

29 MS. KESSLER: No.

30

31 MR. PROBASCO: Mr. Edwards.

32

33 MR. EDWARDS: Aye.

34

35 MR. PROBASCO: Mr. Fleagle.

36

37 CHAIRMAN FLEAGLE: Aye.

38

39 MR. PROBASCO: And Ms. Gottlieb.

40

41 MS. GOTTLIEB: Aye.

42

43 MR. PROBASCO: Motion carries, four/two.

44

45 CHAIRMAN FLEAGLE: Okay. Thank you,

46 Pete.

47

48 I have one other request for an item out
49 of order, and that would be a Mulchatna Caribou
50 presentation that's requested to be done today. We only

1 have three more action items under Southcentral Alaska
2 before we get into Bristol Bay, so I think we'll go ahead
3 and work toward completing Southcentral Alaska, and if it
4 looks like we're going to run short of time, we'll fit in
5 the presentation.

6

7 And, Bruce, I know you can't in a
8 microphone from there, but can you just indicate to one
9 of your State people that can tell us how long your
10 presentation is intended to be?

11

12 BRUCE: Fifteen minutes, whatever you
13 want.

14

15 MR. BUKLIS: Fifteen minutes.

16

17 CHAIRMAN FLEAGLE: Okay. We'll make sure
18 we can accommodate that. What time do you have to leave
19 by?

20

21 MR. RISDAHL: Midnight.

22

23 CHAIRMAN FLEAGLE: Any time today.
24 You'll be here by breakfast with the rest of us.

25

26 MR. BUKLIS: Mr. Chairman.

27

28 CHAIRMAN FLEAGLE: Larry.

29

30 MR. BUKLIS: Should we disconnect the
31 phone connection now?

32

33 CHAIRMAN FLEAGLE: That would be
34 appropriate. Thank you.

35

36 Thanks to everyone who called in and
37 helped us on that issue.

38

39 MR. BUKLIS: We're going to disconnect
40 the phone. Thank you.

41

42 MS. LEONARD: You're welcome.

43

44 CHAIRMAN FLEAGLE: Okay. That brings us
45 back to the normal agenda, and we're now at Proposal 17b,
46 which is the establishing a season and bag limit for
47 brown bear for Federally-qualified users of Ninilchik in
48 Unit 15. Okay. It looks like we're ready. We've got
49 Greg Risdahl is going to lead us off on this.

50

1 MR. RISDAHL: Thank you, Mr. Chairman.
2 Members of the Board. I did some slash and burn editing
3 here. Hopefully that will speed this up a little bit.

4
5 Wildlife Proposal 17b was submitted by
6 the Ninilchik Traditional Council. It requests that a
7 season be established for the harvest of brown bear in
8 Unit 15. The proposal requests an August 20th to
9 November 10th season with a harvest bear every four
10 regulatory years.

11
12 I'll skip over the regulatory history,
13 because Liz went over that fairly thoroughly.

14
15 Brown bears are large carnivores that
16 roam over large areas, and in the case of the Kenai
17 Peninsula, the State manages the population as one unit,
18 because it is in fact one population. The current goals
19 from management there are to maintain a healthy brown
20 bear population and minimize negative brown bear/human
21 interactions.

22
23 We talked briefly about the allowable
24 mortality rate being 20 brown bears per year with a
25 subquota maximum of eight females older than one year of
26 age, calculated from the average annual mortality of the
27 most three recent years.

28
29 Brown bears are found throughout the
30 remote lowland forest, and intermountain valleys of the
31 Kenai Peninsula. Highest densities are found west of the
32 Kenai Mountains. Peninsula brown bears are known to make
33 rapid long distances moves across the Peninsula in
34 pursuit of food resources, such as salmon and berries, on
35 a seasonal basis. This is a learned behavior.

36
37 Because of concern over the long-term
38 conservation of brown bear, the InterAgency Brown Bear
39 Study Team was formed in 1994 and they began developing
40 baseline inventories of salmon streams and other known
41 high use areas. Research since that time has included
42 such things as assessing brown bear habitat, evaluating a
43 cumulative effects model to identify habitat at risk from
44 human development, estimating survival and enumerating
45 the Kenai brown bear population through a computer
46 modeling program.

47
48 The initial estimate of the population of
49 brown bears took place in 1992. ADF&G biologists came up
50 with a number of approximately 277 brown bears based on

1 the available habitat on the Kenai Peninsula. Later that
2 census or that population estimate was revised and
3 increased slightly up to -- oh, excuse me. Actually the
4 initial estimate was done in 1989, and that was 150 to
5 250 bears, and that was updated in 1992 to be 277 based
6 on additional habitat use and availability.

7

8 From 1973 to 2006 on average 16 human-
9 caused brown bear mortalities have taken place on the
10 Kenai Peninsula. Of those 16, approximately half have
11 been actual hunter-harvested bears.

12

13 From 2000 to 2006 a total of 12 brown
14 bears have been legally harvested in Unit 15, six of
15 which were harvested in 2000, two in 2001, and four in
16 2004. As mentioned earlier, the brown season was only
17 opened for three days in 2004, and quickly closed after
18 the harvest of those four bears occurred.

19

20 Moving on to current events. At the
21 spring 2000 (sic) Board of Game meeting, Regulatory
22 Proposal No. 30 was adopted authorizing both spring and
23 fall season drawing hunts for brown bear on the Kenai
24 Peninsula. The Board of Game regulation will replace the
25 current fall State registration hunt for brown bear with
26 a set of drawing hunts for separate areas on the Kenai
27 Peninsula. The Department will give out up to 50 permits
28 available only to residents that may be used in the fall
29 and spring seasons. Those seasons being October 1
30 through November 30, and April 1 through June 15.
31 Permits will be allocated to separate areas based on
32 desired harvest levels as well as bear mortalities from
33 other sources. The first drawing will take place
34 beginning this month and next month, in June.

35

36 The State season, hunters will be
37 encouraged to take bears close to human population
38 centers to reduce complaints and negative human/bear
39 interactions. The fall hunt will only be conducted if a
40 harvestable surplus still exists following the spring
41 hunt. That is, of course, in addition to other types of
42 human-caused mortality that take place throughout the
43 summer. Fall hunters with unused permits will be
44 eligible to hunt the following spring, which is within
45 the same regulatory year.

46

47 The hunt is not expected to be the kind
48 of high quality experience of other guided brown bear
49 hunts.

50

1 In terms of effects of the proposal,
2 because of the recent change in the State brown bear
3 regulations as just mentioned, a modification to the
4 original Ninilchik Traditional Council's proposal should
5 be considered in order to provide a meaningful
6 subsistence opportunity for Federally-qualified
7 subsistence users. The Office of Subsistence Management
8 suggests implementing a Federal subsistence season with
9 dates that would align with the State drawing hunt for
10 both the fall and spring seasons.

11
12 However, in contrast to the new State
13 drawing hunt for brown bear, the Federal subsistence
14 season would not confine Federally-qualified subsistence
15 users to small areas based on desired harvest levels, and
16 bear mortalities from other sources. Federally-qualified
17 subsistence hunters would be allowed to hunt for brown
18 bear on all Federal public lands in both the fall and
19 spring seasons by Federal registration permit. Authority
20 to open or close the Federal subsistence season would be
21 given to the Kenai National Wildlife Refuge manager.

22
23 In the first regulatory year, the Refuge
24 manager would close the subsistence season following the
25 harvest of two brown bears by qualified subsistence
26 users. The Federal subsistence harvest quota could be
27 adjusted up or down based on demonstrated need of
28 Federally-qualified subsistence users in subsequent
29 years.

30
31 The preliminary conclusion of the Office
32 of Subsistence Management is to support the proposal with
33 modification to allow a to-be-announced harvest
34 opportunity for one year every four regulatory years by
35 Federal registration permit for the same dates, October
36 1 through November 30 and April 1 through June 15, with
37 the authority delegated to the Refuge manager to open and
38 close the season.

39
40 In sum, the opportunity for either a
41 Federal subsistence or State general hunting season will
42 likely continue to be limited given the isolated nature
43 of brown bears on the Kenai Peninsula, the difficulty in
44 assessing the true population size, the perceived high
45 levels of non-hunting human-caused mortality, and obvious
46 impacts associated with increasing human development.

47
48 With the modified proposal, brown bear
49 harvest and hunter effort would be monitored through
50 Federal registration permit reports and the Alaska

1 Department of Fish and Game sealing requirements.
2
3 Thank you.
4
5 CHAIRMAN FLEAGLE: Thank you, Greg.
6 Questions.
7
8 (No comments)
9
10 CHAIRMAN FLEAGLE: We now move to summary
11 of written public comments. Donald.
12
13 MR. MIKE: Mr. Chair, there are no
14 written public comments. Thank you.
15
16 CHAIRMAN FLEAGLE: Public testimony.
17 Pete.
18
19 MR. PROBASCO: Mr. Chair. We have it
20 looks like five, six public testimony. And the first is
21 Kenny Odman and Anna Grant.
22
23 MS. GRANT: My name is Anna Grant, and
24 I'm from Ninilchik.
25
26 MR. ODMAN: Kenny Odman, NTC director,
27 and subsistence user. I'd say we wholly support this,
28 and we'd like to thank all the hard work that everybody
29 put in on this, and it's going to be a great benefit to
30 all. That's it.
31
32 MS. GRANT: And that's it. I'm done.
33
34 MR. ODMAN: Any questions.
35
36 CHAIRMAN FLEAGLE: Thanks. Board
37 members, questions.
38
39 (No comments)
40
41 CHAIRMAN FLEAGLE: Thank you.
42
43 MR. PROBASCO: Mr. Chair. Next we have
44 Ivan Encelewski.
45
46 MR. ENCELEWSKI: Thank you, Mr. Chairman.
47 Members of the Board. First of all I'd like to say I
48 enjoyed the conversation on the sheep hunt, and I'm glad
49 to see there's some other proposals out there that kind
50 of mirror some of the activity of ours.

1 I'm not going to take a lot of time here.
2 I've previously testified in regards to bear here earlier
3 this morning. A couple of things I'll just touch on.

4
5 You know, we wholeheartedly support the
6 opportunity to harvest brown bear. You know, the State's
7 proposing 50 permits to hunt black (sic) bear I think is
8 evident that there is ample population to support a small
9 bear hunt, a brown bear hunt on the Kenai Peninsula.

10
11 As I mentioned earlier, you know, from my
12 personal assessment of, you know, 30 years, I've been
13 around those lands and whatnot, and I' personally see
14 more brown bear than I do black bear, and that's the God
15 honest truth.

16
17 You know, and another thing we talk
18 about, DLPs, in defense of life and property, and I think
19 if we took out a few of these bears, you could help
20 address some of those issues. One way or another, you
21 know, if it's a better opportunity for hunters to hunt
22 and get the customary and traditional resource before it
23 becomes a defense of life and property, and then it
24 becomes ownership of the State and sold to whoever around
25 the world that wants to buy some of those furs.

26
27 I just want to point out, too, that I
28 think during the sheep hunt there was some discussion
29 about in-season management, and you might hear some
30 concerns about in-season management and how are we going
31 to do that, and, you know, if we get 2 bear, 4 bear, 10
32 bear or whatever, where do you close it, and how do you
33 manage it. Well, I think the State wholeheartedly
34 expressed their previous experience and willingness to do
35 that in other areas, so I certainly would think and
36 conclude that they could do that in this scenario as
37 well.

38
39 Like I said, I'm not going to take up a
40 lot of your time. I appreciate your work and effort, and
41 just refer to some of my other testimony as well.

42
43 CHAIRMAN FLEAGLE: Thank you, Greg.
44 Questions. Judy.

45
46 MS. GOTTLIEB: Mr. Chairman. Thanks,
47 Ivan, for coming up here today and I'll ask this question
48 of Ralph when we get around to the RAC recommendation. I
49 know when you submitted the proposed regulation, it was
50 well before the Board of Game made their determinations

1 on season, so do you have any comments on what the State
2 recently passed, what the Board of Game recently passed
3 that would also include a spring/summer hunt?

4
5 MR. ENCELEWSKI: I guess my comments in
6 regards to the State hunt is more or less just
7 reiterating the availability, the viability of a brown
8 bear hunt for residents of Ninilchik. Certainly if they
9 can issue 50 permits for state hunts and sport hunts,
10 there's certainly under the meaningful preference
11 opportunity for subsistence hunters, there certainly
12 should be an opportunity for some of us subsistence users
13 to get a few bear. So I guess my only comments being,
14 you know, I know that the State had changed the system to
15 this, you know, permit and that kind of stuff, but I just
16 -- I think mainly it kind of reinforces the opportunity
17 and the population that is available to harvest some
18 bears, and I think that the State's recognition of that,
19 because my concern is that, you know, even in this
20 proposal -- the hunt's been there. It's just been closed
21 for years and years and years, you know, because of DLPs
22 and that kind of stuff. And I think also, you know, the
23 spring hunt before the DLPs and a lot of those is also a
24 good idea, because, you know, that gives an opportunity
25 for subsistence people to get some bears before those
26 numbers rack up, and so I guess that's my kind of
27 comments.

28
29 CHAIRMAN FLEAGLE: Thank you.

30
31 MR. ENCELEWSKI: Thank you.

32
33 CHAIRMAN FLEAGLE: Who do we have next,
34 Pete.

35
36 MR. PROBASCO: Next, Mr. Chair, is Mike
37 Crawford.

38
39 CHAIRMAN FLEAGLE: Mike Crawford.

40
41 MR. CRAWFORD: Hello. I kind of said
42 earlier what I wanted to say now.

43
44 But getting to the State, it's up to 50
45 permits. I don't think we'll see 50 permits issued. And
46 those permits are for problem areas where the DLP numbers
47 are concentrated is where they're going to concentrate
48 those hunts initially, so I think I can speak for the
49 fish and game advisory committee that I'm on down in
50 Kenai and Soldotna, that we don't have a problem with the

1 subsistence hunt that's going to happen here.

2

3 Our only concern would be, as the State
4 learned, you put a registration hunt out there, and then
5 they never expected -- the last time the hunt was open,
6 they had a giant number of permits, and they had to turn
7 around and shut the hunt down immediately in 24 hours
8 because they had no idea if one bear had been shot or 20
9 bears had been shot. And so maybe a timely reporting on
10 this so the State can manage their hunt in accordance
11 with this hunt and they could work together and manage
12 the bear population, the bear hunt, both the subsistence
13 and the sport hunt together on the Peninsula. And that
14 way we end up with maybe a good bear hunt for everybody.
15 And I guess that's about it.

16

17 CHAIRMAN FLEAGLE: Thank you. Questions.

18

19 (No comments)

20

21 CHAIRMAN FLEAGLE: Thanks for the
22 testimony. Pete.

23

24 MR. PROBASCO: And last, Mr. Chair, is
25 Darrel Williams.

26

27 DR. WILLIAMS: Mr. Chairman. Members of
28 the Board. My name is Darrel Williams. I work for
29 Ninilchik Traditional Council. Excuse me.

30

31 Of course, we are seeking a positive
32 determination for this harvest; however, there are some
33 issues that's kind of developed today, and I'm going to
34 kind try to impromptly address those.

35

36 Starting with we need to make sure that
37 we have a meaningful preference for the subsistence users
38 so we can meet the mandates of ANILCA.

39

40 Earlier I had mentioned methods and means
41 as in rifles and traps, and to clarify that a little bit
42 better, there's been some good documentation in the Staff
43 analysis about what traps may or may not be.

44

45 The other issue that's come up on this is
46 now we've reduced the area. Brown bears are managed as a
47 population, and essentially the Kenai Peninsula is
48 managed as an island, think of it that way, as far as the
49 availability for animals to come and go and intermingle
50 with other populations neighboring it. So we've reduced

1 that down to 15C. And the chances are that a lot of
2 these animals are going to come and go from one game
3 management unit to another, and there will be incidental
4 take out of different parts of the population depending
5 on how people hunt and where they hunt and whatnot.

6
7 The second part of the problem that's
8 come up is with the reduced season that's come up, and
9 with the State intervening with their bear permitting
10 season that they've come up with, the problem's going to
11 be, in order to provide a meaningful preference to the
12 subsistence users, after you've had the spring hunt by
13 the sportsmen, defense of life and property by whoever,
14 after those two seasons, quote/unquote, are over with,
15 will we meet the threshold and be able to have a
16 subsistence season? And the same thing, it's the charge
17 here to be able to insure a meaningful preference for the
18 subsistence users.

19
20 On a personal note, I'm a little
21 concerned, because I had heard earlier that it's not the
22 charge here to be able to limit harvest to other user
23 groups to insure subsistence. I believe it is. That is
24 exactly the charge and why we're here today. If we have
25 a whole bunch of other harvest take place and say that
26 the subsistence users may or may not be able to harvest
27 in the end, if they meet a certain threshold, there will
28 be no subsistence harvest. So I'm a little alarmed that
29 that's something that we didn't plan for when we crafted
30 the proposal. We didn't realize the State was going to
31 do what they had done with their permitting system.

32
33 So I would really like everyone to be
34 able to consider, and I'm not really sure where to go
35 with this, but I would at least like to mirror what the
36 State has proposed in their brown bear hunt, or have an
37 increase of what they have proposed in the brown bear
38 hunt, in order to insure meaningful preference so it
39 gives the people the availability to harvest.

40
41 The threshold that was discussed at the
42 RAC for the subsistence hunt consisted of two bears.
43 Personally, I'm not sure if that will satisfy the
44 subsistence needs, and I believe it will be like some of
45 the other hunts where you will have an increase of
46 interest in the beginning, and then you will see the core
47 user group, again that's been identified in many
48 different ways, will surface and it will be -- and then
49 you will be able to manage effectively, and it will be
50 good information for everyone.

1 I think somehow we're going to have to
2 reach, and I -- or come to some kind of a conclusion of
3 how we're going to make this work. And, of course, and
4 like I've said, people have heard me say at the RAC,
5 sometimes we have to ask the tough questions in order to
6 provide that meaningful opportunity. And in this
7 particular instance it may be can the State have this
8 hunt and still provide a meaningful opportunity for
9 harvest for rural subsistence residents. In your agenda
10 that I saw, there are other rural communities that are
11 starting to show interest in the subsistence activities,
12 and it may be something you may want to look at, because
13 I don't think it's going to go away. And it gives us all
14 a -- it makes us all a little uncomfortable.

15
16 I would like to see, just to kind of
17 summarize, I would like to see an equal, at least an
18 equal to type season with the State harvest, so that way
19 when it comes to the subsistence users, and if we have to
20 go with the to-be-announced type season, we won't find
21 out in October that there's no bears left to harvest.
22 That just wouldn't be right, and it wouldn't be fair, and
23 it wouldn't be meeting the charge of ANILCA.

24
25 That's all I have. Any questions.

26
27 CHAIRMAN FLEAGLE: Thank you. Questions,
28 Board members.

29
30 (No comments)

31
32 DR. WILLIAMS: Mr. Chairman, thank you.

33
34 CHAIRMAN FLEAGLE: Thank you.

35
36 MR. PROBASCO: That's it, Mr. Chair.

37
38 CHAIRMAN FLEAGLE: Regional Council
39 recommendations. Ralph Lohse.

40
41 MR. LOHSE: Thank you, Mr. Chair. Board
42 members. As you now, the Southcentral Alaska Subsistence
43 Regional Advisory Council supported Proposal WP07-17b
44 with modification. The Southcentral Alaska Subsistence
45 Regional Advisory Council supports establishing a
46 subsistence season, and we picked the numbers October
47 15th through October 31st, because at that time we didn't
48 know what the Board was going to do, for the harvest of
49 one brown bear every four years. The Kenai National
50 Wildlife Refuge manager has the authority to allow for

1 the take of two bears. This will be a registration hunt.
2 The Refuge manager has the authority to open and close
3 the season. We believe this proposal will provide for a
4 meaningful preference for the residents of Ninilchik.

5
6 Now, to answer some of the questions that
7 have come up. Darrel, I think we did plan to make sure
8 that there was going to be one -- at least my
9 understanding was that these two bears that were going to
10 be allowed for the subsistence hunt were going to be
11 reserved out of the population and figured into the
12 population modeling as reserved for the subsistence hunt.
13 And if they weren't used, then they could be put into the
14 following year for the Fish and Game. But it was my
15 understanding that we have had a two bear maximum so that
16 that figure could be worked into ADF&G population
17 management as reserved for subsistence unless time shows
18 that the subsistence community does not use the available
19 quota. And I as a Regional Council member would think
20 that that's what's going to have to be done in order to
21 have a reasonable subsistence preference, that a portion
22 of the allowable hunt has to be reserved. And then if
23 it's not used, it can be put into the port for the other
24 ones, instead of, like Darrel was saying, all of a sudden
25 October comes and there's nothing left for the
26 subsistence community.

27
28 The other thing is I don't envy you guys
29 your job, because when we put in the proposal for C&T, it
30 was for all of Unit 15. It's kind of interesting, now
31 you have to manage for a subsistence hunt on a Kenai
32 National Wildlife Refuge that extends over A, B, and C on
33 a population that's managed by the State for the whole of
34 Unit 15, and you have to manage or come up with some kind
35 of subsistence hunt that deals with 15C only. And I
36 didn't have a chance to say that before, but I don't envy
37 you that, and I don't think it's logical, and I expect
38 that you're going to see more proposals come in from
39 Ninilchik asking for 15A and 15B in the future.

40
41 CHAIRMAN FLEAGLE: Is that it, Ralph?

42
43 MR. LOHSE: That's it.

44
45 CHAIRMAN FLEAGLE: Okay. I've got a
46 question for you. Apparently after your recommendation
47 was drafted, the Board of Game crafted the drawing hunts,
48 and the OSM came up with a new preliminary conclusion.
49 And I suspect your RAC hasn't had a change to with that,
50 but it does change the opening date from October 1 to

1 November 30 to match the State's drawing hunts. Do you
2 sense that your RAC, given that information, would have
3 agreed to those dates?

4
5 MR. LOHSE: Most definitely. As you
6 notice by the dates that we picked, our RAC has a
7 tendency to be conservative more than it does to be
8 liberal. But we would never expect that the subsistence
9 community would be restricted to less than the sport
10 community. And so if the State has proposed a longer
11 season, we would expect that that would extend to the RAC
12 -- I mean to the subsistence community also.

13
14 CHAIRMAN FLEAGLE: Yeah. Okay. Thanks.
15 I wanted that clarification, because there exists the
16 potential for going against your recommendation here in
17 passing a more liberal season.

18
19 Board members, other questions. Judy.

20
21 MS. GOTTLIEB: Well, thanks, that was
22 going to be part of my question, too, because the RAC
23 time period was very short.

24
25 And maybe this is something that we'll
26 have to resolve in our deliberations. The RAC
27 recommendation was for I guess a total of two bears in
28 that two week period approximately. And so now we may be
29 dealing with a much longer time period, and we may need
30 to rethink that total number.

31
32 And secondly, I would once again request
33 that when our regulations are done, if we pass something
34 similar to what's written on Page 212 that we add
35 announcement of the Kenai National Wildlife Refuge
36 manager in consultation with ADF&G and the RAC Chair,
37 consistent with how we do this in other areas.

38
39 CHAIRMAN FLEAGLE: Do you want to
40 respond, Ralph?

41
42 MR. LOHSE: Thank you, Judy. The reason
43 we asked for two bears is we looked at what the State was
44 talking about as the normal take on the Peninsula with
45 the DLPs and what they were expecting to harvest, and how
46 many bears there would be a possible surplus. We were
47 asking for those two bears as a reserve. In other words,
48 this was a maximum to be reserved for the subsistence
49 hunters. It doesn't mean that can be all that they can
50 take, but it was a maximum to be reserved for them so

1 that it could be put into the -- so it could be put into
2 their population modeling, so that the subsistence hunter
3 wouldn't come last.

4

5 MR. EDWARDS: Mr. Chairman.

6

7 CHAIRMAN FLEAGLE: Gary.

8

9 MR. EDWARDS: Ralph, I guess I wanted
10 clarification. I mean, assuming that we had a huge DLP
11 and hit by cars and other things, you still would say
12 that under those circumstances we would be authorizing an
13 additional two regardless of what would be going on, or
14 that would be two assuming that we were going to have
15 other unrelated, not DLP-related harvest.

16

17 MR. LOHSE: No. What we were saying,
18 that if there was a surplus, two of them would be
19 reserved for the subsistence hunters to start off with,
20 and that would go into the modeling. And then after
21 that, if there were surpluses, it could go into the sport
22 hunt.

23

24 CHAIRMAN FLEAGLE: Other questions for
25 the Council's comments -- or recommendations, I mean.

26

27 (No comments)

28

29 CHAIRMAN FLEAGLE: All right. Thank you.
30 Alaska Department of Fish and Game comments. Terry
31 Haynes.

32

33 MR. HAYNES: Thank you, Mr. Chairman.
34 I'll summarize our much more detailed written comments.
35 And after I summarize these comments, the management
36 coordinator for this area, Gino Delfrate is here, and he
37 may be able to answer questions regarding this new State
38 hunt that I don't describe in our comments.

39

40 Kenai Peninsula brown bear were listed as
41 a population of special concern under Alaska's list of
42 special -- species of special concern in 1998. The brown
43 population and harvest by both hunting and human-caused
44 kills such as defense of life and property are very
45 closely monitored by the Department and the Federal
46 agencies on the Kenai Peninsula.

47

48 Staff analysis for Proposal 07-17b
49 describes the State's careful management of the brown
50 bear population and cooperative activities by Federal

1 agencies. It describes the State's administration of a
2 registration permit hunt that has occurred only if the
3 number of non-hunter human-caused brown bear deaths is
4 below the maximum allowable mortality identified in
5 management objectives. Because of this approach, no
6 permits to hunt brown bear have been issued by the State
7 since 2002.

8
9 Because the Department concludes that the
10 available data cannot reasonably support a positive C&T
11 use determination being made for brown bear in Unit 15
12 for residents of Ninilchik, we do not support creation of
13 a Federal season to accommodate those uses. The
14 documented levels of brown bear harvest by Ninilchik
15 residents in Unit 15 over time do not require allocating
16 two brown bears per year to a Federal hunt. Such an
17 allocation would represent more than a nine-fold increase
18 over the historical total harvest of residents of
19 Ninilchik from Unit 15 over the 41-year total harvest
20 shown on map 1 of the Staff analysis, and would likely
21 represent more than an 80-fold increase over the
22 historical harvest on the Federal public lands during
23 that period.

24
25 The Staff analysis generally describes
26 the new State brown bear regulations in Unit 7 and 15
27 effective for the 2007/08 regulatory year. But the
28 Department wants to provide the additional details that
29 are important to assure brown bear conservation.

30
31 The Department plans to issue for this
32 first year 18 drawing permits out of the 50 that are
33 available, and allocate them between five hunting zones
34 on the Kenai Peninsula. The permits will authorize
35 hunting in both the fall and spring seasons; however, if
36 recorded brown bear mortality is too high between January
37 and September 2007, the fall 2007 season will be closed
38 by emergency order and hunting will only be authorized
39 for the spring 2008 season.

40
41 Decisions to issue permits, and the
42 number of permits to be issued will be made each year.
43 In some years, permits may not be issued for all five of
44 the hunting zones.

45
46 If a Federal season is implemented over
47 our objections, it must be closely coordinated with the
48 new State seasons and regulations.

49
50 And like I say, if you have more

1 questions about the new State regulations, Gino can try
2 to answer those for you.

3

4 Thank you.

5

6 CHAIRMAN FLEAGLE: Questions.

7

8 (No comments)

9

10 CHAIRMAN FLEAGLE: I think I've got a
11 question. Now, if I understood that correctly, if you
12 reached your other than hunter-caused mortality prior to
13 the opening of the fall season, you don't plan to have a
14 fall season, but you do plan to have a spring season
15 which will be inclusive of the next year's consideration
16 for mortality prior to the fall season again, correct?
17 So you're still going to maintain the maximum 20 bears,
18 is that the number I remember for the Kenai Peninsula, 20
19 brown bear?

20

21 MR. DELFRATE: Thank you, Mr. Chair.

22 Gino Delfrate for the record.

23

24 Yes, that's true, that our -- at present
25 our current quota is still 20 bears and not more than
26 eight female bears to be taken, and we are pushing up
27 against that upper limit, and we'll take that into
28 consideration.

29

30 CHAIRMAN FLEAGLE: All right. So it
31 sounds like with that in place then, and the fact that
32 you haven't had an open season since 2002, it's pretty
33 likely that you won't have a all season since you're now
34 including a legal harvest by humans.

35

36 MR. DELFRATE: Thank you, Mr. Chair.

37 We've struggled for the last eight or so years to try and
38 come up with a system that would provide opportunity to
39 take brown bear, to make those bears that are actually
40 dying from other causes available to harvest, and to try
41 and get public buy-in into bear management on the Kenai.
42 And I can say with -- it's been hard to do. This has --
43 in my previous job as the assistant area biologist for
44 the Kenai Peninsula, this was one of my primary
45 responsibilities, and it's one that we've always
46 struggled. It's why we came up with a registration hunt
47 to continue to give opportunity.

48

49 Jeff Selinger, the area biologist and I
50 worked on trying to come up with a system whereby we can

1 still provide for a hunting system that would be directed
2 towards those bears that would otherwise become nuisance
3 bears, and it's a unique way of looking at this, and I
4 think that we're definitely treating this as an
5 experiment, and I think it's our best shot of doing this.
6 We are committed to having a spring season in '08, and
7 we're hopeful that our summer of '07 won't be as bloody
8 as it has been in the past. And so all -- everything
9 aside, we are going to try and get through this season.
10 If we have a high DLP rate this summer, it's likely we
11 won't have a fall season, but we do intend to start off
12 with the spring season. We've committed to having the
13 spring season. And as we now count our quota, we start
14 in the spring, so it's likely we will not have achieved
15 our quota of 20 bears or eight females with the spring
16 season, because the bears are just coming out of their
17 den. So it will make things possibly problematic for the
18 following fall or for future years, but that still leaves
19 something to be seen, and we're going to continue to work
20 on that.

21

22 CHAIRMAN FLEAGLE: Right. I get the
23 point. And it's not just DLPs if I remember from the
24 State system. You deal with a lot of automobile versus
25 bear interaction down there as well.

26

27 MR. DELFRATE: Yes, Mr. Chair. The
28 primary cause of mortality from non-hunting is defense of
29 life or property. There have been years where we've had
30 bear/car mortalities where -- in one year we did have six
31 mortalities from automobiles. That was by far a fluke
32 and it hasn't happened since, but we do have brown bears
33 hit on the road by cars, and then we do have the
34 occasional illegal bear that's taken as well.

35

36 CHAIRMAN FLEAGLE: Okay. Thanks. Just
37 -- the reason, Board members, I'm going along with these
38 questions is the -- under the OSM's recommendations with
39 the new information of this hunt, the season would be
40 first a fall season, and then a spring season. So the
41 potential for having a subsistence hunt in the fall, and
42 I'm not sure how this all will play out, whether or not
43 the Federal management system is going to continue to try
44 to agree to and accommodate the 20 maximum. Would we not
45 have a fall hunt as well if we didn't -- I mean, these
46 are just things that we need to discuss as we move
47 forward on this. It does kind of complicate the issue.

48

49 But I understand, you know, your take
50 here, Gino. I appreciate it.

1 Other questions for the ADF&G.

2

3 (No comments)

4

5 CHAIRMAN FLEAGLE: All right. Hearing
6 none, InterAgency Staff Committee comments. Larry.

7

8 MR. BUKLIS: Mr. Chairman. The Staff
9 Committee comments can be found Page 221 of the Board
10 book, and I will summarize those written comments.

11

12 Given that -- this is regarding Proposal
13 17b. Given that non-subsistence hunting opportunity will
14 be limited by the State through a drawing permit hunt,
15 the Council's recommended open Federal registration hunt
16 is considered by the Council to provide a meaningful
17 preference for Ninilchik hunters. This recommendation is
18 supported by substantial evidence. It is consistent with
19 recognized principles of fish and wildlife management and
20 conservation, and would not be detrimental to Federally-
21 qualified subsistence users if the Federal season is
22 opened as scheduled. However, fall brown bear harvest
23 opportunities for both State and Federal hunters will be
24 contingent on the calendar year total brown bear
25 mortalities from all causes prior to the scheduled
26 opening of the fall season.

27

28 Mr. Chairman, I think this implies a
29 cooperative approach to the quota you were talking about.

30

31 If brown bear mortalities for the
32 calendar year equal or exceed sustainable levels prior to
33 the fall hunting season, both State and Federal fall
34 seasons would need to be closed. To avoid the potential
35 problem of a pre-fall season closure precluding
36 subsistence hunting opportunity, an alternative that
37 could be considered would be to provide a split Federal
38 subsistence season of October 1 to November 30th, and
39 April 1st to June 15th with a harvest limit of one bear
40 every four years by Federal registration permit. As with
41 the Council recommendation, the Kenai National Wildlife
42 Refuge manager would have the authority to open and close
43 the season and allow for the take of two bears per
44 regulatory year.

45

46 Providing a spring season would likely
47 assure hunting opportunity before much non-hunting
48 mortality of bears occurs, and would take place
49 coincident with the State spring drawing permit hunt.
50 This option would provide a longer season than the

1 Council recommendation, and the provision for a harvest
2 quota would be consistent with maintaining a healthy bear
3 population.

4
5 Thank you.

6
7 CHAIRMAN FLEAGLE: Questions, Board
8 members.

9
10 (No comments)

11
12 CHAIRMAN FLEAGLE: Board discussion.
13 Gary.

14
15 MR. EDWARDS: Mr. Chairman. Maybe to get
16 this started and to speed up some time, I'm going to go
17 ahead and make a motion.

18
19 CHAIRMAN FLEAGLE: Please do.

20
21 MR. EDWARDS: And in making this motion,
22 I recognize that we're going to have to do some adoption,
23 amendments and jury-rigging of it some way, because
24 certainly the issues that Darrel and Ralph raised I think
25 are real issues. But instead of trying to -- so let's
26 start with the motion.

27
28 So my motion is pretty straight forward,
29 and that is to adopt the recommendation of the
30 Southcentral Alaska Subsistence Regional Advisory Council
31 to establish a subsistence season from October 15th
32 through October 31st for the harvest of one brown bear
33 every four years.

34
35 Under their proposal, or recommendation
36 the Kenai National Wildlife Refuge manager will have the
37 authority to allow for the take of two bears, and this
38 will be a registration hunt, and the Refuge manager has
39 the authority to open and close the season.

40
41 CHAIRMAN FLEAGLE: Is there a second.

42
43 MS. GOTTLIEB: I'll second it.

44
45 CHAIRMAN FLEAGLE: Okay. We do have a
46 second. Gary, do you want to lay out a rationale for
47 your motion.

48
49 MR. EDWARDS: Well, you know, I think the
50 rationale is pretty straight forward, and I think this is

1 a reasonable request. I feel that we can put together a
2 hunt that would provide both for the subsistence user and
3 the sport user, and at the same time provide a preference
4 for the subsistence user. It's going to e a matter of
5 what amendments we put to it to address some of the real
6 concerns that were raised.

7

8 CHAIRMAN FLEAGLE: Discussion. Judy.

9

10 MS. GOTTLIEB: Mr. Chairman, thank you.
11 Well, I guess I would like to offer an amendment as was
12 described by the Staff Committee and kind of confirmed
13 through our discussions with the RAC Chair and others,
14 and that would be along the lines of what appears on Page
15 220, which would extend the season then, October 1 to
16 November 30th, April 1 to June 15th. And again this
17 would be consultation with Fish and Game and the RAC
18 Chair, to-be-announced seasons.

19

20 CHAIRMAN FLEAGLE: We've got motion for
21 an amendment. Is there a second.

22

23 MR. CESAR: Second.

24

25 CHAIRMAN FLEAGLE: Seconded by Niles.
26 220. Page 220 is the language that would be adopted as
27 the amendment. Discussion. Did you want to put some
28 rationale, justification for that, Judy, please.

29

30 MS. GOTTLIEB: Sure. I think we had a
31 little it of a time lag in terms of when these -- the
32 proposed regulation was initially submitted and when the
33 RAC met and when the Board of Game met, and so to kind of
34 catch up and to provide maximum amount of time that will
35 be available to subsistence users, keeping in mind the
36 relatively low numbers that may or may not be available
37 for harvest. I think this makes more sense in terms of a
38 proposed regulation for the Federal Board.

39

40 CHAIRMAN FLEAGLE: Board members, ready
41 for the question on the amendment, or do you want further
42 discussion. Gary.

43

44 MR. EDWARDS: Mr. Chairman. I mean, our
45 goal here is to try to provide this preference, and to
46 insure that the subsistence users have an opportunity to
47 hunt and hopefully to be able to take a bear if they come
48 across it. I might go ahead and ask Robin if he might
49 come up, because I know he knows that this is an issue,
50 and since he's going to be the one that's managing it,

1 maybe he has a silver bullet that might accomplish this.
2 It's not that I'm opposed to the amendment. I'm just in
3 my mind unclear whether it will actually accomplish what
4 we're trying to accomplish here.

5

6 CHAIRMAN FLEAGLE: Robin West.

7

8 MR. WEST: Mr. Chair. Mr. Edwards.

9 Given where we're at with deliberation, I think the
10 amendment probably makes sense.

11

12 Just briefly to explain, the population
13 of bears is probably increasing. We don't have the
14 number. We're still managing them conservatively, and
15 the quotas that were mentioned are still the goals for
16 management. As was stated, the -- what the Board of Game
17 authorized this year is kind of an experiment, and is
18 being initiated in a fairly conservative fashion. When
19 you boil it down to the 18 permits that the State will
20 offer for drawing by the five zones, only two will be in
21 the area that would overlap where these two bears could
22 be taken, which is the core or the heart of the refuge.
23 And that corresponds to what the State's goals are, is to
24 try and get around some of the developed communities and
25 so forth, some of the DLPs that would -- are going to be
26 killed anyway under a legitimate sport harvest.

27

28 So the long and short of it is, you know,
29 in the heart of the refuge there will a couple of drawing
30 permits that will be managed, and the subsistence folks
31 that will be hunting in 15C would be hunting in the same
32 area. There are a lot of bears in that area. There's
33 not a desire to take a lot of bears out of the area,
34 because that's kind of the refugia (ph) for this
35 population of special interest, but the seasons that have
36 been proposed in the amendment would allow that if the
37 number is -- has been taken through any means in the fall
38 and subsistence users just the people that had the two
39 drawing permits would be guaranteed a hunt in the spring.
40 And whether we would allow subsistence hunters to take
41 the opportunity to hunt in the all, even if the sport
42 hunt was closed or not is something for discussion, and
43 there would be some discretion in doing that, but I would
44 suggest that we would not, if the DLPs were taking out of
45 that general area, or the overall harvest was fairly
46 high.

47

48 But for where you are right now, I think
49 the amendment kind of makes sense.

50

1 MR. EDWARDS: Thank you, Robin. And just
2 one other question, and maybe to Judy. Judy, does your
3 amendment -- does it include the two bear quota and the
4 registration hunt? Is that part of your amendment or
5 not?

6
7 CHAIRMAN FLEAGLE: Judy, your microphone.

8
9 MS. GOTTLIEB: Maybe I can get some
10 assistance from Larry on the intent of the Staff
11 Committee or on that preliminary conclusion there. I
12 guess it's not in the wording, but.....

13
14 CHAIRMAN FLEAGLE: Larry Buklis.

15
16 MR. BUKLIS: Mr. Chairman. In terms of
17 the Staff Committee comments, the comments would point to
18 this alternative view of extending into that spring
19 opportunity, but it would include the two bear quota and
20 the registration permit.

21
22 MS. GOTTLIEB: Okay. Thanks.

23
24 CHAIRMAN FLEAGLE: Would you -- Pete,
25 your interpretation. Go ahead.

26
27 MR. PROBASCO: Mr. Chair. If I may, Ms.
28 Gottlieb, if it indeed is your intent to include the
29 quota, you motion focused on the language on Page 220
30 which does not include that, so you would need to clarify
31 your motion.

32
33 CHAIRMAN FLEAGLE: Judy Gottlieb.

34
35 MS. GOTTLIEB: For clarification then,
36 that the Refuge manager does have the authority to allow
37 the take of two bears, and this would be part of the
38 registration hunt, and these two would be part of the
39 overall quota of 50 that seem to apply to Unit 15 in
40 general.

41
42 CHAIRMAN FLEAGLE: Do we have concurrence
43 of the second on the amendment?

44
45 MR. CESAR: Yes.

46
47 CHAIRMAN FLEAGLE: Niles, thank you.
48 Just a correction, 50 is the up to language for permits
49 to be issued. The quota for over-all kill is 20, so just
50 for clarification. And it sounds like the agencies still

1 want to agree to cooperate on that number. I see heads
2 nodding. We've finally reached some cooperation here
3 today.

4
5 (Laughter)

6
7 MS. KESSLER: Mr. Chair.

8
9 CHAIRMAN FLEAGLE: Wini.

10
11 MS. KESSLER: Yeah. This has been a
12 complicated one, but I'm satisfied we've arrived at --
13 between the proposal and the amendment, something that
14 will provide a meaningful preference for subsistence
15 users and is consistent with principles of wildlife
16 management and conservation.

17
18 CHAIRMAN FLEAGLE: Are we ready for
19 action on the amendment.

20
21 MR. EDWARDS: Question.

22
23 CHAIRMAN FLEAGLE: The question's
24 recognized. Pete, on the amendment as just stated into
25 the record by Judy, please poll the Board.

26
27 MR. PROBASCO: Thank you, Mr. Chair.
28 This is amendment to Proposal WP07-17b, and we referenced
29 Page 220 of our book and clarification by Ms. Gottlieb to
30 add the quota of two bears, a registration hunt and to
31 work closely with Alaska Department of Fish and Game,
32 with the overall quota of 20 bears annually.

33
34 Mr. Oviatt.

35
36 MR. OVIATT: Aye.

37
38 MR. PROBASCO: Ms. Kessler.

39
40 MS. KESSLER: Aye.

41
42 MR. PROBASCO: Mr. Edwards.

43
44 MR. EDWARDS: Aye.

45
46 MR. PROBASCO: Mr. Fleagle.

47
48 CHAIRMAN FLEAGLE: Aye.

49
50 MR. PROBASCO: Ms. Gottlieb.

1 MS. GOTTLIEB: Aye.
2
3 MR. PROBASCO: And Mr. Cesar.
4
5 MR. CESAR: Aye.
6
7 MR. PROBASCO: The motion carries,
8 six/zero.
9
10 CHAIRMAN FLEAGLE: Thank you, Pete. That
11 now brings us to the main motion as amended. Further
12 discussion prior to the vote.
13
14 (No comments)
15
16 CHAIRMAN FLEAGLE: Hearing none, it
17 sounds like we're ready for the question. Proposal 17b
18 as amended. Final action. Pete.
19
20 MR. PROBASCO: Thank you, Mr. Chair.
21
22 Ms. Kessler.
23
24 MS. KESSLER: Aye.
25
26 MR. PROBASCO: Mr. Edwards.
27
28 MR. EDWARDS: Aye.
29
30 MR. PROBASCO: Mr. Fleagle.
31
32 CHAIRMAN FLEAGLE: Aye.
33
34 MR. PROBASCO: Ms. Gottlieb.
35
36 MS. GOTTLIEB: Aye.
37
38 MR. PROBASCO: Mr. Cesar.
39
40 MR. CESAR: Aye.
41
42 MR. PROBASCO: And Mr. Oviatt.
43
44 MR. OVIATT: Aye.
45
46 MR. PROBASCO: Main motion carries as
47 amended, six/zero.
48
49 CHAIRMAN FLEAGLE: All right. Thanks,
50 Pete.

1 I'm just wondering if we should plug on a
2 little further, or take a break now. Take a break. Five
3 minutes, 10 minutes, sorry. 10 minute break.

4
5 (Off record)

6
7 (On record)

8
9 CHAIRMAN FLEAGLE: Good afternoon. We're
10 back on record. And there's been some discussion as to
11 what the plan is, and what we're planning on doing is
12 working until approximately 6:00 p.m., and then Wini has
13 to leave us. She can stay that long.

14
15 And we'll take a dinner break and come
16 back and work until we fall over, or until we take a
17 break for the evening. So that's -- that last part was a
18 joke. We'll probably put in a couple three hours tonight
19 and just see how far we can get caught up as far as we're
20 -- we've got a lot of proposals still to deal with, and
21 we want to make sure we're out of here on time tomorrow.

22
23 We do have some more time constraints.
24 We've got a fellow that wants -- needs to be here through
25 the Bristol stuff, and hopefully they'll be all taken --
26 be finished by tonight. And with that, we're going to go
27 ahead and move on.

28
29 Well, I should open it up. Is there any
30 announcements other than that that need to be made, Pete.

31
32 MR. PROBASCO: No, Mr. Chair. You
33 covered it, and we'll try to make our presentations short
34 and to the point, Mr. Chair.

35
36 CHAIRMAN FLEAGLE: Okay. Thanks. With
37 that then, we're moving back on our agenda, and -- gosh,
38 I've got so many of them. All right. Proposal No. 07-
39 21, Unit 15 moose. And the analysis, we go to.....

40
41 MS. H. ARMSTRONG: Helen Armstrong.

42
43 CHAIRMAN FLEAGLE: Helen Armstrong.
44 Welcome. Thanks.

45
46 MS. H. ARMSTRONG: Thank you, Mr. Chair.
47 Members of the Board. My name is Helen Armstrong. I'm
48 an anthropologist with OSM.

49
50 Proposal WP07-21 was submitted by Dennis

1 Reutov and Fred Martushev. And they request that
2 Kachemak-Selo, Razdolna and Voznesenka be added to the
3 customary and traditional use determination for moose in
4 Unit 15B and C. This would add them to the existing C&T
5 determination which is for rural residents of Ninilchik,
6 Nanwalek, Port Graham and Seldovia.

7
8 And I just wanted to note that the
9 proposal book had an error, that it said they requested
10 it for all of 15, but they only requested it for 15B and
11 C.

12
13 I'm going to really move quickly through
14 this analysis, but you do all have it in your book in
15 front of you. Just make a few high point notes.

16
17 The Board adopted the existing C&T in
18 1995 when they did the C&T determinations for Kenai
19 Peninsula that Liz talked about his morning, and they
20 determined that residents of what they called the Homer
21 rural area, which included these communities, that they
22 had -- they did not give them positive C&T for any
23 resources because at the time they felt that those
24 communities did not have enough evidence of a long-term
25 consistent pattern of use.

26
27 The three communities that are under
28 consideration for this proposal are all Federally-
29 qualified rural communities. They are new communities
30 that were founded by households from the community of
31 Nikolaevsk, which was funded by five families in 1967.
32 And families from Nikolaevsk then moved and created these
33 three new communities in the 80s.

34
35 Voznesenka is 23 miles east of Homer.
36 It's on the map on Page 251. You can see the three
37 communities there. Razdolna is just two miles farther
38 and overlooks Fox River mud flats and Kachemak-Selo is
39 near the head of Kachemak Bay.

40
41 They're all quite small, although we
42 don't have an exact population for them, because they are
43 not included in the census individually. They're part of
44 the Fox River CDP which had 616 people, and of those 616,
45 429 of those speak English as a second language, and
46 these three communities, they are Old Believer
47 communities with Russian heritage, and they speak Russian
48 as their first language. So it's somewhere around --
49 something less than 600 is how many people live there.
50

1 We have very little data on these
2 communities. There's only been one household use study
3 that was conducted by ADF&G Subsistence Division in 1998
4 on Voznesenka, and in that study there were -- 14 moose
5 were harvested in that single year. They were shared by
6 the community. They made up a good percentage of their
7 uses -- the harvests that they used. And of that 14
8 moose that were harvested, none were on Federal public
9 lands.

10
11 The problem that I had in really trying
12 to figure out how many moose that people harvest is that
13 the people in these three communities, they get their
14 mail either in Fritz Creek or in Homer, most likely Fritz
15 Creek. There's a general delivery at the store. And in
16 addition to those people getting their mail, the Fritz
17 Creek CDP has 1600 people, so the you add that 600 or so
18 from Fox River CDP. We have absolutely no idea how many
19 people who do report their harvest as being from Fritz
20 Creek are from these three communities. So we have very
21 little information.

22
23 Fritz Creek had somewhere -- you know,
24 I'd say kind of on an average they had anywhere from 2 to
25 10 moose taken a year in Unit 15, but I don't know where
26 those people were from.

27
28 The study that ADF&G did, which was by
29 Dr. Fall, noted that there needed to be further research
30 conducted in the Old Believer communities to examine
31 their harvest use patterns more thoroughly.

32
33 My preliminary OSM conclusion is to
34 oppose the proposal, because we didn't have enough
35 information to give them C&T on Federal public lands.

36
37 I'm kind of -- I was skipping over and I
38 had one more thing I should have said a little bit
39 earlier. The proponents stated in their proposal that
40 they harvest moose in Fox River Valley, Clear Water
41 Slough, Caribou Hills and Tustumena Lake, and all of
42 those are in 15C. And most of Fox River Valley is within
43 State lands. Clear Water Slough, Caribou Hills and
44 Tustumena Lake are in the Kenai National Wildlife Refuge.
45 So they did say that they hunt moose up there. But, as I
46 said, we don't have evidence that they do.

47
48 So the preliminary conclusion is to
49 oppose the proposal until we have additional information.
50

1 Thank you.

2

3 CHAIRMAN FLEAGLE: Thank you. Questions.

4 Gary.

5

6 MR. EDWARDS: A couple of questions.

7 Putting aside where the hunting may or may not have taken

8 place, is there any question that these folks, although

9 not a lengthy history in that area, have a history of

10 utilizing moose for subsistence purposes?

11

12 MS. H. ARMSTRONG: Well, we know from the

13 one study that was done by ADF&G that they did harvest 14

14 moose. And so we do know that they harvest moose. It is

15 a new community. This Board has never made any kind of

16 decision how old a community has to be, or if it matters.

17 They're very dependent on the land. The Old Believers

18 are pretty self-sufficient. They garden, they hunt, they

19 fish, so they do depend on the land.

20

21 So, you know, I know people were trying

22 to compare this a lot to the Ninilchik bear proposals,

23 but I think the difference is, is we don't have the

24 cultural context. We really don't know that much about

25 these communities. They're isolated and don't interact

26 that much with the outside world.

27

28 MR. EDWARDS: But the fact that they

29 would harvest moose, we're assuming that they utilize

30 those moose that they harvest, wouldn't that be correct?

31

32 MS. H. ARMSTRONG: Absolutely.

33

34 MR. EDWARDS: Okay. And one other

35 question. If you look at distance within Unit 15, and

36 let's say the communities in the Ninilchik group compared

37 to this as far as distance to get up into actually

38 Federal lands, which one actually has the farthest

39 distance to travel.

40

41 MS. H. ARMSTRONG: Which community?

42

43 MR. EDWARDS: Well, right. I mean, you

44 have two communities that are in 15, neither -- both of

45 them have a distance to travel to get up into Federal

46 lands. I was just curious in proximity which one has the

47 -- which one is closer to Federal land so to speak.

48

49 MS. H. ARMSTRONG: You mean which of the

50 three of the.....

1 MR. EDWARDS: Those communities to the
2 Ninilchik cluster of communities.

3
4 MS. H. ARMSTRONG: Well, I don't even --
5 I'm not really sure frankly, I'd have to look at the map,
6 but I think the other thing that I've been told, I
7 haven't ever been there, but I've also been told that
8 it's difficult to get to the Federal public lands from
9 these three communities, and that that's also an issue,
10 is just getting there is difficult, and that there are
11 plenty of moose in the flats there near the communities
12 that they probably wouldn't have to go up onto Federal
13 public lands to get moose, that they're more readily
14 available where they are. Dan LaPlant's spent a lot of
15 time there. He might be able to tell you more.

16
17 MR. EDWARDS: Yes. And my follow-up
18 question, couldn't you make that same argument for
19 Ninilchik? None of that country's easy to get into.

20
21 MS. H. ARMSTRONG: I wouldn't be of
22 authority enough to say.

23
24 CHAIRMAN FLEAGLE: Other questions.

25
26 (No comments)

27
28 CHAIRMAN FLEAGLE: Summary of written
29 public comments. Donald.

30
31 MR. MIKE: Mr. Chair. There are no
32 written public comments. Thank you.

33
34 CHAIRMAN FLEAGLE: Thank you. Public
35 testimony. Pete.

36
37 MR. PROBASCO: Mr. Chair, We have no one
38 signed up for this agenda item.

39
40 CHAIRMAN FLEAGLE: Regional Council
41 recommendation. Ralph.

42
43 MR. LOHSE: Thank you, Mr. Chair. As you
44 know, and I'll go through it, the Regional Council
45 opposed -- the Southcentral Alaska Subsistence Regional
46 Advisory Council opposed the request of Kachemak-Selo,
47 Razdolna, and Voznesenka to be added to the customary and
48 traditional use determination for moose in 15B and C.
49 And no information was presented that the resource was
50 used on Federal public lands. No evidence was found in

1 support of the proponents' claims. The proponents were
2 not present to testify for a positive C&T.

3

4 And I'd like to go into it a little bit
5 in detail, because I know there's been some questions
6 about it. One thing the Fish and Game has characterized,
7 just like with our decision on the brown bear C&T for
8 Ninilchik is that it's a reversal. When we say we oppose
9 here, that just means we didn't find evidence to support
10 it. It doesn't mean that we're against it. It's not a
11 reversal when we change our mind and get evidence
12 presented to us. And that was one of the things that we
13 said for this one right here. We don't know much about
14 these communities like she said, and nobody came forward
15 to tell us anything.

16

17 Now, it's been characterized that we
18 don't have a real lot of information from Ninilchik.
19 That might be true when it comes to written down
20 information. But we had a lot of information from
21 Ninilchik, because they came and testified before us time
22 and time and time again about their customary and
23 traditional use of resources on the Kenai. We know a lot
24 about Ninilchik.

25

26 As a Council we don't know much about
27 these communities right here. They didn't come forward
28 to present their proposal. We're open to their proposal,
29 and in the future, if information is presented and we
30 support their proposal, that's not a reversal. That's
31 just accepting the fact that we now have information on
32 which to base a decision. And so while we oppose this,
33 the main reason we oppose it is because the people who
34 put the proposal in didn't come forward, didn't come and
35 present any information to us other than the little bit
36 of written information that we got from OSM in support of
37 their claims. And we can't act on that as a Council.
38 Our Council doesn't act on that. Or hasn't in the past
39 anyhow.

40

41 So with that, I'm going to let -- open up
42 to any questions anybody has to why we made our
43 decisions.

44

45 CHAIRMAN FLEAGLE: Questions. Gary.

46

47 MR. EDWARDS: I mean, Ralph, I guess
48 realistically I mean, it doesn't seem to me that one of
49 the criterias for a Council acting upon one's proposal is
50 that one appears in person to represent it. Several,

1 obviously -- a lot of our remote communities, it's not
2 easy for people to do. Some people just don't like to
3 get up in front of people, whether it's by phone or
4 whatever. It seems to me that Councils, whether it's
5 your Council or any of the Councils -- it seems to me it
6 took some -- it appears almost on the surface that it was
7 dismissed because nobody was there to represent it,
8 although they did in this case submit a written proposal.
9

10 MR. LOHSE: Mr. Chair. Gary. Again
11 that's possibly a little bit of a misrepresentation.
12 What we said and what we look at ourselves as a Council
13 is we're supposed to be representing local knowledge.
14 We're not scientists. We're representing what we know.
15 If we don't know anything, we can't make a decision.
16 Now, the Board can make a decision based on information
17 that's presented to them that we don't know. But for us
18 to make a recommendation, we have to feel that somebody
19 has come forward and given us sufficient information, or
20 we have to know enough about the subject ourselves that we
21 can say, yes, or we can say, no. And in this case here,
22 it just so happens that I happen to fish with a couple of
23 these guys in Prince William Sound, and I do know that
24 they use a lot of resources and that they have a garden,
25 and that they take a lot of fish from Prince William
26 Sound, and they put up a lot of fish for the winter. But
27 I have no idea -- they have never talked to me about
28 where they go moose hunting or what they do from moose
29 hunting or caribou hunting, or sheep hunting or anything
30 like that. So even I who have a business interaction
31 with some of these people don't know anything about them.
32 So how can I make a decision.
33

34 CHAIRMAN FLEAGLE: Thank you. Department
35 of Fish and Game comments. Terry Haynes.
36

37 MR. HAYNES: Mr. Chairman. I'll
38 summarize our comments as we've done so far this meeting
39 and we'll continue to do in the spirit of keeping things
40 efficient.
41

42 The Department does not support this
43 proposal primarily for two reasons. First, as has been
44 noted in the Staff analysis, Kachemak-Selo, Razdolna and
45 Voznesenka are relatively new communities, and the
46 purpose of ANILCA is to insure customary and traditional
47 use opportunities are allowed to continue, not to create
48 new subsistence opportunities.
49

50 Second, as is noted in the Staff

1 analysis, the few moose that are harvested by these
2 communities are taken on State land under State
3 regulations, indicating that there is insufficient
4 evidence in terms of frequency of use, area of use,
5 community use or otherwise to support a determination
6 that there's been a long-term, consistent, recurring
7 pattern of customary and traditional use for subsistence
8 by the communities of Kachemak-Selo, Razdolna, and
9 Voznesenka of moose on Federal public lands in Unit 15 as
10 required by ANILCA and the Federal subsistence
11 regulations governing such determinations.

12

13 Thank you.

14

15 CHAIRMAN FLEAGLE: Thank you, Terry.

16 Questions.

17

18 (No comments)

19

20 CHAIRMAN FLEAGLE: InterAgency Staff
21 Committee comments. Larry.

22

23 MR. BUKLIS: Mr. Chairman. The Staff
24 Committee comments appear on Page 254 of your book for
25 Proposal No. 21.

26

27 In its review of the Southcentral
28 Council's recommendation, the Staff Committee discussed
29 the lack of clear information regarding moose harvest by
30 the communities. The proponents indicated that their
31 communities had harvested moose on Federal public lands;
32 however, there was no public testimony at the Council
33 meeting to support this claim.

34

35 The Staff analysis indicated that there
36 is only one year of clear information regarding the
37 subsistence use of Voznesenka, and no information
38 regarding the subsistence uses of Razdolna and Kachemak-
39 Selo.

40

41 It was noted by the Staff Committee that
42 the communities addressed in this proposal are located
43 closer to Federal public lands than are some of the other
44 communities that have a customary and traditional use
45 determination for moose on Federal public lands of the
46 Kenai Peninsula.

47

48 The available information in the ADF&G
49 harvest ticket database does not reveal resource use by
50 residents of the three communities as it is

1 indistinguishable from that of Fritz Creek and other
2 nearby Kenai communities, because they do not have their
3 own village addresses, but rather have Fritz Creek
4 addresses. Thus the real use moose by these communities
5 and the locations of harvest could not be accurately
6 determined at this time.

7

8 Based on the Staff analysis, the Staff
9 Committee noted that although there may be use of moose
10 on Federal public lands by the residents of Kachemak-
11 Selo, Razdolna and Voznesenka in Units 15B and 15C,
12 currently there seems to be little evidence that these
13 communities have had a long-term, consistent, recurring
14 pattern of use of moose on Federal public lands in Unit
15 15.

16

17 Mr. Chairman, that's a summary of the key
18 points.

19

20 CHAIRMAN FLEAGLE: Questions.

21

22 (No comments)

23

24 CHAIRMAN FLEAGLE: Thank you. I'm just
25 curious. Under our regulations 100.16, of course, you
26 know, we've spoken about the long-term, consistent
27 patterns of use. Obviously there's no long-term here.
28 And then factor 5 talks about the means of handling,
29 preparation, preserving that has been traditionally used
30 by past generations, and these are brand new communities.
31 We don't have the generational history. So I don't see
32 where we can support this at all.

33

34 But I was just curious, with the State,
35 the RAC and the ISC all being opposed to it, why didn't
36 it just get weeded out in the consensus agenda? Does
37 anybody -- why did it have to come before us?

38

39 MR. EDWARDS: We asked for it.

40

41 CHAIRMAN FLEAGLE: We asked for it?

42 Okay.

43

44 MS. KESSLER: Mr. Edwards and I asked for
45 it.

46

47 CHAIRMAN FLEAGLE: Okay. That's good
48 enough reason. And that was earlier in the meeting
49 yesterday. I just must have forgot the number. Okay.

50

1 MS. GOTTLIEB: Mr. Chairman.

2

3 CHAIRMAN FLEAGLE: Judy.

4

5 MS. GOTTLIEB: It does seem that, I mean,
6 as has been stated several times, there would really need
7 to be a bit more information and research done for us and
8 the Council to understand a little bit better what the
9 situation is for these communities. So I would recommend
10 that, you know, the Board look into gathering that
11 information for future decisions on this area.

12

13 MR. EDWARDS: Mr. Chairman. I guess I
14 would argue that it has been long-term. In their case
15 it's been forever, it's been from the beginning. So, I
16 mean, long is relevant to when you start, and if they
17 were there and started in 1980 and shot and used a moose
18 in 1980, they it's been forever from their perspective of
19 their length. So that's pretty long-term.

20

21 I mean, I guess where I have a difficulty
22 is looking at this, and I think it is clear, I don't
23 think anybody would deny that these folks utilize moose
24 within Unit 15. They're relatively speaking close to
25 Federal lands, and given their previous actions, it seems
26 to me it's difficult for us to rationale not providing
27 the same, you know, C&T that we have done to similar --
28 to other situations.

29

30 CHAIRMAN FLEAGLE: Wini.

31

32 MS. KESSLER: Thank you, Mr. Chair. I
33 don't feel I can speculate on information that's not
34 there; however, I do want to leave the door open for more
35 information that I would hope would become available. It
36 sounds like a community that keeps to itself like that
37 may be reluctant to come out and maybe information
38 gathering will have to be a little more assertive in
39 going to them. But I think definitely in the future a
40 C&T use determination may be appropriate, but we need to
41 have that information on which to base it.

42

43 CHAIRMAN FLEAGLE: George.

44

45 MR. OVIATT: I sort of come down with
46 Gary in parts of this, because they submitted a written
47 testimony that they have subsisted, and, you know,
48 they've been there since 1980, and, you know, we've got
49 some Federal lands that are very close to that area. I'm
50 just -- I mean, is it because they didn't -- maybe they

1 couldn't afford to come forward to the RAC meetings. I
2 just wonder if we're cutting these people a little short,
3 doubting maybe their word that they said they used it.

4

5 Just a comment, Mr. Chairman.

6

7 MR. CESAR: Mr. Chairman.

8

9 CHAIRMAN FLEAGLE: Go ahead, Niles.

10

11 MR. CESAR: It's interesting that for the
12 last however many years we've been sitting here, we beat
13 each other over the heat about long-term, consistent
14 usage. Now, there may be people on this Board who feel
15 that 25 years is long-term. I don't. And I don't think
16 that -- it would be very difficult to convince me of
17 that, so that's -- and I don't think that we're saying
18 that they cannot prove up, they can't come forward. I
19 think as we do on most of these, and there's been a long
20 history of us accepting comments from the floor where
21 people forward and make their case, or ask us to come
22 down there, we have done that, and listened to people.
23 And so we try to use, you know, some good judgment, some
24 balance in making these decisions.

25

26 And I'm comfortable in opposing this,
27 because, again, I'm reminded by Chairman Lohse there that
28 it's not a rejection. What it is, is there's not
29 information. Let's get the information as we've demanded
30 many, many times in the past with many, many proposals,
31 that we get more information. For my vote in opposition
32 to this would be for the purposes of allowing the
33 proponent to come forward with stronger information at
34 the next cycle.

35

36 CHAIRMAN FLEAGLE: It sounds like we're
37 ready for a motion.

38

39 MR. EDWARDS: Well, just one question. I
40 mean, Mr. Chairman, would one option be to defer it?
41 That way it seems to me we maintain some consistency with
42 some of our previous actions that we have done on the two
43 bear proposals, and so it's not like we're deferring it,
44 but -- I mean, opposing it, but we would actually defer
45 it.

46

47 CHAIRMAN FLEAGLE: We don't have any
48 motion on the floor, so if you want to make the to do
49 that, you're entitled to, and we'll have discussion on
50 that, Mr. Edwards. And I do apologize. I did look at

1 our original agenda, and it was on the consensus agenda,
2 and I just forgot that it referred to this.

3

4 MR. PROBASCO: I mislead you.

5

6 CHAIRMAN FLEAGLE: Thanks, Pete.

7

8 MR. EDWARDS: Mr. Chairman. I guess I'd
9 go ahead and try to make a motion. I would move that on
10 Proposal WP07-21, requesting that -- I'm not as good as
11 Ralph to say the names, so the three communities be added
12 to customary and traditional determination for moose in
13 Units 15B and 15C be deferred.

14

15 MR. OVIATT: I'll second that motion.

16

17 CHAIRMAN FLEAGLE: All right. Motion to
18 defer. And you're talking to a time certain, to the next
19 regulatory cycle for this area?

20

21 MR. EDWARDS: That would be fine.

22

23 CHAIRMAN FLEAGLE: Okay. Do you want

24 to.....

25

26 MS. GOTTLIEB: Mr. Chairman.

27

28 CHAIRMAN FLEAGLE: Just a minute.

29

30 MS. GOTTLIEB: I'm sorry.

31

32 CHAIRMAN FLEAGLE: Do you want to speak
33 to the rationale behind your motion again, Gary?

34

35 CHAIRMAN FLEAGLE:

36

37 MR. EDWARDS: Just to add to that. I
38 think that -- as I previously said, I think there is
39 information obviously showing that these folks have
40 utilized moose in this area, maybe or maybe not on
41 Federal lands. I think folks feel that it would be
42 helpful in making this determination that we have
43 additional information. By deferring it, I think it
44 would allow us the opportunity to get that, and by
45 rejecting it, I feel that it would be inconsistent with
46 how we have been addressing recent C&T determinations.

47

48 CHAIRMAN FLEAGLE: Judy.

49

50 MS. GOTTLIEB: I was going to add with

1 respect to the information that I hope it's not the
2 intent of this Board to only put this on the proponent.
3 I think we've learned from past times that it's not the
4 proponent's responsibility to justify everything, that we
5 have the resources and capable personnel of gathering
6 some of that information, and it's our responsibility as
7 well.

8

9 CHAIRMAN FLEAGLE: Other discussion.

10

11 (No comments)

12

13 CHAIRMAN FLEAGLE: Yeah, we did, we did
14 have a second, George Oviatt.

15

16 I'm going to vote against the motion to
17 defer. I don't support the request. Again, just reading
18 right out of the criteria -- well, they're not criteria,
19 they're factors. Long-term, generations, patterns of use
20 that are handed down to generations, pattern of use for
21 sharing -- well, that one doesn't have generation, but
22 there are two of the factors. I just don't see that a
23 brand new community established just over two decades ago
24 can in any way meet long term and meet anything to do
25 with generations. I think an average generation is
26 roughly 20 years. Maybe in 20 years we might feel it
27 does, but I don't support it.

28

29 Other comments.

30

31 (No comments)

32

33 CHAIRMAN FLEAGLE: Ready for the
34 question. The question's called on the motion to defer.
35 Pete.

36

37 MR. PROBASCO: Motion to defer Proposal
38 WP07-21, Unit 15 moose. And we're starting out with Mr.
39 Edwards.

40

41 MR. EDWARDS: Aye.

42

43 MR. PROBASCO: Mr. Fleagle.

44

45 CHAIRMAN FLEAGLE: Nay.

46

47 MR. PROBASCO: Ms. Gottlieb.

48

49 MS. GOTTLIEB: Aye.

50

1 MR. PROBASCO: Mr. Cesar.
2
3 MR. CESAR: No.
4
5 MR. PROBASCO: Mr. Oviatt.
6
7 MR. OVIATT: Aye.
8
9 MR. PROBASCO: And Ms. Kessler.
10
11 MS. KESSLER: Aye.
12
13 MR. PROBASCO: Motion carries, four/two.
14
15 CHAIRMAN FLEAGLE: Thank you, Pete.
16
17 (Pause)
18
19 CHAIRMAN FLEAGLE: All right. We're
20 moving on to Proposal 22. And we have back at the table
21 Mr. Greg Risdahl. We're on Proposal 22.
22
23 MR. RISDAHL: Mr. Chairman. Members of
24 the Board. Proposal No. 22 begins on Page 255 of the
25 Board book.
26
27 This proposal was submitted by Mr. Marvin
28 Peters of Homer, Alaska. It requests that the late fall
29 Federal moose season in Units 15B and 15C be eliminated
30 or restricted to the early season hunt with a total
31 harvest not to exceed 10 animals.
32
33 Currently there is customary and
34 traditional use determinations for rural residents of
35 Ninilchik, Nanwalek, Port Graham and Seldovia in this
36 area or moose.
37
38 I'm going to give the briefest summary of
39 the biology and harvest, cutting down several pages to
40 maybe half a page here.
41
42 Combining the various goals for harvest
43 and population figures for Unit 15A and 15B and 15C,
44 they're to maintain a moose population with bull/cow
45 ratios ranging from 15 to 40 bulls per 100 cows. And
46 recent survey's show that in all these areas the bull/
47 cow ratios have been maintained over the long term and
48 recently. Likewise the cow/calf -- excuse me, the calf
49 to cow ratio over the long term has been around 30 calves
50 per 100 cows on average. The most recent survey in '05

1 had an 18 calf per 100 cow ratio. Over the long term,
2 the recruitment ratio -- or the recruitment rate for all
3 three of these subunits has been around 19 percent, with
4 the most recent survey in 2005 being 12 percent.

5
6 As far as harvest goes, I will break this
7 down a little bit. A large harvest takes place in Unit
8 15A under the State regulations. On average over the
9 long term, around 173 moose are taken by 1215 hunters.
10 Contrast that to the Federal permit hunt for Units 15A,
11 15B and C combined, there is around 4 moose taken each
12 year by approximately 25 hunters. And some years, of
13 course, had no subsistence hunters taking moose.

14
15 In 15B the State harvest is divided into
16 two areas, 15B west, which is a general harvest area, and
17 they are taking on average around 40 bull moose per year.
18 And in the permit area, 15B east, which is set aside for
19 trophy management, they're taking around 12 moose
20 annually.

21
22 The effects of the proposal. The October
23 20 to November 10 or late Federal subsistence season has
24 been in effect for just one year. It was first
25 implemented last year in 2006. If the current proposal
26 is adopted, it would eliminate the late season, or
27 maintain the season, but adopt a 10-moose harvest quota.
28 If either the late season was eliminated, or the quota
29 adopted, there would likely be very little effect on the
30 moose population or subsistence hunters, since only two
31 moose were harvested during the late 2006 season. Plus
32 on average, as I mentioned, only four moose per year have
33 been harvested annually during the early Federal
34 subsistence season since its inception.

35
36 The preliminary conclusion of OSM is to
37 oppose the proposal. The October 20 to November 10, 2006
38 Federal subsistence moose hunt in Unit 15B and 15C had no
39 significant impact on the moose population. Although 62
40 permits were issued for the late season, only two moose
41 were harvested. 77 percent of the permit holders
42 submitted harvest reports. Ten permit holders reported
43 they did not hunt, 36 reported they hunted
44 unsuccessfully, and we have yet to see hunt reports from
45 14 additional hunters.

46
47 The low level of harvest in both the
48 early and late seasons suggests that the elimination of
49 the late hunt or establishing a harvest quota of 10 bulls
50 for the early season is not necessary to protect the

1 Kenai moose population. If a conservation concern does
2 arise, the Kenai National Wildlife Refuge manager is
3 authorized to close the late season in consultation with
4 the Alaska Department of Fish and Game.

5
6 Thank you, Mr. Chair.

7
8 CHAIRMAN FLEAGLE: Thank you, Greg.
9 Questions.

10
11 (No comments)

12
13 CHAIRMAN FLEAGLE: Summary of written
14 public comments. Donald.

15
16 MR. MIKE: Mr. Chair. There's one
17 written public comment received, starting on Page 278 of
18 your Board book.

19
20 And this was from Hans Bilben of Anchor
21 Point, and he comments that he's opposed to any Federal
22 subsistence priority hunting on the road system of the
23 Kenai Peninsula. He further comments, stating that he
24 supports Proposal WP07-22 submitted by Marvin Peters of
25 Homer.

26
27 Thank you, Mr. Chair.

28
29 CHAIRMAN FLEAGLE: Thank you. Public
30 testimony. Pete.

31
32 MR. HAYNES: Mr. Chair. We have no one
33 signed up for this agenda item.

34
35 CHAIRMAN FLEAGLE: Regional Council
36 recommendation. Ralph.

37
38 MR. LOHSE: Thank you, Mr. Chair. The
39 Southcentral Alaska Subsistence Regional Advisory Council
40 opposes the request for the late all Federal moose season
41 in Unit 15B and C to be eliminated completely, or that
42 the Federal harvest be restricted to the previously
43 existing pre-season hunt with a total kill not to exceed
44 10 animals.

45
46 Our justification was only two moose were
47 harvested in 2006 by the subsistence users in the late
48 hunt. Moose harvest reports will go directly to the
49 Refuge manager. We've set up a registration hunt with
50 quick reporting so that the Refuge manager can keep track

1 of what's going on. He has the authority to close the
2 season based on any conservation concerns.

3

4 And one of the statements by the
5 proponent of the proposal was that any hunt on vulnerable
6 late rut and post rut bulls is biologically
7 irresponsible. And we have some late hunts put out the
8 by the State, and so we don't see why there's any problem
9 with a subsistence hunt that's on the same animals.

10

11 Thank you.

12

13 CHAIRMAN FLEAGLE: Questions, Board
14 members.

15

16 (No comments)

17

18 CHAIRMAN FLEAGLE: Okay. The Alaska
19 Department of Fish and Game comments. Terry Haynes.

20

21 MR. HAYNES: Mr. Chairman. The
22 Department supports the option of repealing the late
23 season Federal hunt that's laid out in this proposal
24 since it has the potential to significantly disrupt both
25 bulls and cows and is inconsistent with recognized
26 principles of wildlife management. Disturbing large
27 bulls in October and November can jeopardize their over-
28 winter survival rates, and is likely to be detrimental to
29 the long-range satisfaction of subsistence needs.

30

31 If the Federal Board elects to continue
32 the late fall hunt, we support modification of the
33 proposal to assign a harvest quota of 10 moose to the
34 late fall season, substituting our request for a maximum
35 quota of five large bulls to be allocated as we described
36 last year in response to the proposal that lead to the
37 current season, and that is, no more than two bulls that
38 have antlers with at least a 50-inch spread or at least
39 three brow tines on at least one side may be harvested
40 from Unit 15B, and no more than three bulls that have
41 antlers with at least a 50-inch spread or at least three
42 tines on at least one side may be harvested from Unit
43 15C.

44

45 Because at least 62 Federal registration
46 permits were issued for the 2006 late season hunt, the
47 potential for a substantially higher harvest than the two
48 that were reported last year is evident.

49

50 The Department is also concerned about

1 plans to issue only a single Federal registration permit
2 for the fall and late fall hunts next year, and seeks
3 assurances that the permits will require hunters to
4 indicate when and where they hunted so that participation
5 in and the potential effects of the late season hunt can
6 be closely monitored.

7

8 We appreciate the fact that the Kenai
9 Refuge manager is authorized to close the late season
10 hunt if a conservation concern arises in consultation
11 with the Department; however, it is unclear how this
12 would actually work in practice.

13

14 Thank you.

15

16 CHAIRMAN FLEAGLE: Thank you, Terry.

17

18 Questions. Gary.

19

20 MR. EDWARDS: Thank you, Mr. Chairman.

21

22 The issue that was raised about
23 disturbing the large bulls at this time of the year, and,
24 you know, the response from the Regional Advisory Council
25 is that do you not have State hunts occurring at that
26 same time, and aren't you have -- do you not have the
27 same concern with those hunts.

28

29 CHAIRMAN FLEAGLE: Gino.

30

31 MR. DELFRATE: Thank you, Mr. Chair.

32 Gino Delfrate for the record.

33

34 I think it would be fair to say that we
35 do have concerns for our own State hunt disrupting the
36 rut. We've stated that on the record. We are monitoring
37 that hunt. It is a very small hunt in an area that is
38 closed to all other hunting opportunity, and so we will
39 be continuously looking at that in the future and may be
40 proposing to close that as well.

41

42 CHAIRMAN FLEAGLE: Okay. Thanks. Other
43 questions.

44

45 (No comments)

46

47 CHAIRMAN FLEAGLE: InterAgency Staff

48 Committee comments. Larry.

49

50 MR. BUKLIS: Thank you, Mr. Chairman.

1 The Staff Committee comments can be found on Page 268.
2 I'll summarize the main points.

3
4 The Staff Committee found the
5 Southcentral Council recommendation to be consistent with
6 ANILCA Section 805(c). However, a cautionary note was
7 raised in the discussion of the Staff Committee regarding
8 the relatively large number of Federal permits issued
9 without a specified harvest quota. However, in view of
10 the small harvest in 206, and the regulatory provision
11 authorizing the Refuge manager to close the season if the
12 harvest poses conservation concerns, the Staff Committee
13 believes a harvest quota is not necessary at this time.

14
15 Thank you.

16
17 CHAIRMAN FLEAGLE: Thank you, Larry.
18 Questions.

19
20 (No comments)

21
22 CHAIRMAN FLEAGLE: Board discussion.
23 Gary.

24
25 MR. EDWARDS: Mr. Chairman. I move that
26 we adopt the Southcentral Regional Council's
27 recommendation on Proposal 22.

28
29 MR. OVIATT: I'll second.

30
31 CHAIRMAN FLEAGLE: All right. We've got
32 a second. Was that from George? Thank you.

33
34 And, Gary, do you want to justify your
35 motion -- give us a rationale, excuse me.

36
37 MR. EDWARDS: Well, their action was to
38 reject the proposal, and certainly I don't feel that
39 we've heard any substantial evidence that eliminating or
40 restricting this fall season or establishing a harvest
41 quota is necessary to maintain a healthy moose
42 population.

43
44 Certainly I think there are concerns
45 raised about potentially disturbance of bulls as well as
46 the potential number of bulls that might be harvested.
47 That at least on the harvest level, that hasn't been
48 demonstrated to date, and I do feel that there would be
49 adequate safeguards in place, and that we could address
50 that and certainly if this hunt would -- or harvest would

1 expand as the State thinks that it might, then we can
2 certainly come back and visit it. And I'm assuming that
3 certainly the RAC would certainly be willing to entertain
4 a potential of putting some kind of a limit on the
5 harvest. But at this point it doesn't seem like that's
6 necessary to do.

7
8 CHAIRMAN FLEAGLE: Other comments. Wini.

9
10 MS. KESSLER: Thank you, Mr. Chair.

11
12 Yeah, I'm swayed by a number of factors
13 on this in support of the motion. You know, a number of
14 entities worked together to develop and accept the bull
15 late season fall hunt. And last year was the first time
16 it was implemented. So I think it's a question of giving
17 it some time to work. As well, although 62 permits were
18 issued, there were only two moose taken. I really don't
19 think this is a significant impact. And as well we have
20 the safeguard that the Kenai Refuge manager is authorized
21 to close the hunt if necessary, so that takes care of any
22 conservation concerns I may have had otherwise.

23
24 CHAIRMAN FLEAGLE: Are we ready for the
25 question. All right. The question is recognized on the
26 proposal. Pete.

27
28 MR. PROBASCO: Thank you, Mr. Chair.
29 Proposal WP07-22 to adopt the Southcentral Regional
30 Advisory Council's recommendation to reject this
31 proposal.

32
33 Mr. Fleagle.

34
35 CHAIRMAN FLEAGLE: Aye.

36
37 MR. PROBASCO: Ms. Gottlieb.

38
39 MS. GOTTLIEB: Aye.

40
41 MR. PROBASCO: Mr. Cesar.

42
43 MR. CESAR: Aye.

44
45 MR. PROBASCO: Mr. Oviatt.

46
47 MR. OVIATT: Aye.

48
49 MR. PROBASCO: Ms. Kessler.

50

1 MS. KESSLER: Aye.
2
3 MR. PROBASCO: Mr. Edwards.
4
5 MR. EDWARDS: Aye.
6
7 MR. PROBASCO: Motion carries, six/zero.
8
9 CHAIRMAN FLEAGLE: That appears to
10 conclude Southcentral Alaska issues. I want to thank
11 everybody on the participation in that section. Thank
12 you for all your input, Ralph.
13
14 And maybe we'll just take a brief at ease
15 to let the next group of personnel get ready for the
16 Bristol Bay area. Five minutes.
17
18 (Off record)
19
20 (On record)
21
22 CHAIRMAN FLEAGLE: Good afternoon. The
23 Federal Subsistence Board is back on record. And we're
24 now going to take up the Bristol Bay region proposals.
25 But prior to moving ahead with that we do have a
26 presentation by Bruce Dale of the Alaska Department of
27 Fish and Game on the Mulchatna Caribou Herd, and I'd like
28 to turn it over to you, Bruce, introduce yourself and
29 welcome.
30
31 MR. DALE: Thank you. My name is Bruce
32 Dale. I do caribou and moose wildlife research for the
33 Department of Fish and Game out of the Palmer office.
34 And we recently have conducted some research and reviewed
35 some older research from the Mulchatna Herd and I was
36 asked to present that to you that'll help in your
37 deliberations on possibly adjusting seasons and bag
38 limits for the Mulchatna Caribou Herd.
39
40 If you'll look at the first slide,
41 probably most people here are aware that the Mulchatna
42 Herd's meteoric rise is over. These are their population
43 estimates through 2006. Most notably in about 1996 or so
44 the herd peaked at about 200,000 animals. In the last
45 four years in 2002, it had declined to 145,000 and then
46 two years later 85,000 and last summer it was down to
47 45,000 caribou.
48
49 A common reaction is that caribou herds
50 go up and down and so what, that's something we live

1 with. And I buy that. But still there's management
2 decisions that have to be made and allocation decisions
3 and so it seems worthwhile to take a look at what
4 happened a little bit so we can see where we're at now
5 more realistically, and use that to base whatever
6 predictions we can make for our adjustments for the
7 future.

8
9 Potential causes, I'm just going to go
10 real briefly here and quickly. Food limitation is
11 probably at the root of the decline. Populations get
12 high and can over-shoot carrying capacity by two or three
13 times, as noted in the literature from some Canadian
14 studies. Harvest I'll talk about a little bit more.
15 It's often implicated and often becomes important when
16 you get into allocation. Predation we'll talk about
17 later. Disease is probably -- might be associated with
18 food limitation, I'm going to talk a couple minutes on
19 that because we've done a fair amount of work on that.
20 There's reasons to suspect that there may be some sort of
21 climate or weather patterns that have affected what we
22 see with this herd. And I'm going to talk a little bit
23 more about age structure effects, which are going to
24 probably dictate what we see in the near future for this
25 herd.

26
27 Okay. We conducted a health assessment
28 and I'll just say that it's looking at a lot of old blood
29 samples that were collected years ago, new work on those
30 old archive samples as well as new blood collections and
31 we actually collected some animals. And the idea is to
32 gain a picture of how the health of these animals might
33 have changed, how the environment in terms of disease and
34 parasites might have changed through time.

35
36 Okay. The most interesting results we've
37 obtained so far is that in samples from 1988 to 1998,
38 which are substantial, these aren't small sample sizes
39 when they're compiled over years, you know, there are
40 over 100 samples, the first one I'm looking at here,
41 viruses, those bovine-respiratory viruses is actually a
42 suite of viruses. It was absent in the population
43 through 1998 and now we have a high exposure rate of
44 these viruses. In cattle, which is their usual host, we
45 don't know where they came from, I'll answer that
46 question first, but they can cause all sorts of things,
47 but primarily they're associated with pneumonia, and if
48 there's lung worm present, which there is, that pneumonia
49 can turn from viral pneumonia into bacterial pneumonia
50 and be quite lethal.

1 Basically the same thing with para-
2 influenza virus III started showing up around 2001, now
3 it's real common. It's not only common in that herd but
4 in the Northern Alaska Peninsula Herd, which is to the
5 south of the Mulchatna Herd.

6
7 The same story for rhino-tracheitis,
8 these are basically pneumonia related viruses.

9
10 Leptospirosis is something we don't know
11 much about in terms of its effect on caribou but we do
12 see high rates of it. It's a bacterial infection
13 problems.

14
15 And then the last thing is we've
16 documented a copper deficiency. We didn't document a
17 selenium deficiency like we found in the Northern Alaska
18 Peninsula Herd and the copper deficiency doesn't seem
19 extreme but it could be another related factor.

20
21 So there are some health issues
22 associated with the herd. We are still evaluating how
23 prevalent those are and I'll be talking about a couple
24 other health issues later on, hoof rot especially.

25
26 One thing we did when we started looking
27 back at this herd is we compared it to what happened in
28 neighboring herds and I already mentioned the Northern
29 Alaska Peninsula Herd, but particularly telling, was what
30 happened with the Nushagak Peninsula Caribou Herd, which
31 was introduced in about 1988 with 147 animals, just
32 adjacent to the south and west of the Mulchatna Herd's
33 range, 147 animals, quite few, this is on this graph
34 here, I multiplied them by 100 so they would even show up
35 on the screen compared to the Mulchatna Herd, which, at
36 the same time was in 1988 was over 50,000 animals. But
37 when you look at the two herds and the trajectory they
38 did exactly the same thing over the same period of time.
39 The Nushagak Peninsula Caribou Herd, which was on
40 pristine range, peaked at about 13 -- a little less than
41 1,300 animals at about almost identically the same time
42 as the Mulchatna Herd peaked at 200,000 animals. And
43 what this tells us is that coincidences do occur or
44 conversely that something broader, not something local to
45 the Mulchatna Herd was influencing these populations,
46 like favorable weather changed to unfavorable weather.
47 There's some other interesting things here, the Nushagak
48 Peninsula Caribou Herd had very little harm through a lot
49 of the period, also virtually no wolves in comparison to
50 the Mulchatna Herd, so we have different harvest regimes,

1 different predator regimes, yet we see the same pattern
2 in both herds until the last couple of years so that also
3 gives us another perspective of what's going on in
4 Southwest Alaska.

5
6 Okay. This is work that Pat Valkenberg
7 and Jim Woolington did, they modeled this population just
8 using a couple of age classes. And the interesting thing
9 to note on this graph is the bulls really started to
10 decline early compared to the cows and calves were kind of
11 variable from about 1998 on but previous to that time
12 there were lots of calves in the population.

13
14 Okay. In fact -- oh, that doesn't show
15 up very good. From 1991 to 1998 there were about 35,000
16 calves, they're in red, highlighted so you can't see them
17 -- 35,000 calves recruited in the population every year.
18 This is reconstructed from some population modeling,
19 those are really big cohorts, 35,000 animals entering the
20 year is really big. And when you start thinking about
21 caribou, you know, typically 10 or 12 years old is an old
22 female caribou, six or eight is an old male caribou.
23 Well, that was 1991 to 1998. The youngest of those
24 cohorts from 1998 is just about to turn 10 years old so
25 we had a lot of animals getting very old in a short
26 period of time. And this -- I forgot to mention that the
27 health assessment was done in conjunction with the
28 National Park Service at Lake Clark, and this work that
29 I'm about to show you is done with the Fish and
30 Wildlife Service and Andy Aderman of Togiak Refuge, along
31 with Jim Woolington the area biologist from Dillingham.

32
33 So we started to suspect some strong age
34 structure defects and we actually suspected it, this came
35 to our attention, and we started the modeling with the
36 Nushagak Peninsula Caribou Herd because we knew the exact
37 age and sex of every animal that started off there. We
38 don't know that for Mulchatna because it started growing
39 back in the '70s and grew for a long period at a slow
40 rate before it started to take off at about this time.

41
42 Okay. So just to reiterate what we
43 expected was we had some strong age structure effects
44 from those giant cohorts.

45
46 Okay. So what we did was we did some
47 modeling, it's different from the usual models that the
48 Department uses and we did it with 12 different age
49 classes instead of the usual two or three and we looked
50 at the affects of that on what has happened so far and

1 we're also using that to see what we expect to happen in
2 the next couple of years. And in the interest of time,
3 I'm not going to talk about how we did it, you just have
4 to trust us.

5

6 (Laughter)

7

8 MR. DALE: Okay, the next one. We did
9 use the ratio data as well as the population surveys is
10 the empirical data that we used for the models.

11

12 All right. Okay, next. So this is
13 actually going to be, I'm showing you the model results
14 year to year. Starting in 1988, and what you have along
15 the bottom there, left, with number 1 under it, that's
16 the number of female calfs that we estimated were five
17 months old recruited into the population in 1988. And I
18 actually made up the rest of the age classes, but going
19 out to 12 is animals that are essentially 12 years and
20 older in the fall. So as I go through these -- and then
21 in the upper right-hand corner it's highlighted which
22 year we're looking at, so this is 1988, so you can see
23 this is very early in the increase in the population.

24

25 So we'll just go to 1989, and you can see
26 that the number of calfs is coming up and the number --
27 what happened there was the number of one year olds that
28 we expect survived to two year olds is now in the two
29 column, and everyone -- just each column just increments
30 older and older and older, so this is each age class as
31 we go through time. And you see the population's
32 increasing. Let's go a couple -- another one, that's
33 1990 and again 1991 and go one more, 1992. Now, the
34 important thing from this slide, is not this particular
35 year, but in general, what you have here is an age
36 distribution that is called stable in the lingo, but this
37 is what a population looks like, the age structure, with
38 younger animals comprising the majority of the population
39 and smaller and smaller age classes -- or members in each
40 age class as you grow older and older. And this is what
41 a growing population looks like, this is what a stable
42 population looks like after awhile.

43

44 Okay, let's continue on. 1993, you can
45 see this is during the period of really rapid growth for
46 the herd and it's pretty impressive.

47

48 Continue. And, continue, please. All
49 right, there's a little jump there to 1996 because there
50 was a pause of data there for a couple years, and so it

1 may not look exactly like this but something about like
2 this almost had to occur where by 1996 we had a little
3 bit of a decrease in reproduction relative to the
4 previous years. And if you look at that number 4 age
5 class we have kind of a bulge in the age structure. Now,
6 if you have this situation, and reproduction doesn't
7 increase, over time is that those four and five year old
8 age classes get older and older, the population is going
9 to stabilize or decline, it's just the way it has to be.
10

11 So we'll continue on. And we had a
12 little bit of relief in 1998, which was a good cohort.
13 And some interesting things happened in the fall of 1998.
14 A high proportion -- for disease is a high proportion,
15 but a significant number of limping caribou were
16 observed, and it's hoof rot, which is a soil bacteria,
17 picked up by the animals under the right conditions, we
18 don't know what it does to them. We've had collars on
19 hand now for the last several years waiting to get
20 another little outbreak so we can mark the animals and
21 see whether it predisposes them to predation by wolves,
22 causes reproductive failure or just what it does. We
23 haven't had the opportunity, we're still working on that
24 one. And then in 1999 there were some reports of dead
25 calfs that spring and we don't know anything more than
26 that and over some fairly large areas there were reports
27 of dead calfs.
28

29 Okay, continue. And what that resulted
30 in was a marked change in reproduction for that year. It
31 really tipped over.
32

33 Okay, next. By 2001 the recruitment had
34 really gone down, we had some probably poor survival of
35 younger age classes and now we've got a population where
36 if you look at it, in 2001 there's a lot of eight, nine,
37 10 year old animals compared to those early slides.
38 Those numbers are really high. Remember when we started
39 out, those were a small portion of the population, and so
40 if you look at this you think, well, these animals, some
41 will live to be 16 years old, sure, but a lot are going
42 to die of one cause or another in the next few years and
43 if you look at where we're at now, 2001, this population
44 is tipping over hard.
45

46 So we'll continue on and that's exactly
47 what happens. Some years calf production is good, some
48 years it's poor.
49

50 Keep going. And you can see we still

1 have this large bulge in the age structure, older,
2 completely different shape to the age structure.

3

4 Again. 2004. Go ahead on up to 2006.
5 Now, when you look at the vital rates in here the birth
6 rates, the recruitment rates, the death rates that we
7 assume to get these declines, this population is
8 declining. If those turned around this winter and went
9 to rates that would be sufficient over time to produce a
10 one to two percent growth of the population, because of
11 these old nine and 10 year olds out there, this
12 population still declines to 2011. So we still have
13 several years of decline coming just because of the age
14 structure of the herd. And any remediation, whether it's
15 predator control or even good recruitment, it means that
16 we're not going to get a good response for a few years.

17

18 Now, this was all the female segment of
19 the population.

20

21 Go ahead.

22

23 To summarize this, we have kind of a
24 complex regional causes of decline. We wouldn't limit it
25 -- and we're not talking about local harvest or local
26 predation problems is driving the system. The age
27 structures is going to exacerbate the decline and high
28 harvest at this time could affect the recovery.

29

30 Okay. That was the female segment of the
31 herd. Bulls don't live as long so a lot of that age
32 structure affects is already over for the bulls. We
33 would expect to see a rapid increase in bull/cow ratios,
34 even if the herd continues to decline in the next few
35 years. But the important thing is is the bull/cow ratio
36 right now is at less -- at around 14 bulls per 100, way
37 below objectives. And the bull/cow ratio, in my opinion,
38 is critically low. Recent studies shows that 11 per 100
39 calves are born five, six days late and we're at 14 per
40 100, I don't think in Western Alaska or anywhere where
41 you have full predator regimes and short fleeting summers
42 it would be good to have calves born five days late due to
43 bull/cow ratio. So that definitely needs to be improved
44 right away.

45

46 Okay, next slide. So my recommendations
47 are to increase the bull/cow ratio now based on some
48 empirical and theoretical things we would like to see the
49 population not get less than 35,000 because at that point
50 in time increasing the affects of predation will slow the

1 recovery of the herd. That's kind of a controversial
2 number but I talked to several people and although nobody
3 agrees on the number the principle is sound. And those
4 are basically the recommendations. If we could pick out
5 a way to harvest old cows, we would do that.

6

7 Okay. Just finally here what we're going
8 to be looking at very closely in the next few years is
9 that if the bull/cow ratio does not improve we're going
10 to have to eliminate all bull harvest, in my opinion, and
11 we'll have to drastically reduce, more drastically reduce
12 harvest if population approaches 35,000, which, you know,
13 it probably is headed that way.

14

15 Okay, that's it, no, I'll just skip that,
16 and I think that's it, just in the interest of keeping it
17 short, my allotted time, that's sort of the biological
18 situation as we see it in the Mulchatna Herd right now.
19 Oh, Marianne, can we get the next slide.

20

21 MS. SEE: And the one after that.

22

23 MR. DALE: One more.

24

25 MS. SEE: Thank you. For the record my
26 name is Marianne See with the Division of Subsistence at
27 Fish and Game. And there's four additional slides that
28 are quick but they have to do with how this ties into the
29 harvest information. I hope you can read that.

30

31 But the State Board of Game has to go
32 through a process to look at subsistence and how it
33 provides for subsistence in an allocation. So they
34 essentially look at, is there a customary and traditional
35 use -- yes, and that's been determined and reconfirmed.

36

37 Is there a harvestable surplus -- yes,
38 that determination has been made based on biological
39 information.

40

41 What is the amount reasonably necessary
42 for subsistence -- that has been determined as well, it's
43 2,100 to 2,400 for the Mulchatna Herd in GMU's 9A, 9B,
44 17, 19A, in a portion of it, and in 19B.

45

46 And does the harvestable surplus allow
47 for all or only some uses -- and that matter then becomes
48 a matter that the Board determines.

49

50 If we could go to the next slide, please.

1 Okay. And we looked at -- the Division of Subsistence
2 prepares information for the Board to evaluate the extent
3 to which we have information about subsistence uses and
4 there are several sources. This is just to show you,
5 and, again, this presentation was also given to the Board
6 of Game in March, there are several sources of reliable
7 information that can be used to develop information about
8 the extent of subsistence uses of these caribou.

9
10 Next slide, please. Okay, there are two
11 additional slides in this part of the presentation that
12 we offered to the Board. In this one we took information
13 that we found the most comparable kind of information,
14 which is when you can compare in the same year, the
15 harvest survey information that's developed by Division
16 of Subsistence harvest survey studies as well as harvest
17 ticket information. And the most recent year for which
18 we have both is the 2001/2002 regulatory years, so that's
19 where we developed this chart. And what this shows,
20 there are two bars here, one showing that you have
21 harvest ticket information as well as household
22 information. And the household survey data is the bar,
23 the darker bar on the right. The values are fairly close
24 actually. In these kinds of data we would consider those
25 numbers, those bars to actually be pretty closely
26 similar. The number at the bottom is the important one
27 to look at here, there's one, two, three, four and then
28 five or more across the bottom of the screen. What that
29 refers to is the number of caribou harvested. And what
30 this shows, because the predominant bars that you see
31 here are highest on the two left categories, in other
32 words, one and two caribou that there's a pretty clear
33 and significant trend here that the hunters in these
34 areas are hunting for one or two caribou as opposed to
35 more than that, that's the predominate figure. So we can
36 conclude from this that most hunters take one or two
37 caribou, that if you look at harvest ticket data, that 74
38 percent of hunters took one or two caribou and 26 percent
39 took more than two. If you look at household survey
40 data, the data are really quite similar, 79 percent of
41 hunters took one or two caribou and 21 percent took more
42 than two. Essentially those are not significantly
43 different numbers. The trend is certainly very much the
44 same.

45
46 So that's what we could derive from
47 looking at those sources of data and it was really useful
48 to be able to compare it within one regulatory year.

49
50 And the last slide, please. And this is

1 harder to read but it's really trend information. Along
2 the bottom you can see specific communities and so we
3 compared the number and this is kind of an exhaustive
4 exercise but we compared all the information from harvest
5 tickets as well as all the harvest survey information for
6 each of these communities to get information on number of
7 caribou
8 taken by the successful hunters by each community. Now,
9 the scale on the left only goes from zero to 4.5, so when
10 bars are different -- they're really not very different,
11 we can see that, again, the darker bar is the harvest
12 survey and the lighter bar is the harvest ticket. So for
13 the most part they're pretty closely similar. If you
14 look at the -- let's see, it goes zero, .51, 1.5 and 2,
15 and I apologize it's hard to read, but you can see that
16 most of the data close to right around two or somewhat
17 less than two animals. So the average is about two
18 caribou and that's a helpful thing to see, that it tends
19 to be true in most communities. Right in the middle of
20 the chart you can see there's a difference between in
21 Levelok where there's four coming out of the harvest
22 survey data, I've learned that that was because there
23 were only a couple of harvest tickets returned so
24 essentially it's askew. If you had a better
25 representation of harvest tickets from the community it
26 might well look more like what we found in the harvest
27 survey. So there are some skews in here just because of
28 the low number of harvest ticket returns. But in general
29 you get a more resilient look at the harvest information
30 by community when you can use this kind of analysis. And
31 there'll be other information about Board of Game action
32 from this information when the Department offers
33 comments.

34
35 I'll be happy to answer any questions.
36 Thank you.

37
38 CHAIRMAN FLEAGLE: Questions on either
39 portion of the presentation.

40
41 (No comments)

42
43 CHAIRMAN FLEAGLE: That was a good
44 presentation, Bruce. Been interested in the biology of
45 this herd for quite awhile being on the -- my past
46 history and I remember in 1996 when that herd was peaking
47 they were exploring for new range and they ended up in
48 McGrath, and had we had the traditional knowledge of
49 elders that have dealt with caribou in the past we would
50 have known to let those scouts through and enjoy the

1 country and go home and bring others back and establish
2 territory but we were experiencing our decline in moose
3 right about then very acutely and the Department said,
4 wow, we need to harvest those animals so emergency open
5 five caribou a day and we got them.

6

(Laughter)

7

8

9

CHAIRMAN FLEAGLE: And in 1998 they came
10 back, same story and, you know, it's just who's to know
11 what would have happened. And the old-timers that we've
12 talked to that have caribou in their region said always
13 let the scouts go and so maybe we would have had a little
14 better survival of that herd if we would've let them
15 establish up in our country. But, anyway, it's too bad
16 to see that they're crashing so disastrously, I mean I'm
17 shocked that it's down to 45,000 you said from over
18 200,000.

19

20

MR. DALE: Yeah. Yeah, and it's been
21 real precipitous. But, you know, a lot of those animals
22 have died in the last four years are probably a lot of
23 old animals that contribute -- I've done various
24 analysis, but, you know, up to half of them could have
25 just been real old gammers and probably don't contribute
26 very much to reproduction and that sort of thing. But,
27 still, it's a very catastrophic decline. They came down
28 faster than they went up and that's hard to believe
29 because they went up pretty fast.

30

31

MR. REAKOFF: Mr. Chairman.

32

33

CHAIRMAN FLEAGLE: Yeah, Jack, go ahead.

34

35

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1 MR. DALE: Yeah, that's typical. For
2 caribou, you know, typically 30, 35. The rut is so
3 synchronized that bull/cow ratio has always been a fairly
4 important trigger for management of herds.

5
6 MR. REAKOFF: Well, I'm very concerned
7 about this Mulchatna Caribou Herd and its demise. And I
8 feel -- I had the data in our Council book in our March
9 meeting, I went through and grafted, according to -- it
10 looks very similar to your graphs there. I'm very
11 concerned about the large bull component being down to
12 1.33 bulls per 100 cows, that's a terrible bull/cow
13 ratios of adult bulls. It's five bulls per 100 cows.
14 The smoke screen of this data in percentages and so
15 forth, I had to sort this data out to make it make any
16 sense. The bottom line is these are terrible bull/cow
17 ratios and when the Board of Game allowed non-resident
18 harvest of bulls, targeting bulls, on this extremely low
19 bull/cow ratio, I feel it's unconscionable. It would be
20 my opinion that what should have been implemented would
21 be exclusion of any bull with a shovel to target older
22 cows and to target smaller bulls and reserve the large
23 bull component. I'm highly concerned about the current
24 State implementation of a bull non-resident hunt there
25 for 15 days on the Mulchatna range.

26
27 I feel that this is going to retract this
28 herd to its core area, they won't migrate to the
29 villages. And in Unit 19A and B, which is in the Western
30 Interior, we're already on moose moratoriums over there
31 and I'm very, very concerned about this issue.

32
33 I was wondering what the Department is
34 going to -- what's the planning for returning this
35 bull/cow ratio to proper management guidelines?

36
37 MR. DALE: Yeah, if I may respond to
38 that. The Department certainly shares your concern. And
39 last fall we began a very large study of the bull
40 component of this herd, which is a really very poorly
41 study component of caribou biology. There's really only
42 been one other study that targeted bulls and that was by
43 Lane Adams, who you talked to earlier today on the
44 Mentasta Herd in Unit 11, completely different, very
45 robust animals, really good condition, small low density
46 and what they found out was that the proportion of large
47 bulls was not all age-related. There was a lot more
48 variation to where they went or other unexplained
49 variation but basically food. Their nutritional
50 performance that resulted in how many bulls were large.

1 Some bulls were very large one year and then would fall
2 into our management categories of small, medium and large
3 the next year.

4

5 Now, we know we have a nutritional
6 component to our problem in Mulchatna. We also know that
7 we have a spacial issue where the bulls are skewed
8 towards the west basically and the actual ratio of large
9 bulls in amongst a lot of the cows is even lower so we
10 have undertaken a very large study of that segment of the
11 herd.

12

13 Now, in terms of the management strategy,
14 the Board, Gino will -- oh, you're here, Gino, well, just
15 stop me when I get in too deep, the Board's actions
16 reflected that the non-resident harvest has been
17 declining very rapidly in the last few years. And that
18 participation, because the word's out that the Mulchatna
19 is not a good place to go hunt large bulls anymore and
20 they made the decision to continue it. Like I said one
21 of our key triggers is this bull/cow ratio, if it doesn't
22 prove, again, this fall, we'll be back at the Board. The
23 Department shares that concern. We thin that 14 per 100
24 is very low and in my opinion it's critically low.

25

26 But also our exercise, as I just showed,
27 you know, do predict, for what that's worth, that the
28 bull/cow ratio -- and there's empirical data, too, the
29 Nelchina, when it went through a similar phase, once that
30 age structure problem had run its course the bull/cow
31 ratio came back fairly rapidly and that has been seen
32 other places, too, even in Denali Park with no hunting
33 when that population crashed, it got down to 27 bulls per
34 100 cows and then once it reached a certain point it came
35 right back up.

36

37 So we are watching it and we share your
38 concern.

39

40 MR. REAKOFF: Mr. Chairman.

41

42 CHAIRMAN FLEAGLE: Go ahead, Jack.

43

44 MR. REAKOFF: It's my perception that
45 this area has a large population of brown bears that kill
46 caribou calfs. It indicated when it started its increase
47 that they exceeded their predator load and so now we're
48 approaching back down to where they're going to get stuck
49 again. Large bulls breed, all of -- a lot of the cows in
50 a very short period of time, we need to conserve that

1 large bull component. One more year of this kind of bull
2 harvest could push this herd right on its nose. I am
3 very concerned.

4
5 I've watched various herds of moose,
6 throughout the Interior of Alaska, when we get these
7 bull/cow ratios down in the toilet they throw -- small
8 bulls throw lightweight calves that are under a longer
9 endurance for predation and so then we start into these
10 longer, these steeper declines in populations and I'm
11 very -- extremely concerned. We got moose moratoriums
12 over on the Kuskokwim River, this caribou herd's in a
13 nose dive. I could hardly believe the Board of Game
14 allowed non-resident participation for bull harvest. I
15 could hardly even believe it.

16
17 This population should be conserved for
18 residents of Alaska only, period.

19
20 And I think that one more year, I see
21 last year's harvest by non-residents was 425, you
22 maintain that kind of harvest percentage on this very
23 small large bull component, that's the telling factor of
24 maintaining a breeding structure. How they present
25 antler shows their health of that individual animal. So
26 we've basically got 1.33 large bulls per 100 cows.
27 That's way too few bulls to breed all these cows in a one
28 week period (ph).

29
30 I'm very concerned about this issue and
31 that's why I bring it up before the Board.

32
33 Thank you.

34
35 CHAIRMAN FLEAGLE: Thank you, Jack. And
36 I think the concern is well heard by Department Staff.
37 I'm not sure what else we can add. I agree that the
38 Board actions aren't always in keeping with Department
39 recommendations, I'm talking about the other Board,
40 having been there. And, you know, there's -- I share
41 your concern, I mean having been involved with this herd,
42 having eaten from this herd for at least two years, yeah,
43 we really need to watch it. And whatever we can do from
44 our perspective here on the Federal side, I think we
45 really need to watch what we do as well.

46
47 And, Bruce -- Gino, you had a comment.

48
49 MR. DELFRATE: Yeah, thank you, Mr.
50 Chair. And in keeping with brevity here, I think I

1 repeat what Bruce said is that we are very much concerned
2 about the bull component of this herd and we had quite a
3 bit of discussion about this before the Board meeting
4 convened in March and we did discuss whether or not to
5 exclude all non-residents. And when we looked at the
6 harvest to-date of -- from orange report cards that had
7 come in, the non-residents have kind of left the unit
8 already, they're hunting elsewhere. We had 200 caribou
9 that were reported and typically most of the non-resident
10 hunters are the first to report. Most of the resident
11 hunters that are hunting late in the winter time do not
12 report until after the end of the season. And so it was
13 pretty clear to us that there was very little impact from
14 the fall season, with only 200 caribou reported out of
15 that herd.

16

17 We chose, or at least we discussed with
18 the Board whether or not to maintain a skeleton framework
19 of our basic management strategy which is to allow that
20 in place with the theory that this herd will turn around.
21 And we're going to look at this again in two years, we
22 told the Board we'd be back in two years if anything
23 looked out of sorts, if the bull ratio continues to
24 decline, if Bruce's research project indicates that there
25 are significant issues that we need to address we'll be
26 there sooner. But we do share the same concerns. We've
27 talked about it internally. We've talked about it at the
28 RAC meetings as well as the Advisory Committee meetings
29 and the Board of Game and we're doing it here. So it's
30 front and foremost and within our region.

31

32 The other difficulty with managing the
33 Mulchatna Herd is that for Fish and Game this herd spans
34 five game management units across three regions and so
35 coordination within the Department is quite the task
36 because we have to get everybody involved and we did a
37 really good job prior to the Board meeting and we'll
38 continue to look at it.

39

40 CHAIRMAN FLEAGLE: As far as the harvest
41 data that you guys presented and the subsistence numbers,
42 I think you said 21 to 2,400 amount necessary and what
43 was the annual harvest recorded last year? Roughly.

44

45 MR. DELFRATE: Mr. Chair. At the March
46 meeting we did not have last year's harvest rate. The
47 previous year, which was the 2005/2006, we were right at
48 about -- within that 21 to 2,400 range and actual animals
49 harvested this year, we suspect that it's going to be
50 less than that 2,100. But those animals are still

1 available for harvest.

2

3 CHAIRMAN FLEAGLE: But that pushes you
4 into Tier I situation pretty quickly, wouldn't it?

5

6 MR. DELFRATE: We're close.

7

8 MR. REAKOFF: Mr. Chairman.

9

10 CHAIRMAN FLEAGLE: Well, I've seen that
11 game played also over in Glennallen, I mean Unit 13 on
12 moose. I mean we did the same thing over there, you
13 know, 600 moose available, 600 moose needed so, yeah, we
14 can still do a -- anyway.

15

16 Jack.

17

18 MR. REAKOFF: Mr. Chairman. The data
19 that was presented to the Western Interior Council shows
20 that the '05/06 harvest for total, for residents and non-
21 residents was 1,991 animals, that's below the subsistence
22 amounts necessary under State regulations.

23

24 This year with the declining herd that
25 could be even lower.

26

27 I'm confused by the Game Board's actions.

28

29 CHAIRMAN FLEAGLE: It sounds like we had
30 another comment. Randy.

31

32 MR. ALVAREZ: Thank you, Mr. Chairman. I
33 should jump in here. If you guys would turn to Page 284
34 it has a table there on top and that table, the last year
35 available, they don't have the '06 and '07 because that
36 information hasn't come in yet, but if you'd look at
37 '05/06 resident harvest is at 1,507 and as Jack had
38 stated it's a total of 1,991, but the non-resident is
39 still taking 426 caribou. If you would figure out that
40 the population of large caribou for the Mulchatna is 1.3
41 percent of the -- 14.9 percent are bulls, out of the 14.9
42 percent, 8.9 percent of the 14.9 comes out to 1.3 percent
43 are large bulls left. So if the population of Mulchatna
44 caribou is at 45,000 and you figure 1.3 percent of that
45 are large bulls it comes out to about a little over 580
46 large bulls left in the herd.

47

48 If you look at the non-resident harvest,
49 '05 and '06, they harvested 426 caribou. So if they
50 would do that again, how many large caribou are we going

1 to have left. What the Board of Game did, I think was
2 not -- was wrong by letting non-residents continue to
3 harvest those caribou in our opinion. And by eliminating
4 those, the genetics is going to be gone for large
5 caribou, you know. For instance, you know, the same
6 thing with kings, for instance, some of the fish aren't
7 as big as they used to be. My children aren't very big,
8 you know, I've got cousins -- for instance I got a
9 cousin, she's from a -- her -- my cousin's relatives are
10 bigger than me and she married a guy from Cordova, well,
11 they have a 17 year old son now that's 7'1" weighs about
12 300 pounds, you know, that's genetics, you know.

13

14 (Laughter)

15

16 MR. ALVAREZ: I can't make kids like that
17 although I'm related to her.

18

19 (Laughter)

20

21 MR. ALVAREZ: So by eliminating those
22 large caribou it's going to be disastrous.

23

24 And I guess I'll comment later on when it
25 comes up to our.....

26

27 CHAIRMAN FLEAGLE: That's a good idea. I
28 mean we may want to have some policy discussions as to
29 possible involvement maybe when we bring this up.

30

31 Ken, did you have a comment.

32

33 MR. TAYLOR: (Shakes head negatively)

34

35 CHAIRMAN FLEAGLE: Okay, no. It's 6:05,
36 appreciate the presentation. Let's see we said we're
37 going to break about 6:05 -- I mean 6:00 o'clock for
38 dinner -- about 6:05, duh, and how about if we come back
39 at 7:15 and we'll work for a little bit this evening.

40

41 Thanks.

42

43 (Off record)

44

45 (On record)

46

47 CHAIRMAN FLEAGLE: The Federal
48 Subsistence Board is back on record. I want to apologize
49 for setting a time for return that we couldn't keep. A
50 bunch of us escaped the building and went across the

1 street to the restaurant and they only had one server who
2 was also the person that took the money for getting out
3 who was also the person that seated everybody and I think
4 they only had one cook so it was kind of a slow
5 operation, but it was good.

6

7 (Laughter)

8

9 CHAIRMAN FLEAGLE: My intent is to go to
10 9:00 o'clock. That will give everybody a chance to go
11 home and get some sleep tonight before we start tomorrow.
12 And we left off with the Bristol Bay area.

13

14 MR. PROBASCO: 23.

15

16 CHAIRMAN FLEAGLE: 23.

17

18 MR. PROBASCO: Uh-huh.

19

20 CHAIRMAN FLEAGLE: All right, 07-23,
21 we'll start out with the analysis and we have new Staff
22 at the table, introductions, please.

23

24 MS. GREFFENIUS: All right, good evening,
25 Mr. Chair and members of the Board and Council Chairs.
26 For the record for introduction my name is Laura
27 Greffenius and I'm a wildlife biologist on the OSM Staff.
28 And next to me is Cliff Edenshaw, he's the coordinator
29 with the Bristol Bay Council. And so in about three
30 minutes, Mr. Chair, so this will be -- we covered most of
31 it before the break.

32

33 CHAIRMAN FLEAGLE: Thank you.

34

35 MS. GREFFENIUS: So I wanted to thank
36 Bruce for the informative presentation and he's -- I
37 don't see him but the other State representatives are
38 here and also to Marianne See for the additional
39 background so that really covered most of it. And since
40 Bruce had provided the population dynamics and the
41 biological background for the Mulchatna Caribou Herd,
42 I'll focus my discussion on summarizing the proposed
43 changes and the regulatory updates and so I won't go into
44 the biology aspects since we covered most of that.

45

46 So the Staff analysis for this proposal
47 begins in your Board book on Page 275. WP07-23 was
48 submitted by the Bristol Bay Regional Advisory Council
49 and the proposal requests the Federal regulations for
50 harvest limits of caribou in Units 9B and 17 align with

1 current State regulations. And the open seasons would
2 remain the same but harvest limits would be reduced from
3 five to three caribou, would remove the restriction on a
4 bulls only harvest in the fall and allow no more than one
5 caribou to be harvested prior to November 30th.

6
7 And as you heard in the previous
8 presentation, due to the herd's drastic decline in
9 population, the proposed changes were generated from
10 concerns to maintain a healthier population. So relevant
11 to this proposal, we've already discussed this somewhat,
12 is are Alaska Board of Game actions, the following is a
13 brief background and update. In March of 2006, so a year
14 ago March, the Board of Game adopted regulations to
15 reduce the harvest limit from five to three caribou and
16 to reduce the fall bull harvest and these harvest limits
17 are what is currently in effect for this regulatory year,
18 2006/2007. I point that out because the intent of the
19 proposal, when it was submitted, was to align with the
20 current regulations. Then during its March 2007 meeting
21 in Anchorage, the Alaska Board of Game further reduced
22 harvest limits in open seasons across the range of the
23 herd. And the main changes are that the resident harvest
24 limit has been reduced to two caribou but no more than
25 one caribou can be taken between August 1 and January
26 31st, so that timeframe was lengthened and no more than
27 one can be a bull. And resident seasons throughout the
28 range were aligned to August 1 to March 15th. In
29 addition the Board of Game continued the non-resident
30 season, as we already mentioned, and reduced the length
31 of the non-resident season in September 1 through the
32 15th with a one caribou harvest limit. And these new
33 State regulations for the general hunt will become
34 effective July 1, 2007.

35
36 I just wanted to direct you, we already
37 covered most of the biology but just since it was
38 mentioned by Mr. Reakoff to mention the table on Page 283
39 regarding the bull/cow ratio, the first column there,
40 mentions the percentage -- the bull/cow ratio and also
41 the percentage of bulls, so just scanning some of those
42 numbers can give you an idea of what we were discussing
43 before, and the current population figure's not in that
44 table since it was put out before that was put out by the
45 State. And also at the top of Page 284 is the harvest
46 information that we had discussed prior to the dinner
47 break.

48
49 So I'll go right into a few highlights of
50 the effects of this proposal. They are, if adopted, the

1 Federally-qualified subsistence users would still have an
2 opportunity to harvest caribou but their harvest limit
3 would be reduced from five to three caribou and the
4 restriction on a bulls only harvest in the fall would be
5 liberalized to either bulls or cows. The caribou
6 affected by this proposal are in a herd whose range
7 includes Units 9B, 17, 18 south, 19A and 19B. The
8 regulatory changes should take place in all these units.
9 And also another effect in Unit 18, the modified proposed
10 regulation would shorten the Federal season by one month
11 from April 15th to March 15th as this aligns with the
12 current State regulation.

13

14 The OSM preliminary conclusion is to
15 support with modification to include Units 18, 19A and
16 19B. This modified regulation would be as it is listed
17 on Pages 287 to -- 286 to 287 in your Board book.
18 Including the additional units in the modification would
19 align the harvest limits and open seasons across the
20 range of the herd with the 2006/2007 State regulations.

21

22 As noted previously, in March 2007 the
23 Alaska Board of Game adopted the new State regulations
24 for the general hunt for the Mulchatna Caribou Herd and
25 effective during the next regulatory year to further
26 reduce and change harvest limits and open seasons. And
27 to point out, the modified Federal regulations, as
28 proposed in the OSM preliminary conclusion, would provide
29 a higher harvest limit than the new State regulations.

30

31 That concludes my overview of WP07-23.
32 Thank you, Mr. Chair.

33

34 CHAIRMAN FLEAGLE: Thank you, Laura.
35 Questions.

36

37 (No comments)

38

39 CHAIRMAN FLEAGLE: Summary of written
40 public comments. Cliff.

41

42 MR. EDENSHAW: Thank you, Mr. Chairman.
43 Board members. On Page 288 there was one written public
44 comment from the Lake Clark SRC and the Lake Clark SRC
45 supports reducing hunting pressure on the Mulchatna
46 Caribou Herd to reverse the declining population trend
47 and allow the number of animals to stabilize.

48

49 That concludes the written public
50 comments, Mr. Chair.

1 CHAIRMAN FLEAGLE: Thank you. Pete.
2 Public testimony.

3
4 MR. PROBASCO: Yes, Mr. Chair. We have
5 one public member to testify on this agenda item and that
6 is Mr. Tim Andrew.

7
8 CHAIRMAN FLEAGLE: Tim Andrew, come on
9 up.

10
11 MR. ANDREW: Good evening, Mr. Chair.
12 Members of the Board. For the record my name is Timothy
13 Andrew. I am the director of Wildlife Resources for the
14 Association of Village Council Presidents based in
15 Bethel, Alaska. And I'm not going to make my testimony
16 very long, in fact, it's going to be pretty short just to
17 facilitate the speedy conclusion to this evening's
18 meeting.

19
20 We are extremely concerned about the
21 status of the Mulchatna Caribou Herd, it's declined from
22 over 200,000 animals down to 45,000 animals within a 10
23 year period of time. During the month of March we
24 attended the Board meeting and at that time we advocated
25 for the reduction of a subsistence take and we also
26 advocated for the elimination of the non-resident take at
27 that meeting as well.

28
29 And our basis for advocating for the
30 elimination of the non-resident take was the non-resident
31 hunters primarily target the large bulls and I'd like to
32 thank Mr. Reakoff and Mr. Alvarez for exposing some of
33 the aggravating issues that relates to the bull/cow
34 ratio. The State currently has a 35 to 100 bull/cow
35 ratio target goal and it is now down to 15 according to
36 some of their documentation. We advocated for the
37 reduction to hopefully build the population of the
38 Mulchatna Caribou Herd to hit some higher levels where it
39 will be a sustainable harvest for a long-term continued
40 subsistence use by the people that reside in the AVCP
41 region.

42
43 The people in the Lower Kuskokwim
44 Corridor are basically in a real dire situation at this
45 point as far as their need for a large mammal harvest and
46 subsistence resource. In Unit 19A they're currently in a
47 Tier II situation under State management and Federal draw
48 permit for moose. And with the reduction of the
49 Mulchatna Caribou Herd, that basically places a number of
50 our villages, starting from the far reaches in the upper

1 portion of Unit 19 all the way down to the mouth down to
2 Tuntutuliak, Eek and Quinhagak and some of those
3 communities.

4
5 And according to some of the more recent
6 statistics that we got from the Institute of Social and
7 Economic Research indicate that people out there consume
8 664 pounds per capita of wild food consumption. That, in
9 itself indicates that the caribou herd or the caribou
10 population or their dependence on caribou is extremely
11 high and we feel that we need to protect this resource
12 and build it to the point where people can continue to
13 harvest for their subsistence needs.

14
15 We also submitted a Legislative funding
16 request to the Alaska State Legislature within this past
17 week, in fact, it might have been a couple of weeks ago
18 to establish the Mulchatna Caribou Herd Working Group,
19 something similar to the Western Arctic Caribou Herd
20 Working Group in hopes to develop a collaborative and
21 deliberative group in addressing some of these declines
22 and some of the management challenges we face in
23 providing for subsistence take. Not only subsistence
24 take, but also for the sport harvest and wildlife viewing
25 as well.

26
27 And the latest indicator is from some of
28 our Legislative staff is that that funding request will
29 not likely be -- would not likely be considered at this
30 Legislative session and we intend to resubmit the funding
31 request for 2008. And we really, really appreciate the
32 support that we got from the Western Interior Council for
33 the development of this working group and also from the
34 YK RAC.

35
36 And that concludes my testimony, Mr.
37 Chair.

38
39 CHAIRMAN FLEAGLE: Thank you, Tim.
40 Questions.

41
42 (No comments)

43
44 CHAIRMAN FLEAGLE: Appreciate it. And
45 that's it, right, Pete.

46
47 MR. PROBASCO: That's correct, Mr. Chair.

48
49 CHAIRMAN FLEAGLE: Okay. We turn to the
50 Regional Council recommendation. Randy.

1 MR. ALVAREZ: Thank you, Mr. Chair. Our
2 Council submitted this proposal back in October, and when
3 we submitted the proposal. It was in reluctance because
4 our -- the population numbers that were given to us back
5 then were at 85,000 and I was -- it would have been
6 similar to the moose proposal that got on consensus that
7 we objected -- we opposed our proposal -- that moose
8 proposal, and I was going to also oppose this proposal
9 that we had submitted for caribou at 85,000, I didn't
10 think it -- that restricting it down to three to match
11 the ADF&G's numbers was justification. But when we got
12 to the meeting, our RAC meeting in March, the ADF&G gave
13 us the new numbers at 45,000, and this was before the
14 Board of Game was to meet in March, and since then they
15 came up with new regulations. But at our February
16 meeting in Naknek we went along with our proposal to
17 limit it down to three, the bag limit.

18
19 At that meeting, there was an ADF&G
20 proposal that came out that was acted on in March by the
21 Board of Game, that proposal by ADF&G, they wanted to
22 limit it down to one and they were also -- they were
23 proposing to restrict non-residents to no hunting at all
24 in Unit 17B and in 19B, and we felt that was a good --
25 was adequate decided because 17B and 19B is where most of
26 the non-resident hunters get dropped off in the hills,
27 kind of the dividing line between the Nushagak and the
28 Kuskokwim and that range of hills extends quite a ways
29 and that's where most of the non-resident harvest was.
30 And so at least I was satisfied with that because if --
31 some of the people figured there shouldn't have been a
32 non-resident hunt but I argued that if they're going to
33 have a non-resident hunt they shouldn't have it in 19B
34 and 17B because that's where they might -- that's in the
35 middle of the Mulchatna Range if you'd look on the map.
36 And what they were doing in the past and since the
37 explosion, the caribou population went up to 200,000
38 there'd be sometimes, from what I was told, from around
39 in the year 2000 and probably a little before that and a
40 little later than that as many as a thousand hunters over
41 there and they were actually turning the caribou when
42 they were migrating back down towards 9B [sic] and for a
43 few years there, and, in fact, still the caribou haven't
44 been showing up in the falltime, they don't come down
45 until early winter, around Thanksgiving, sometimes until
46 around Christmas before they show up down on the Kvichak
47 and then you have to wait until freeze-up is adequate
48 enough so you can go out and harvest caribou. But with
49 non-residents doing that it kind of eliminated our fall
50 caribou harvest because there wasn't any around, they

1 were actually turning the caribou, they were heading them
2 back towards the Taylor Mountains. And I was told that
3 by the Department, more than once, I was asking them
4 where's the caribou at, and they says well they were up
5 there but it looks like there's so much pressure they
6 headed back toward the Taylor Mountains.

7
8 So we, as a Council, thought that with
9 the ADF&G proposal that the non-residents would not be
10 allowed to hunt in 17B and 19B, we thought that would
11 help but apparently at the March Board of Game meeting
12 they didn't do that. They changed their mind and I --
13 I've been asking the Department today for the regulations
14 that happened at the Board of Game meeting here in
15 Anchorage in March after our RAC meeting and I haven't
16 had a copy of those regulations. I've heard that the
17 Board did drop the bag limit down to two, they eliminate
18 the fly and land and shoot and they shortened the season
19 some and they restricted the non-resident somewhat, all
20 they did was shorten the season down to two weeks and I
21 don't think that's adequate enough and I've been trying
22 to come up with -- find out what the Board of Game did,
23 to the best of my -- I've been getting conflicting
24 changes and I believe it's they didn't restrict the non-
25 residents in any of the Mulchatna area, they just
26 shortened the season.

27
28 And we don't think that's good enough.
29 And, because if you look at the table on Page 383, it
30 shows you kind of the history of the harvest for the
31 Mulchatna caribou down to 2006 and '07, the first column
32 is almost 15 bulls to 100 cows and then the next -- the
33 calfs are at 25.5 which is kind of -- which is probably
34 sustainable but it's low, it should be around 30, 35 to
35 be high. Then it shows the percentage of calfs. The
36 percentage of cows is about 76 percent. And it gives you
37 the percentage of bulls, small bulls, medium bulls and
38 large bulls, well, that 8.9 percent of large bulls is
39 only -- it's 8.9 percent of 14.9 percent, which is --
40 which equates to one -- the amount of large bulls in the
41 whole heard is only 1.3 percent of the whole herd and if
42 you do the math it comes out to about 585 large bulls out
43 of 45,000, which is -- I think it's a conservation issue.

44
45 It has to be.

46
47 And if you look at the next page, the
48 table on top there, the reported harvest for the last
49 year, 2005/06, the non-residents harvested 426, that's --
50 if they were to do that when there's only 585 large bulls

1 left, you know, that's what they're targeting, there
2 might not be -- you know, we're going to destroy the
3 genetics if that continues. And I guess we still support
4 a three bag limit but, you know, that's caribou. I could
5 see by -- you know, Bruce, the State biologist that
6 showed us the PowerPoint, you know, they favor limiting
7 -- or restricting the large bull harvest, I don't know,
8 they should have did that earlier at the Board of Game
9 last month or two months ago.

10
11 I think we need to try to do something to
12 protect those remaining large bulls, even if it's only --
13 we still favor the three bag limit even if it was just
14 three cows and no bull harvest, you know, we're after the
15 meat not the antlers. And at 45,000 it's still adequate
16 for the population -- well, I moved to Igiugig from
17 Naknek, I was born and raised in Naknek and I moved to
18 Igiugig in 1983, and when I moved up there, if you
19 remember the graph that we were showed, the early '70s
20 the caribou population for the Mulchatna was about 10,000
21 and then when I moved to Igiugig it was probably between
22 35 and 40,000 and the bag limit was five back then. And
23 the history -- if you look at the census from the '90s
24 and then the 2000 census, there were more people living
25 in our region, in the villages, back during the '90
26 census than there was during the 2000 census, so if
27 that's the case it would make sense to say that there was
28 more caribou harvested when the population was 40,000 or
29 less and the bag limit was five than there is now and
30 still we didn't affect the population. So what I think
31 the subsistence -- the rural hunt doesn't -- isn't going
32 to affect, even with a bag limit of three, isn't going to
33 affect the population of 45,000. I think what we need to
34 try to protect is the large bulls.

35
36 I guess that concludes my testimony.

37
38 But I'm still confused what the exact
39 State regulations say, you know, I was -- on Page 278 it
40 kind of has -- the new State regulations, it also talks
41 about on Page 278 the last paragraph where it says 17 --
42 that portion in Unit 17B, non-resident closed area, I
43 don't understand where it's closed. These new
44 regulations kind of have me confused, so maybe somebody
45 can clarify that later.

46
47 Thank you.

48
49 CHAIRMAN FLEAGLE: Isn't that the river
50 corridors that the Board closed two years ago -- yeah,

1 Gino, you want to go ahead and answer that.

2

3 MR. DELFRATE: Yes, thank you, Mr. Chair.
4 The part that refers to 17B, that portion closed, that is
5 the two mile corridor that was closed to non-resident
6 hunters two years -- three years ago now in '05 and that
7 remained closed during this last round of Board meetings.

8

9 CHAIRMAN FLEAGLE: Yeah, and that was
10 non-residents only and that was not only for caribou but
11 for moose as well, if I remember correctly. Had a
12 limited moose registration available in the local area,
13 but, anyways, yeah, that's what it was the river
14 corridors.

15

16 Questions for Randy's recommendation.

17

18 Gary.

19

20 MR. EDWARDS: Mr. Chairman. Randy if the
21 Council had felt that the Board of Game would have taken
22 more action, some of the things you suggested associated
23 with the non-resident hunt and all, would that have
24 changed the Council's view given that the Board of Game
25 did reduce the harvest to two, would there have been an
26 interest in the Council going further in their harvest or
27 would they have left it at three regardless of what
28 actions the Board of Game may have taken?

29

30 MR. ALVAREZ: We did decide to lower it
31 from five, the bag limit at the October meeting. And
32 then at the March RAC meeting we found out that the
33 population was down to 45,000 and we felt that, you know,
34 there's caribou, you know, there's just not very many
35 large bulls left because of the non-resident harvest.
36 And for awhile there during 2000 the non-residents were
37 allowed to harvest two large bulls during the -- when the
38 season opened, that was their bag limit, they had a two
39 bull harvest and then it got changed, I think, two years
40 ago, when the State dropped it down to a resident harvest
41 of three, they lowered their bag limit down to one.

42

43 We feel that at 45,000 it's still
44 adequate for a three bag limit. Like I mentioned in the
45 early '80s the bag limit was five and it was less than
46 40,000 and in fact it was five -- I don't -- I'm not sure
47 exactly when five was implemented but if I remember
48 correctly it was like that for awhile in the -- and then
49 in the '70s the bag -- the population for caribou was
50 like 10,000 for the Mulchatna, it showed it on the screen

1 there and it was between 10 to 20,000 in the middle '70s.
2 So that wasn't -- we didn't think having a three bag
3 limit was going to impact that population by the
4 subsistence user. It was other factors that were
5 contributing to the decline.

6

7 CHAIRMAN FLEAGLE: Ken Taylor.

8

9 MR. TAYLOR: Thank you, Mr. Chairman.
10 Just a point of clarification, when the herd grew to be
11 about 35 to 40,000 back in the mid-80s, I believe the bag
12 limit was one caribou during the fall season and three
13 during the winter season. The five caribou bag limit
14 didn't come into effect until the 1990s.

15

16 CHAIRMAN FLEAGLE: Thank you. Done with
17 questions, Gary.

18

19 MR. EDWARDS: Yes.

20

21 CHAIRMAN FLEAGLE: Other Board members.

22

23 (No comments)

24

25 CHAIRMAN FLEAGLE: All right, thank you.
26 Other Councils. Jack.

27

28 MR. REAKOFF: The Western Interior
29 endorsed Proposal 07-23. And we were in session and
30 transmitting to the State Game Board to be conservative
31 with non-resident harvest and we learned during the
32 meeting that they had still continued non-resident
33 harvest.

34

35 I also wanted to refer to the Council's
36 letter to the Chair of the Federal Subsistence Board Mike
37 Fleagle and Ron Somerville on January 23rd also
38 highlighting our concern for this very low bull/cow ratio
39 and those fell non deaf ears with the State Game Board.

40

41 We did support Bristol Bay's proposal and
42 so I would stand with that.

43

44 In light of the data that was presented
45 by the Department, it would be actually beneficial to
46 harvest more cows, especially the older age component.
47 And so we were, at our deliberations, unaware of that old
48 age cow component as a harvestable surplus. And so I
49 would feel the Board should take that into consideration
50 and so we did endorse the proposal, though, for three

1 caribou.

2

3 Thank you.

4

5 CHAIRMAN FLEAGLE: Thank you, Jack.

6 Other questions.

7

8 (No comments)

9

10 CHAIRMAN FLEAGLE: Any questions. Cliff.

11

12 MR. EDENSHAW: Thank you, Mr. Chair and

13 Board members. I just wanted to let the Board know on

14 Page 72 [sic] -- at least put it on record, on Page 272

15 and 273 is the Bristol Bay Council's recommendation.

16

17 And in regards to Gary's question he had,

18 when the Council met in October and submitted the

19 original proposal they were informed at the time that

20 what's in the Council's recommendation is what the

21 reduction in the harvest limit was going to be and then

22 when we met again in February, John Hilsinger came to the

23 Council meeting and presented to the meeting that they

24 would reduce the harvest limits down to two and asked if

25 the Council would be in favor of that, but the Council

26 said that if they were to eliminate the non-resident hunt

27 then they might consider such a proposal.

28

29 Thank you.

30

31 CHAIRMAN FLEAGLE: Thank you, Cliff. YK

32 Council, do you have any comments. Lester, do you have

33 comments on this.

34

35 MR. WILDE: The Yukon-Kuskokwim Delta

36 Subsistence Regional Advisory Council supports Proposal

37 23 with modification that includes Unit 18, 19A and 19B.

38 The Yukon-Kuskokwim Delta Subsistence Regional Advisory

39 Council said that the Mulchatna Caribou Herd has

40 declined, revise caribou harvest limits and open seasons

41 for Units 9, 17, 18, 19A and 19B are needed to help

42 assure that that herd rebuilds.

43

44 Mr. Chairman.

45

46 CHAIRMAN FLEAGLE: Thank you, Lester.

47 Now, I can move on, right, unless there's any questions

48 for any of the RAC Chairs. Steve Kessler.

49

50 MR. KESSLER; Thank you, Mr. Chairman.

1 Jack, I do have maybe one question. I think you implied
2 that there might be a way to target older cows, is there
3 a -- has that been done in any regulations in the past in
4 some way?

5

6

CHAIRMAN FLEAGLE: Jack.

7

8

MR. REAKOFF: No, I don't think it's been
9 done. But the data presented shows that there's an old
10 age component of cow caribou that are going to die of old
11 age anyways and we need to protect the bull component and
12 so I felt that the Department should have contemplated
13 elimination of harvest of bulls in more of a moratorium.

14

15

My feeling would be that a proposal at
16 this time should be submitted to the Board of Game to not
17 allow the harvest of bulls with a shovel, which basically
18 targets all cow caribou and young bull caribou which is
19 the highest component of the population. And I feel that
20 the Board of Game is not meeting the amounts necessary
21 for subsistence and that a reconsideration should be
22 considered by the Board of Game. They submit
23 reconsiderations to this Board all the time. I think
24 they need to have a reconsideration from the Federal
25 Subsistence Board. That would be a way to target the
26 harvestable surplus for subsistence, would be to allow
27 more cow harvest and reduce bull harvest.

28

29

The Bristol Bay has not talked about
30 that, neither the Western Interior Council has not talked
31 about that, but those would be my feelings after
32 reviewing all this data and so forth. All of this data
33 is basically floated to the surface before this Board
34 meeting and so that would be one way to harvest for
35 subsistence without depleting the bull component any
36 further.

37

38

CHAIRMAN FLEAGLE: Thank you. Alaska
39 Department of Fish and Game comments. Terry Haynes.

40

41

MR. HAYNES: Mr. Chairman. Staff have
42 laid out what the new State regulations are generally.
43 When I'm finished making comments, Gino may have a bit
44 more to say about the new State regulations and some
45 other aspects of the Mulchatna caribou.

46

47

Staff also laid out the reason why
48 there's a need to develop more restrictive regulations.

49

50

The Department supports the concept of

1 this Bristol Bay Council proposal to reduce the bag limit
2 because of these population declines in the Mulchatna
3 Caribou Herd. The intent of the proposal was to align
4 the Federal and State regulations in effect this
5 regulatory year. But as we've heard the Board of Game
6 has implemented more restrictive regulations that take
7 effect July 1st of this year.

8
9 Consequently the Department requests that
10 the Federal Board take action consistent with the
11 regulations adopted by the Board of Game at its March
12 2007 meeting.

13
14 This action is less restrictive than was
15 originally proposed by the Department. Although the
16 Bristol Bay Regional Council did not support the
17 Department's proposal, as Mr. Alvarez described earlier,
18 the Council also held its winter meeting before the Board
19 of Game had adopted a regulation that was less
20 restrictive than what the Department had requested in
21 terms of bag limits. Consequently the Council did not
22 have the opportunity to discuss and evaluate the new
23 State regulations. The new State regulations continue to
24 accommodate Federally-qualified subsistence users and are
25 necessary for conservation purposes.

26
27 We are concerned that having divergent
28 State and Federal regulations for the Mulchatna caribou
29 hunt that will result if the proposal as modified by the
30 Bristol Bay Regional Council is adopted, they're going to
31 be very confusing and very problematic for rural
32 residents to understand. And given the fact that there
33 would be a harvest limit of three caribou in Federal
34 regulation, a bag limit of two caribou in State
35 regulation with harvest tickets specifically stating
36 that, there may be a need for a separate Federal
37 reporting mechanism, so there's a lot of issues to
38 discuss in the context of whatever action the Board takes
39 on this proposal.

40
41 So I'll turn the mic over to Gino.

42
43 Thank you, Mr. Chairman.

44
45 CHAIRMAN FLEAGLE: Gino.

46
47 MR. DELFRATE: Thank you, Mr. Chair. And
48 I just want to be brief on a couple of responses to a
49 couple of the comments. I thought it was important to
50 lay out the timeline as to how we acted with other

1 Federal agencies within the range of the Mulchatna
2 Caribou Herd. We did not have our photo census completed
3 until mid-February or early February at the time so we
4 were under a really tight time crunch in order to get
5 everything completed. Actually I think it was a little
6 bit earlier because we were able to get a proposal into
7 the book.

8
9 The proposal that was submitted to the
10 Board of Game asked for a non-resident season of two
11 months, August 1st to September 30th. It also asked for
12 a bag limit for all caribou hunters in the Mulchatna of
13 one bull, combined. And that's the proposal that got
14 submitted. This was -- we did not consider the bull/cow
15 ratio as much as we should have and after we listened to
16 Bruce Dale a little bit more with regards to the
17 importance of bulls in the herd and bumping that up, the
18 -- we went with an amend and adopt language at the Board
19 of Game meeting and we still maintained one caribou. And
20 the testimony was we need more than one caribou per
21 household in order to meet subsistence needs and the
22 Subsistence Division staff provided excellent information
23 that showed that most people, when given the opportunity
24 to take many caribou, up to five, took a two caribou bag
25 limit and so the Board, in its wisdom, chose a course
26 that favored local residents in a large way. They
27 eliminated the same day airborne clause, which
28 particularly affected non-local residents. They reduced
29 the resident bag -- or non-resident bag season to a two
30 week season and went to one caribou in order to allow a
31 non-resident to take one caribou regardless if it was a
32 bull or a cow. And so they kind of pulled back on the
33 bull component.

34
35 I'm not trying to debate anything. I
36 just kind of wanted to lay out the sequence of events as
37 they went.

38
39 When we first drafted this proposal we
40 got most of the group of folks that deal with management
41 of caribou in the Mulchatna, we pulled in Refuge Staff
42 from Bethel, Park Service Staff from Lake Clark, all the
43 folks that typically fly these surveys and kind of sat in
44 a room under teleconference and came up with this unified
45 proposal and that's what we went to the Board with. It
46 was much more conservative than what was originally --
47 what was eventually passed by the Board and I think the
48 Board did a really good job of making lemonade out of the
49 lemons that we handed them.

50

1 So anyway I'm not going to go on any
2 farther because I know we got to do but I did want to
3 kind of lay out some of the facts and how things did play
4 out.

5
6 CHAIRMAN FLEAGLE: Thank you, Gino.
7 Questions for the State. Gary.

8
9 MR. EDWARDS: Terry I'm trying to
10 understand what you folks would prefer. And I guess what
11 I understand is that you would prefer us to pass a
12 regulation that would essentially drop down to two
13 caribou instead of the three that's currently being
14 proposed; is that correct?

15
16 MR. HAYNES: Through the Chair, yes, that
17 would be our preference.

18
19 MR. EDWARDS: All right.

20
21 MR. HAYNES: We think that would.....

22
23 MR. EDWARDS: Then, I -- you know, of
24 course, I think our response would have to be how can we
25 do that when it appears that the Board of Game could have
26 taken some additional actions probably to address the
27 conservation concern and it would appear, at least on the
28 surface, then that we were putting that burden on the
29 back of the subsistence users.

30
31 MR. HAYNES: Others may have some
32 comments on this, but I think one observation I have is
33 that there seems to be a suggestion or an implication
34 that the non-resident harvest, if it was not taken by
35 non-residents that it would be taken by Federally-
36 qualified hunters on Federal lands, and I haven't heard
37 evidence to suggest that the non-resident harvest is
38 taking place on Federal lands and that it would then be
39 available to Federally-qualified hunters on Federal
40 lands.

41
42 So I think the Board of Game certainly
43 did take conservation steps. They may not have gone as
44 far as some would have liked, but that's what we have.

45
46 MR. EDWARDS: Well, let me maybe ask kind
47 of a broader question. Is this an issue that maybe
48 collectively we should have all seen coming down the road
49 and recognizing that at this point in time we were going
50 to be at this juncture and been able to take actions

1 between our Board, the Board of Game and the Council to
2 address these.

3

4 And an example I use is in 9D where we
5 knew we were facing a train wreck, you know, it's not on
6 the table so nobody was really aware of that but the
7 Board of Game there, at least from my perspective, took
8 action because they knew that if they didn't this Board
9 would probably have to take some action because of what's
10 going down there, and in that case they did -- it's my
11 understanding, they closed it to non-residents. And I
12 just think that's a perfect example of where we avoided
13 this Board and the Board of Game sort of getting into a
14 conflict, either forcing this Board having to close it to
15 all but subsistence users or not. But the willingness of
16 the, in this case, our Refuge manager there, and your
17 person on the ground working together, and the Board
18 recognizing, the Board of Game recognizing that they
19 needed to do something, I think really avoided the kind
20 of a situation that we're facing right here tonight.

21

22 MR. HAYNES: I'll defer to Mr. Taylor.

23

24 CHAIRMAN FLEAGLE: Ken Taylor.

25

26 MR. TAYLOR: Thank you, Mr. Chairman.
27 Through the Chair. Gary, I think you're correct in much
28 of what you're saying. When we faced the 9D decision
29 back in the early to mid-80s -- or '90s we did have a
30 mini-train wreck at the beginning as I recall and it had
31 to do with what the amount necessary for subsistence was
32 but we did work that out at the local level and between
33 the two Boards and came up with a solution that both
34 Boards agreed on.

35

36 Since I've been out of this process I
37 don't know exactly how we got to where we are today with
38 the Mulchatna Herd, but it seems like this came on a bit
39 faster than the Department expected it and that attempts
40 were made to work with the Fish and Wildlife Service,
41 BLM, the Park Service, Refuge Staff to come up with a
42 solution, but the solution that was put on the table was
43 probably not as restrictive as it should have been and
44 that's where the train wreck occurred. The Board adopted
45 something that had not been passed by the RACs in that
46 same form and so we're faced with the situation where we
47 have a State season and bag limit that's more restrictive
48 in one sense than what the Southwest RAC would like to
49 see, but more liberal in another sense because it allows
50 non-resident hunters.

1 I don't know whether you have ever asked
2 the Board of Game for a reconsideration, I can
3 understand, though, that the difficulty are going to
4 have, the Federal Staff and the State Staff in trying to
5 manage a hunt if you have two different bag limits for
6 the people that live in Bristol Bay. And if right now
7 you're using the State harvest ticket as the report card
8 for both the State hunts and the Federal hunts, if you
9 have two different bag limits that situation's going to
10 have to change, we're going to have to figure out how to
11 deal with that, which sounds, not insurmountable, but
12 it's going to be confusing.

13

14 CHAIRMAN FLEAGLE: Is that it Gary?

15

16 MR. EDWARDS: Yes.

17

18 CHAIRMAN FLEAGLE: Randy Alvarez.

19

20 MR. ALVAREZ: The Board of Game took up
21 Mulchatna last year out of cycle. The Department asked
22 that the bag limit be dropped down to three from five and
23 they did. And the Federal bag limit was still at five.
24 So last year -- all of last year the State was at three
25 and Federal lands were at five so, you know, it happened
26 last year and if it's different again this year, I don't
27 see a problem.

28

29 But what I would like to ask the State
30 is, after listening to Mr. Bruce Dale and then comments
31 by Staff, they realize that there is -- the large -- the
32 bull ratio is too low, and the Department had asked the
33 Board of Game out of cycle to take up Mulchatna Caribou
34 Herd last year when they dropped it down to three and
35 they did and they did drop it down to three from five,
36 out of cycle, and from listening to the ADF&G report they
37 all seem to state that it is the bull ratio is too low
38 and I'm kind of wondering if they might add -- if they're
39 thinking about considering asking the Board of Game to
40 take it up out of cycle again or reconsider it. Because
41 if they don't, I think some of the other Advisory
42 Committee's or the other people probably will because it
43 is definitely looks to be like a conservation concern
44 looking at our figures.

45

46 So just a comment to the Staff and if
47 they're -- see these new regulations are a little over a
48 month old and we still haven't had much time to digest
49 this -- some of this is new information to me, and as you
50 probably.

1 So is that a consideration?

2

3 CHAIRMAN FLEAGLE: Gino.

4

5 MR. DELFRATE: Thank you, Mr. Chair. As
6 I explained in my opening comments, because the Mulchatna
7 Caribou Herd ranges over three different regions, a
8 portion of the range will always be out of cycle and so,
9 I guess practically speaking we'll be looking at calf
10 production in a month, we'll be looking at calf survival
11 in late September, early October with our late fall
12 surveys and we'll be reassessing everything we do with
13 Mulchatna Caribou in addition to what Bruce Dale is doing
14 with regards to looking at this bull component.

15

16 If we felt that there was something we
17 could do in addition to what we've already done I suspect
18 that we would be back in March with a proposal before the
19 Board to try and further restrict. As Bruce said, this
20 herd is going to continue to decline. What we're trying
21 to do is restrict all activities, as much as possible,
22 but still provide for a reasonable system to still stay
23 in place, and I think we've accomplished that. We're
24 still providing for reasonable opportunity for
25 subsistence. A two week season allows those few guides
26 that still want to work in this area to take a handful of
27 hunters although from experience this last fall, the non-
28 residents are not coming to this area anymore, so we
29 don't believe the non-resident harvest is going to be
30 significant enough to alter the trajectory of this herd
31 at all and so we've affected all user groups, we've
32 affected local subsistence users the least and non-
33 residents the most and non-locals got hit pretty hard.
34 So I think we're there.

35

36 But the short answer is, yes, we're going
37 to be continuing to watch this herd, this is one of our
38 highest priorities in this region and we'll be
39 reassessing everything we do from here until the herd
40 turns around.

41

42 CHAIRMAN FLEAGLE: Thank you, Gino. And
43 just to throw in my recollection, two cents here, the
44 State system doesn't use a reconsideration process like
45 we do. I mean they'll reconsider a decision made at the
46 same meeting if there's new information or something like
47 that provided. The way they get a -- the only way to get
48 a change before the Board now, before the next hunt this
49 fall, is through an emergency petition. I mean there
50 isn't even enough time to do an agenda change request

1 because that would go to the next meeting, which would be
2 in November, which would obviously be after the season
3 started.

4
5 So that's, you know, Jack and I were
6 talking about this a little bit at break and he mentioned
7 it, there is that opportunity to submit an emergency
8 petition to the Board and saying, based on the
9 information that we or whoever chooses to submit a
10 petition, that there isn't any warrant for having a non-
11 resident season when we're not meeting the amounts
12 necessary for resident subsistence. And I know, you
13 know, there is the argument about whether we're meeting
14 it or we have the capability of meeting it, that's an
15 argument that I know the Board of Game has used
16 successfully to defend keeping out of Tier I, but in this
17 case it looks pretty clear that we're in a Tier I
18 situation.

19
20 Now, we, as the Federal Board, could
21 mirror these regulations or we could even take action to
22 close non-resident use on Federal lands, but the range of
23 this caribou herd crosses very little Federal lands, I
24 don't know what the net effect of that would have other
25 than more confusion.

26
27 Anyway, I'm just throwing out some of the
28 stuff I know, I'm not throwing out any solutions.
29 There's a lot of different options. I know that the
30 Board of Game, when they have made decisions in the past
31 that would have been good to have coordination with the
32 Federal Board, they withheld the implementation of those
33 regulations pending Federal action that would mirror it
34 so that when we did go into that management regime you
35 would have, you know, similar guidelines and I don't know
36 if this Board has ever done that the other way.

37
38 I'm new here, so I'm not sure what we've
39 done. And you're nodding your head we have, okay.

40
41 So I mean there's all kinds of options to
42 consider and least -- I mean, not the least of which is
43 that this Board could maybe move to write an emergency
44 petition request and, you know, the State will review it
45 and they can say yes or they can say no, but it may be
46 something that this Board wants to consider doing.

47
48 Anyways we'll move on.

49
50 InterAgency Staff Committee comments.

1 Larry.

2

3 MR. BUKLIS: Thank you, Mr. Chairman.

4 The Staff Committee comments are on Page 288. I'll
5 highlight the main points.

6

7 The Staff Committee found that the
8 recommendations and modifications of the Regional
9 Advisory Councils to the proposal were consistent with
10 ANILCA Section .805(c). The Staff Committee notes that
11 the intent of the proposal was to align with the State
12 season and harvest limits for the current regulatory
13 year, 2006/2007 and not with the changes adopted by the
14 Board of Game in March of 2007 that will go into effect
15 July 1.

16

17 The Staff Committee recognizes the
18 Council's position that alignment with the recent changes
19 by the State Board would be unacceptable without at least
20 restricting non-resident hunting of the Mulchatna Caribou
21 Herd in the affected units. The State has repeatedly
22 maintained that no Federal regulations are necessary
23 where the general seasons and harvest limits are in
24 alignment. Concurrent actions by the Alaska Board of
25 Game, such as the severe restrictions on proxy hunting in
26 the affected units, illustrate the need for Federal
27 regulations to meet the requirements of ANILCA, Title
28 VIII even should future Council actions recommend that
29 Federal regulation of caribou hunting of the Mulchatna
30 Caribou Herd more closely mirror the State's.

31

32 The Staff Committee and the Councils
33 recognize that the Mulchatna Caribou Herd is of great
34 conservation concern, and that the modified proposal is
35 consistent with recognized principles of wildlife
36 management for the diminished herd while maintaining
37 Federally-qualified subsistence users meaningful priority
38 for the consumptive use of the wildlife.

39

40 Thank you.

41

42 CHAIRMAN FLEAGLE: Thank you, Larry.

43 Questions.

44

45 (No comments)

46

47 CHAIRMAN FLEAGLE: Board discussions.

48 Gary.

49

50 MR. EDWARDS: Mr. Chairman. I guess I

1 kind of find myself in the same place where I was last
2 year on Unit 9 where I kind of personally felt that we
3 needed to further restrict the subsistence harvest, and,
4 in fact, I think at one point I made a motion that we did
5 that and then it was sort of pointed out to me that given
6 that the State hunt was continuing on and still a lot of
7 non-residents and all that, that we really couldn't ask
8 the subsistence user to, you know, take a further
9 reduction if we didn't do anything and so we were kind of
10 left, theoretically, I guess, with one of the choices
11 that you identified, we could have closed it to all but
12 Federally, you know, recognized subsistence hunters, but,
13 you know, historically the State hasn't -- that's not the
14 approach that they would prefer us to do and I'm one who
15 certainly doesn't -- my goal is not to exclude other
16 hunters, and in that case, as I said earlier, you know,
17 we were able to sit down and work it out and I think, you
18 know, the Board of Game took very good appropriate
19 action.

20

21 So I'm somewhat in the same position
22 here, is that, that I applaud the Council, you know, for
23 coming forward for further restricting their harvest
24 because of their concern but it doesn't seem that in all
25 fairness I would feel comfortable submitting a motion to
26 further reduce theirs when at least it would appear, to
27 some, you know, that more could have been done on the
28 State side. And, again, it's one of these situations
29 where if we can figure out a way to -- it's kind of like
30 we always say, either the cart before the horse or
31 something, because of the way our Boards are and the
32 Councils are, we're always a day late and a dollar short
33 on some of these. And if we can look at ways to get that
34 because we all seem to have the same kind of conservation
35 concern, obviously the State wouldn't have taken the
36 action they did, the Council wouldn't take the action
37 they did, so we're all sort of in agreement here that
38 something needs to be done. But I think it's difficult
39 given our respective mandates, you know, for us in this
40 case to take action to further restrict it.

41

42 And I guess saying that, Mr. Chairman, I
43 would be prepared to make a motion that we would support
44 the proposal 7-23 with the modifications that the Bristol
45 Bay Regional Advisory Council recommended.

46

47 CHAIRMAN FLEAGLE: Do I hear a second.

48

49 MR. OVIATT: I'll second.

50

1 CHAIRMAN FLEAGLE: Okay, we got a second
2 from George. Now, just for clarification, that would
3 mirror the new State regulations?
4
5 MR. EDWARDS: No.
6
7 CHAIRMAN FLEAGLE: No, okay. All right.
8
9 MR. EDWARDS: I'm supporting, at least, I
10 think I am, I'm supporting Bristol Bay's recommendation
11 that the modifications that they had would include Units
12 18, 19A and 19B, I believe that's correct. On Page 272.
13
14 CHAIRMAN FLEAGLE: 272.
15
16 MS. GOTTLIEB: Mr. Chairman.
17
18 CHAIRMAN FLEAGLE: Judy.
19
20 MS. GOTTLIEB: I guess also for
21 clarification that is supporting the Yukon-Kuskokwim and
22 the Western Interior Regional Advisory Council's
23 recommendations as well?
24
25 MR. EDWARDS: That is correct.
26
27 CHAIRMAN FLEAGLE: Further discussion.
28 Judy.
29
30 MS. GOTTLIEB: Yes, Mr. Chair. I do want
31 to thank all the Councils because we know when animals
32 are increasing it's pretty easy to make regulations, but
33 it's pretty tough to deal with these when the populations
34 are declining and especially to self-impose limits, so we
35 appreciate that you have recognized the principles of
36 wildlife management conservation and are consistent with
37 the regulations and mandates of this Board as well.
38
39 And that would be my reason for
40 supporting the proposal.
41
42 MR. EDWARDS: Mr. Chairman. I guess.....
43
44 CHAIRMAN FLEAGLE: Gary.
45
46 MR. EDWARDS:I -- maybe I don't
47 know if I need to provide additional rationale. But as I
48 said I'm not so sure my motion is necessarily the best
49 thing from a conservation standpoint but I think, I
50 guess, it's the right thing, you know, given our mandate.

1 Certainly it's a situation we need to look at. As Ms.
2 Gottlieb said, you know, the Councils have stepped up and
3 put a restriction -- asked for restrictions to be placed
4 upon themselves. I do hope that, as we continue on, we
5 can kind of look for opportunities to try to put all
6 these things in balance and hopefully come out with
7 regulations that are what we all think and not divergent
8 as we continue to have, we keep seem to be getting one
9 year behind on all of these, and maybe we can somehow get
10 one year ahead, I guess would be the objective.

11
12 CHAIRMAN FLEAGLE: Right. I just have
13 one hinderance with this action. I thought I heard
14 pretty clearly from the -- at least from the Bristol Bay
15 RAC, that this modified proposal was based on information
16 that they had prior to the last census numbers that are
17 now available, and that what I heard Randy say and I
18 thought I heard Randy say was that they would actually
19 support the new -- the further restriction that is under
20 the new State guidelines. Did I not hear that correctly
21 Randy?

22
23 MR. ALVAREZ: No. We, doing this
24 proposal, back in October, we made it along with the
25 moose proposal that's on consensus, and by the time we
26 got back to our March meeting where we discussed all
27 these proposals I was going to, myself, not support
28 lowering it down to three because we were still under the
29 assumption that the population was still at 85,000.
30 Well, when we heard that it was down to 45,000 then
31 that's when I decided myself, and the rest of the Council
32 did so also to lower it down to three.

33
34 CHAIRMAN FLEAGLE: Okay, I understand
35 now.

36
37 MR. ALVAREZ: And we.....

38
39 CHAIRMAN FLEAGLE: I got that confused.
40 When I heard you speaking about those reductions, I
41 thought you were talking about mirroring the State which
42 lowered theirs to two so, okay, I understand now. I'm
43 the one in the dark.

44
45 Further discussion.

46
47 (No comments)

48
49 CHAIRMAN FLEAGLE: Are we ready for the
50 question.

1 MR. OVIATT: Question.
2
3 CHAIRMAN FLEAGLE: Question's called.
4 Pete.
5
6 MR. PROBASCO: Thank you, Mr. Chair.
7 Final action on WP07-23.
8
9 Adopt with modification as recommended by
10 the Bristol Bay, Yukon-Kuskokwim and
11 Western Interior Regional Advisory
12 Councils to include Units 18, 19A and
13 19B.
14
15 Ms. Gottlieb.
16
17 MS. GOTTLIEB: Aye.
18
19 MR. PROBASCO: Mr. Eastland.
20
21 MR. EASTLAND: Aye.
22
23 MR. PROBASCO: Mr. Oviatt.
24
25 MR. OVIATT: Aye.
26
27 MR. PROBASCO: Mr. Kessler.
28
29 MR. KESSLER: Aye.
30
31 MR. PROBASCO: Mr. Edwards.
32
33 MR. EDWARDS: Aye.
34
35 MR. PROBASCO: And Mr. Fleagle.
36
37 CHAIRMAN FLEAGLE: Aye.
38
39 MR. PROBASCO: Motion carries, six/zero.
40
41 CHAIRMAN FLEAGLE: I wasn't sure how to
42 vote on that one. I realize that the portion of this
43 harvest that goes to the Federally-qualified subsistence
44 users only accounts for a small amount of the harvest and
45 it's on, you know, only where we have Federal lands, but
46 I do see the wisdom in having aligned seasons and bag
47 limits, and that was my hesitation there.
48
49 Having said that, I know we've been in
50 that situation before and people just have to figure it

1 out. But I just want to raise up the possibility if
2 there's any interest in the room on the suggestion raised
3 earlier about submitting an emergency petition to remove
4 the non-resident component of this hunt.

5
6 I'll just throw that out.

7
8 Gary.

9
10 MR. EDWARDS: Mr. Chairman. You know, I
11 had asked actually that question, I think, earlier of the
12 Council, that if the State would have taken additional
13 action, such as that, would that have changed the
14 Council's view. I know this is after the fact but I was
15 kind of asking you to kind of crystal ball it, would they
16 have been willing to go to two and I thought your answer
17 was probably not.

18
19 CHAIRMAN FLEAGLE: Randy.

20
21 MR. ALVAREZ: We -- I, myself, couldn't
22 support going down to two if the non-residents were still
23 able to harvest the caribou in those areas. But if the
24 population were to drop down to 35,000 or somewhere
25 around there, we're going to have to -- yeah, we'd have
26 to, you know, but at 45,000 I just don't think it's
27 justification, although -- you know, the justification
28 that we see is the problem is the bull is way too -- the
29 bull is just way too low but if it drops down, like I
30 say, any -- down to what the State recommends they have
31 to do something else again then we would have to.

32
33 MS. GOTTLIEB: Mr. Chairman.

34
35 CHAIRMAN FLEAGLE: Judy.

36
37 MS. GOTTLIEB: I guess I do think it
38 would be worthwhile for this Board to send a letter and,
39 you know, the Council will deal with what they need to at
40 the time and this Board will deal with what we need to
41 after we get some response as well.

42
43 But I think instead of trying to guess
44 what might happen, we ought to try sending the letter and
45 perhaps focus on the suggestions that we've had of are
46 there other things we jointly can think of that will
47 improve that bull population.

48
49 CHAIRMAN FLEAGLE: George.

50

1 MR. OVIATT: Something that might help
2 me, joining in with what's being talked about here is,
3 and maybe you could answer this Randy, I thought along
4 the conversations that the subsistence users -- Federal
5 subsistence users were taking mostly cows or not
6 targeting the bulls and it looks like the issue here is a
7 reduction in bulls and not necessarily the cows. And I
8 think, Jack, you said it may benefit to even take more
9 cows to relieve the pressure on the bulls. And so if
10 that's really the case then I think I could support,
11 fully support, in light of what the Council said, that
12 they wouldn't have reduced their numbers because it looks
13 like that we're really trying to do something to enhance
14 the bull population.

15

16 Thank you, Mr. Chairman.

17

18 CHAIRMAN FLEAGLE: Randy.

19

20 MR. ALVAREZ: Yes. The harvest around
21 our area has been after the first of the year until it
22 closes in March but mainly because there are no caribou
23 around before then. They haven't been migrating down
24 until mid-winter because of the hunting pressure up north
25 and maybe they're kind of cycled to that or figure it's
26 time to go down at that time because it's -- there's too
27 much pressure in the fall and there might be these same
28 old caribou, they're dying off, they remember all this
29 hunting pressure down there so they're probably waiting
30 until later on to go down and all of our harvest -- the
31 majority of our harvest has been after the first of the
32 year until it closes and we've been mainly targeting cows
33 because they're not as lean, they've got a little bit of
34 fat by then. And that's, for myself, that's what I'm
35 trying to get is cows, I don't want those big old tough
36 bulls that are really lean.

37

38 So with saying that I would guess that
39 probably most of the harvest is cows, you know, once in a
40 while you end up with a bull but you're trying to get a
41 cow, but, you know, it -- does that answer your question.

42

43 MR. OVIATT: Thank you. Thank you, Mr.
44 Chairman.

45

46 CHAIRMAN FLEAGLE: Mike Quinn.

47

48 MR. QUINN: Yes, thank you, Mr. Chairman.
49 This morning, one of the first things you did was read a
50 letter from Secretary Norton, I think, that, among other

1 things directed the Subsistence Board to work with the
2 State on these issues. And I think you also had a letter
3 from the Governor directing the State to work -- no?

4
5 CHAIRMAN FLEAGLE: That was -- both
6 letters were from the Secretary. One was to the Chair of
7 the Federal Subsistence Board and the other was to the
8 Governor, which essentially said the same thing.

9
10 MR. QUINN: That's right, okay. But I
11 believe there's probably -- since Mr. Taylor's here
12 there's some effort on the State to work with the Federal
13 Board, so I would suggest that from what you said, yes,
14 it is time for this Board to request an emergency action
15 from the Board of Game in order to bring the two Boards
16 together on an issue that's brought people from really
17 far apart areas of this state together.

18
19 Thank you.

20
21 CHAIRMAN FLEAGLE: I appreciate the
22 comments, Mike. And I would certainly vote for one
23 should there be one and that's why I kind of tossed the
24 idea out a couple of times to see if there would be a
25 motion, I can't make motions, and I try not to tell a
26 Board that I'm Chairing what to do, I only make the
27 opportunity exist and if it's not bitten on then I move
28 on. I guess maybe, probably, Jack understood what was
29 happening here but I do try really hard not to steer a
30 board, I only make opportunities available.

31
32 MR. QUINN: Okay, well, since the RACs
33 have so much to do with this process I'll make an effort
34 to steer the Board and I suggest that one of you make a
35 proposal to make this emergency -- to request this
36 emergency action.

37
38 (Laughter)

39
40 MS. GOTTLIEB: Mr. Chairman.

41
42 CHAIRMAN FLEAGLE: Jack Reakoff -- just a
43 second, Judy, and I'll get right to you.

44
45 MS. GOTTLIEB: Oh, sorry.

46
47 CHAIRMAN FLEAGLE: Jack had his hand up.

48
49 MR. REAKOFF: Mr. Chair. I would suggest
50 that the membership of the Federal Subsistence Board make

1 a motion and transmit a request for emergency action by
2 the Board and point out that their actions to allow non-
3 resident harvest of bull caribou is illegal under the
4 aspect of amounts necessary for subsistence. We're
5 taking big cuts here to retain this herd and they're
6 retaining bull harvest, although it's one caribou by non-
7 residents, of course non-residents don't shoot cows, and
8 I'll attest to that. On the Dalton Highway when the
9 antlers fall off the bull caribou in November the hunters
10 stop coming, they only want antlers. Having non-resident
11 participation does target bull caribou, primarily unless
12 it's a mistake.

13

14 CHAIRMAN FLEAGLE: Judy Gottlieb.

15

16 MS. GOTTLIEB: Thank you, Mr. Chairman.
17 I'm waking up now, maybe too late here, and I thought we
18 were discussing the idea of doing an emergency petition
19 and didn't realize we needed a motion, I thought it was
20 something -- but in any case I will make a motion that
21 this Board ought to prepare an emergency petition to the
22 Board of Game discussing our grave concern about the need
23 to improve the bull numbers and perhaps alternate
24 strategies that could be used to accomplish that.

25

26 CHAIRMAN FLEAGLE: Is there a second.

27

28 MR. EDWARDS: I'll second it so we can
29 discuss it.

30

31 CHAIRMAN FLEAGLE: All right. For
32 discussion purposes we do have a motion that's been
33 seconded. Judy, do you want to go ahead and speak any
34 further to the justification.

35

36 MS. GOTTLIEB: I'll just refer to all the
37 discussions we've heard here today and that this is a
38 mechanism we haven't used very often, if at all, and it
39 may be a way to explore getting more common ground here.

40

41 CHAIRMAN FLEAGLE: Having been on that
42 side it's more beneficial if you come with a proposal
43 that says what you want and then the Board can work from
44 there. And from my perspective if it were to say that
45 based on the bull/cow ratios and based on the number of
46 bulls harvested, that we request a closure to the non-
47 resident component, well it would also include the
48 argument that we're obviously in a Tier I situation.
49 And from the State perspective, Tier I means that there's
50 only enough to meet the amount necessary for subsistence

1 and not any more so you eliminate non-resident use. And
2 the numbers that were presented earlier show a pretty
3 clear indication that they should be in Tier I there,
4 which is an elimination of non-resident.

5
6 So it should be pretty specific I would
7 say.

8
9 Other discussion. Gary.

10
11 MR. EDWARDS: Mr. Chairman. I'm not
12 opposed to sending a letter. I'm a little unclear of
13 what the purpose is. If the purpose is just to point out
14 to the Board of Game the error of their ways, that's one
15 thing. If part of it is to do that and then to try to
16 align the regulations then either the Board of Game's
17 going to have to increase theirs to three or this Board
18 then, if the Board of Game would take actions to restrict
19 non-residents or totally close it to non-residents, it
20 seems to me then we would have to be willing to restrict
21 the subsistence harvest to two, otherwise we'll still end
22 up with this -- we won't be in synch, if that's one of
23 the purposes.

24
25 If the purpose is simply to tell the
26 Board of Game that we don't think they made a wise
27 decision, well, then that's another issue. And so I'm a
28 little unclear what the ultimate purpose of this letter
29 will be.

30
31 MR. QUINN: I can live with either way.

32
33 CHAIRMAN FLEAGLE: Well, I don't think
34 that it would behoove this Board at all to poke sticks at
35 the Board of Game, I don't think that that effort has
36 ever worked from either way. So just to send an
37 emergency petition to say that you guys goofed is not
38 going to be productive at all. But I see adequate
39 rationale that there should not be a non-resident season
40 on this caribou herd and that's what it should be, just
41 based on the facts and ask that the Board would consider
42 that fact. And I realize that the action we just took
43 further reduces our Federally-qualified take but it
44 doesn't align it and maybe in the next cycle we can do
45 that. But I really believe that the effort should be a
46 positive effort to recognize that there shouldn't be a
47 non-resident component to this harvest at all.

48
49 MR. EDWARDS: And I agree, Mr. Chair. I
50 mean I still think we're telling them that they goofed,

1 we're just dressing it up a little bit as we deliver the
2 message.

3

4 CHAIRMAN FLEAGLE: Further discussion.
5 Randy.

6

7 MR. ALVAREZ: Another consideration would
8 be, as Jack had mentioned, that, you know, maybe put a
9 restriction on the large ones, the antler size, maybe
10 without the shovel on the front. You know we have it for
11 moose, some areas non-residents have to shoot at least a
12 50-inch or three brow-tines, you know, we could restrict
13 the caribou, ask for a restriction on the caribou if they
14 don't want -- if eliminating the non-resident's
15 altogether is out of the question, you know, it's -- the
16 population is enough, I think is -- the main concern is
17 the large bulls. But if it drops down anymore then there
18 is a concern that there is enough caribou for everybody.

19

20 CHAIRMAN FLEAGLE: Yeah, we can probably
21 discuss this until the cows come home and not have the
22 right modification, but I mean that could be put in
23 there. There's always a line that says other solutions
24 considers and I mean that could be one of the other
25 solutions. But I know that the State has never done
26 anything that differentiates between antler size or
27 configuration and that would be a pretty tough sell, I
28 think, to try to ask for that.

29

30 George.

31

32 MR. OVIATT: Mr. Chairman. If I could
33 ask the State a question, I mean would that -- if we came
34 forward with something like this, a request to, you know,
35 to look at the antlers a certain size for the bull, I
36 mean would that be something that the State could do,
37 would that be something the State might entertain? Would
38 that help the situation, I guess I'm asking?

39

40 CHAIRMAN FLEAGLE: Gino.

41

42 MR. DELFRATE: Thank you, Mr. Chair.
43 About eight years or so ago the -- I believe it was in
44 the Fortymile Caribou Herd area they did try to have an
45 antler restriction for caribou and they limited it to a
46 certain number of points, that proposal didn't last very
47 long or that regulation didn't last very long and I
48 suspect that it was poorly received by the public and
49 poorly understood and difficult to implement. And that's
50 my only recollection of an attempt to do some sort of

1 antler restriction on caribou.

2

3 I'm not aware of any information where
4 we've collected shovel sizes and whenever you get into
5 trying to define what is a shovel versus what is a point,
6 is it greater than two inches wide, three inches wide,
7 six inches wide, coming up with a regulatory definition
8 of a shovel, I think, is going to be challenging, if
9 that's what ends up getting forwarded on to the Board.

10

11 CHAIRMAN FLEAGLE: Ken Taylor.

12

13 MR. TAYLOR: Yes, Mr. Chairman, the only
14 other antler restriction that I can think of for caribou
15 that's ever been used has been on the subsistence hunter
16 where if we have tried to protect bulls we've required
17 antlered caribou only during the winter season.

18

19 CHAIRMAN FLEAGLE: Warren Eastland.

20

21 MR. EASTLAND: Mr. Chair. In British
22 Columbia they do have an antler restriction on caribou
23 and it's based on points. Now, there they're trying to
24 select the taking to only large bulls so that no large
25 bull can be taken unless it has at least five points
26 above the rear tine. Since we're looking at things back
27 -- you know, trying to do it reversed, we can say the no
28 take of caribou with more than three points above the
29 rear tine or something on that order so it needn't be
30 restricted to shovels. There are other forms of antler
31 restriction that can be readily distinguished in the
32 field and implemented.

33

34 Thank you.

35

36 CHAIRMAN FLEAGLE: Thank you. There's no
37 guarantee that the Board would even consider this request
38 but -- I'm talking about the Board of Game, but I think
39 that it's a reasonable request coming from this Board
40 based on the biology and the information we received.
41 And I agree with Jack Reakoff, that even though the
42 change has been made for the non-resident harvest, the
43 change has been made from bull to caribou, that non-
44 resident is still going to go out there and look for a
45 bull.

46

47 I know that we heard evidence about
48 guiding activity, this is also a really highly, heavily
49 used area by transporters that I don't -- maybe not
50 anymore with the reduction in the herd but it had been in

1 the past, you know, there's a lot of people that fly out
2 there and land on those ridge tops, there's just a lot of
3 opportunity to land and -- and it may be self-limiting,
4 as we've heard, but this would definitely limit the bull
5 take by non-residents if they had no non-residents.

6
7 But anyway that's my take on it, I'd
8 support it.

9
10 Are we ready for the question.

11
12 MS. GOTTLIEB: Yes.

13
14 CHAIRMAN FLEAGLE: Pete, on the motion to
15 submit an emergency petition to the Board of Game, please
16 poll the Board.

17
18 MR. PROBASCO: Yes, Mr. Chair, and after
19 the vote, I would ask for some clarification from the
20 Chair when I get a chance.

21
22 CHAIRMAN FLEAGLE: Yes.

23
24 MR. PROBASCO: Okay. Final action on the
25 motion to submit an emergency petition to the Board of
26 Game to address the caribou situation in the units that
27 we have just discussed.

28
29 Mr. Eastland.

30
31 MR. EASTLAND: Aye.

32
33 MR. PROBASCO: Mr. Oviatt.

34
35 MR. OVIATT: Aye.

36
37 MR. PROBASCO: Mr. Kessler.

38
39 MR. KESSLER: Aye.

40
41 MR. PROBASCO: Mr. Edwards.

42
43 MR. EDWARDS: Aye.

44
45 MR. PROBASCO: Mr. Fleagle.

46
47 CHAIRMAN FLEAGLE: Aye.

48
49 MR. PROBASCO: And Ms. Gottlieb.

50

1 MS. GOTTLIEB: Aye.
2
3 MR. PROBASCO: Thank you, Mr. Chair. And
4 may I proceed?
5
6 CHAIRMAN FLEAGLE: Yes.
7
8 MR. PROBASCO: I'm going to throw this on
9 the table and then get the Board's concurrence. My
10 understanding on this motion for emergency petition,
11 Staff would do a draft which would be reviewed by the
12 Board following the Board of Game's guidance in
13 submitting a petition, and we would seek concurrence from
14 the Federal Board prior to submitting that.
15
16 Mr. Chair.
17
18 CHAIRMAN FLEAGLE: That'd be fine. Any
19 objection to that.
20
21 (No objections)
22
23 CHAIRMAN FLEAGLE: Then that'd be fine.
24 Thanks. What do we got left to do?
25
26 MR. PROBASCO: Just moose.
27
28 CHAIRMAN FLEAGLE: Unit 9E moose, how bad
29 is that one going to be.
30
31 (Pause)
32
33 CHAIRMAN FLEAGLE: Pete, go ahead.
34
35 MR. PROBASCO: Dan, on this next
36 proposal, what's your guesstimate on time?
37
38 CHAIRMAN FLEAGLE: Dan LaPlant.
39
40 MR. LAPLANT: Mr. Chairman. No
41 predictions here. I'm substituting for Laura who had to
42 leave.
43
44 (Laughter)
45
46 MR. LAPLANT: So I don't have a great
47 depth of information to provide you on this one, so I can
48 make it brief from my side of the presentation but beyond
49 that it's your guess.
50

1 CHAIRMAN FLEAGLE: Board members, we've
2 reached 9:00 o'clock, we can go home.

3
4 I heard somebody say go home, so why
5 don't we do that.

6
7 MR. BUKLIS: Mr. Chairman.

8
9 CHAIRMAN FLEAGLE: Larry.

10
11 MR. BUKLIS: Thank you, Mr. Chairman. We
12 had a request from the State that we provide to you
13 before you leave tonight, so you're better prepared for
14 tomorrow, the Alaska Department of Fish and Game comments
15 regarding the Federal Subsistence Board's threshold
16 analysis and action on Fishery RFR06-09 and further
17 reconsideration dated April 30th, 2007. So they've got
18 copies for Board members, Solicitor's office and the
19 Council Chair from Southcentral or we can provide it to
20 him through his coordinator, and we'll have more copies
21 for the public in the morning.

22
23 Thank you, Mr. Chairman.

24
25 CHAIRMAN FLEAGLE: So don't forget your
26 copy.

27
28 (Laughter)

29
30 CHAIRMAN FLEAGLE: Thank you, Larry. And
31 we'll start at 8:30, that's what we're advertised.

32
33 (Off record)

34
35 (PROCEEDINGS TO BE CONTINUED)

