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1 FISH AND WILDLIFE SERVICE FEDERAL SUBSISTENCE BOARD  
2 REGAL ALASKA HOTEL, ANCHORAGE, ALASKA

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VOLUME I

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6

MAY 2, 2000

7

8:30 o'clock a.m.

8

PUBLIC MEETING

9

10 BOARD MEMBERS PRESENT:

11

12 Mitch Demientieff, Chairman

13 Dave Allen/Gary Edwards, U.S. Fish and Wildlife Service

14 Niles Cesar, Bureau of Indian Affairs

15 Curt Wilson, Bureau of Land Management

16 Judy Gottlieb, National Park Service

17 Jim Caplan, U.S. Forest Service

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19 Keith Goltz, Solicitor

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P R O C E E D I N G S

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(On record)

CHAIRMAN DEMIENTIEFF: Okay, we're going to go ahead and call the meeting to order. My name is Mitch Demientieff. I'm the Chairman of the Federal Subsistence Board and with that we'll call on Tom Boyd, at my right here, to introduce the other Board members.

MR. BOYD: Okay. Starting to my right we have Niles Cesar from the Bureau of Indian Affairs. Dave Allen from the Fish and Wildlife Service. Curt Wilson representing the Bureau of Land Management. Chairman Mitch Demientieff. Judy Gottlieb from the National Park Service. And Jim Caplan from the U.S.D.A. Forest Service. We also have Staff to the Board, Ida Hildebrand, BIA, to my right again. Greg Bos from the Fish and Wildlife Service. Peggy Fox and myself of the Office of Subsistence Management. Sandy Rabinowitch from the National Park Service. And Ken Thompson's not here, he's somewhere, he's in the back in the back of the room. We also have the Chairs of 10 Federal Regional Advisory Councils. Starting again to my right we have Mr. Harry Wilde, Yukon-Kuskokwim Delta region. Vince Tutiakoff from the Kodiak/Aleutians region. Ron Sam from the Western Interior region. Ralph Lohse from the Southcentral region. Grace Cross from Seward Peninsula region. Charles Miller from the Eastern Interior region. Willie Goodwin from the Northwest Arctic region. Dan O'Hara is not here at the present. Fenton Rexford from the North Slope region. And I failed to mention our esteemed Counselor from the Regional Solicitor's office, Mr. Keith Goltz. And also one other member of the Staff, Ms. Helga Eakon from the Office of Subsistence Management. We also have Mr. Terry Haynes, Staff to the Alaska Department of Fish and Game, welcome Terry.

CHAIRMAN DEMIENTIEFF: And the others just arriving here, Bill Thomas, Chairman of the Southeast Regional Council. We'll have other different staffers that you'll be meeting as we change regions and change issues, they'll be introducing themselves as the prepare to assist us in some of the proposals we're considering.

First of all, during the public testimony, if anybody wants to testify -- where's the table set up, right at the doorway?

MR. BOYD: Right.

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1                   CHAIRMAN DEMIENTIEFF: Yeah, right at the  
2 back doorway. These are the cards we use if you want to  
3 testify, just fill one out and the Staff will get it up  
4 here so that you can be called forward. In addition, we  
5 have copies of the agenda on there. There's two parts of  
6 it, there is two different agendas. There's what we call a  
7 consent agenda and we'll be discussing that in a little  
8 bit, that's on the second page of the agenda and the first  
9 page is the actual agenda that we will be following. So  
10 you can pick up copies of these also at the back table and  
11 move on with them.

12

13                   Do we have any other corrections or additions to  
14 the agenda, Board members? Yes, Judy.

15

16                   MS. GOTTLIEB: Mr. Chairman, I have a short  
17 informational piece on Proposal 56, Seward Peninsula.

18

19                   CHAIRMAN DEMIENTIEFF: Yeah, I was going to  
20 do that after we get the public testimony over because I  
21 understand that there was a little presentation. Are there  
22 any other additions to the agenda? I don't think that  
23 would do an agenda change to do that, we'll just discuss  
24 it.

25

26                   If not, then we'll go ahead and move on with  
27 testimony.

28 We have Helga Eakon who's providing testimony for Phil  
29 Shoemaker; is that correct?

30

31                   MS. EAKON: That is correct, Mr. Chair.  
32 This was an electronic mail public comment that we received  
33 on April 29th. And this his public comment: This past  
34 year an Anchorage transporter advertised trophy moose hunts  
35 on the Alaska Peninsula during the December subsistence  
36 season for a fairly substantial \$3,000 fee.

37

38                   As a legal, ethical and highly regulated Alaskan  
39 guide as well as a trained wildlife biologist, I have a  
40 problem with unregulated transporters being allowed to  
41 harvest unlimited numbers of animals during the regular  
42 season. However, it is a travesty to allow trophy sport  
43 hunting during a late subsistence season. Not only does it  
44 affect the moose population and their availability for  
45 legitimate local subsistence hunters it is a biological  
46 detriment to the population dynamics of moose. Moose are  
47 concentrated during this time of year and the largest  
48 breeding bulls are highly vulnerable. As a guide I have  
49 restrictions on the total numbers of clients I can take on  
50 U.S. Fish and Wildlife Service lands. There is also a

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1 limited area in which I am legal to operate. The effects  
2 of this have been shown to benefit the refuge and its  
3 wildlife.

4

5 Air taxis and transporters must have a permit to  
6 operate on refuge land but, few, if any, other restrictions  
7 on the number of clients they can run. There is a rapidly  
8 increasing number of transporters attending hunting shows,  
9 advertising in hunting magazines and utilizing booking  
10 agents to attract hunters. Not only is this unregulated  
11 direct competition for me but it is a potential serious  
12 problem for game populations and that affects Native and  
13 Subsistence users.

14

15 The U.S. Fish and Wildlife Service has shown it has  
16 the ability to regulate transporters by either placing  
17 limits on certain areas of refuges during regular seasons.  
18 I would like to see regulations either eliminating non-  
19 local GMU hunters from participating in late season hunts  
20 or antler restrictions, that is, less than 60-inch bulls on  
21 subsistence killed bulls or at a minimum, a sever  
22 restriction on the number of clients transporters can take  
23 in a year.

24

25 Sincerely, Phil Shoemaker. Alaska Master Guide and  
26 in-holder in Becharof National Wildlife Refuge, P.O. Box  
27 273, King Salmon, Alaska 99613.

28

29 CHAIRMAN DEMIENTIEFF: Okay, thank you very  
30 much. Is there any other request for public testimony at  
31 this time? Of course we'll be having public testimony on  
32 individual proposals when we get to them but this is for  
33 general public comment. Okay, if not, then Tom you had a  
34 comment on the agenda?

35

36 MR. BOYD: Yes. I don't see it listed on  
37 the agenda in front of you, but on Thursday morning at 8:30  
38 a.m., as we start out the Board meeting, we have scheduled  
39 a time for the Board to consider the remaining several, I  
40 think there were four or five project proposals for the  
41 Unified Fisheries Management -- Fisheries Program, the  
42 monitoring program for the FY2000, and that will -- we will  
43 have some folks on-line at that time who will want to speak  
44 to those proposals. So we scheduled it for that morning  
45 recognizing that we had a fairly short agenda and we felt  
46 like we could work it in and get the Board business done on  
47 that, Mr. Chair.

48

49 CHAIRMAN DEMIENTIEFF: Yeah. Actually, the  
50 agenda item that you're talking about is available on the

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1 handout. It's just the ones in the books that doesn't have  
2 it.

3

4 MR. BOYD: Okay.

5

6 CHAIRMAN DEMIENTIEFF: Okay, with that,  
7 we'll go ahead. There's the consent agenda item, and I  
8 understand there is a little talk but I'll just run through  
9 them. Again, this is available in the back.

10

11 In Southeast we have Proposals 6 and 10;  
12 Southcentral Proposals 15, 16, 19, 21, 22, 24 and 26;  
13 Region 3 has no consent agenda items; Region 4 has 31, 32,  
14 33, 36 and 37; Yukon Kuskokwim has Proposal 41; Western  
15 Interior 42, 43, 44, 45, 46, 47, 48, 49, 50; Seward Penn  
16 52, 53, 54, 55, 56, 57; Northwest no proposals; Eastern  
17 Interior Proposal 59; North Slope no proposals. And I  
18 understand we do have a comment but I'm just reading  
19 through these lists and letting you know exactly how we're  
20 going to deal with them. We were all huddled up here  
21 earlier this morning trying to remember last year how we  
22 dealt with them so we're consistent. And between a  
23 committee of about eight of us, I think, we might have it  
24 down.

25

26 Basically I'll refer to these consent agenda items  
27 every morning and we will adopt them on Thursday, on the  
28 last day. Probably it will be Thursday morning right after  
29 the agenda item that we have because it just takes a few  
30 minutes to do that.

31

32 I read these out in case anybody, you know, has  
33 reconsidered or wants to pull these consent agenda items.  
34 For those of you who are not familiar with the consent  
35 agenda, these are proposals where the whole world basically  
36 lines up in support of whatever action is recommended and  
37 in our world it means Federal Board members, Regional  
38 Council members, the State of Alaska, you know, Staff  
39 Committee; everybody basically lined up with whatever the  
40 recommended action is. If anybody wants to pull something  
41 off the consent agenda, Regional Councils or Board members  
42 want to pull something off the consent agenda or the State,  
43 you know, they will have opportunity every morning to do  
44 that and we'll pull any items off that people want to pull  
45 and consider that proposal individually in the same manner  
46 that we do.

47

48 Now, I understand that there is -- do we have  
49 somebody else that wants general comments? General  
50 comments? Now, with that I understand there's not a

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1 request to pull but there's a request to discuss Proposal  
2 56 and I think, Judy, you're going to open the discussion  
3 on Proposal 56.

4

5 MS. GOTTLIEB: Thank you, Mr. Chairman. If  
6 I could ask Sandy Rabinowitch to give some details of this.

7

8 MR. RABINOWITCH: Thank you, Mr. Chairman.  
9 This is really just an informational item and we'll keep it  
10 very brief.

11

12 As many of you know, in Unit 22 there is a muskox  
13 hunt which has many proposals each year for the last  
14 several years in a row. The timing of the every other year  
15 census makes it a little tricky on how to bring this up.  
16 There is a proposal, No. 56, in the book, it's on the  
17 consent agenda and you're proposed to leave it right where  
18 it is on the consent agenda, but want to add this  
19 information. So here goes, I'll be very brief.

20

21 The census was just completed and the count is up  
22 about 300 animals, Peninsula-wide, which is good news. The  
23 guideline that the cooperators had been suggesting and the  
24 Board's been following is to have a hunt about five percent  
25 of the animals but based on the subunits and not all of the  
26 subunits are open. Where this looks like it's heading is  
27 that we will probably come back in a month or so and  
28 propose an additional 10 permits be added, and that's  
29 really it, the key information. And we wanted to make sure  
30 the Board was aware of this. We'll look to do it in May or  
31 June, when all the information is together, when all the  
32 communication with the villages has occurred -- much of it  
33 has occurred but it's not all, you know, together and  
34 presentable yet.

35

36 And that's really the key item that we just wanted  
37 to make sure everyone's aware of. And I don't know if  
38 Grace or Judy would like to comment on that but if so, now,  
39 would be a good time because I'm done.

40

41 MS. CROSS: The information that the Nome  
42 NPS Staff has gathered so far, the villages are in support  
43 of what's coming and I believe that once we talk to the  
44 rest of the RAC members, they normally go with how the  
45 villages feel. That's all the comments I have.

46

47 MS. GOTTLIEB: Mr. Chairman.

48

49 CHAIRMAN DEMIENTIEFF: Go ahead.

50

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1 MS. GOTTLIEB: Perhaps Northwest has a  
2 comment as well.

3

4 MR. GOODWIN: Thank you, Mr. Chairman. The  
5 villages that are affected in Northwest with this proposal,  
6 I'm sure, will support. But if we're going to go with five  
7 percent, why don't we get 15 instead of 10?

8

9 CHAIRMAN DEMIENTIEFF: Okay, is that it?

10

11 MS. GOTTLIEB: Yes.

12

13 CHAIRMAN DEMIENTIEFF: Okay, thank you very  
14 much. With that we'll move on to.....

15

16 MR. CESAR: Mr. Chairman.

17

18 CHAIRMAN DEMIENTIEFF: Yes.

19

20 MR. CESAR: I don't know if it's  
21 appropriate now but we would like to have the Proposal 36  
22 removed from the consent agenda, and I'll ask Ida to  
23 comment on that. Is that appropriate to have her comment  
24 on that now?

25

26 CHAIRMAN DEMIENTIEFF: Yeah.

27

28 MR. CESAR: Ida.

29

30 MS. HILDEBRAND: Mr. Chairman, it's because  
31 the recommendations of the Regional Council is contrary to  
32 subsistence needs and there wasn't a biological reason to  
33 support that decision.

34

35 CHAIRMAN DEMIENTIEFF: Which proposal was  
36 that again?

37

38 MS. HILDEBRAND: It was number 36 in  
39 Bristol Bay.

40

41 CHAIRMAN DEMIENTIEFF: Okay. So proposal  
42 36 is off the consent agenda and will be deliberated during  
43 the Bristol Bay part of our meeting.

44

45 MR. CESAR: Thank you, Mr. Chairman.

46

47 CHAIRMAN DEMIENTIEFF: Any other requests  
48 on the consent agenda? Fenton.

49

50 MR. REXFORD: Yes, thank you, Mr. Chairman.

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1 Although North Slope does not have any proposals, I just  
2 want to make a brief comment why that is and maybe just  
3 follow-up on a previous proposal and kind of give the Board  
4 members here an update on our status.

5

6 CHAIRMAN DEMIENTIEFF: Fenton, are you  
7 going to be here with us all week?

8

9 MR. REXFORD: Yeah, I'll try and be here.  
10 But anyway, early on I just wanted, again, to make a brief  
11 comment from our region why we don't have any proposals.

12

13 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
14 Okay, with that we'll go ahead and move on to statewide  
15 proposals. We have two proposals turned in, Proposal 1 has  
16 been withdrawn. Proposal No. 2. Donna, are you going to  
17 Staff the Proposal No. 2?

18

19 MS. DEWHURST: Yeah, sorry.

20

21 CHAIRMAN DEMIENTIEFF: Okay, thank you.

22

23 MS. DEWHURST: We were trying to get the  
24 mic working.

25

26 CHAIRMAN DEMIENTIEFF: No problem, I was  
27 just wondering. So with that, we'll go ahead and move on  
28 to Proposal 2 and Donna will be doing the Staff analysis.

29

30 MS. DEWHURST: Well, this proposal is  
31 fairly short and sweet. It was designed basically as an  
32 administrative cleanup, in that, looking at the --  
33 comparing our reg book with the State reg book we realized  
34 in trapping there were a number of species that didn't  
35 coincide. And the main concern here was these were all  
36 instances where the Federal subsistence regulations were  
37 more restrictive than the existing State trapping  
38 regulations. Mainly the seasons. So what we did was  
39 basically an administrative cleanup and listed them all at  
40 one time, and all of these are instances where what we're  
41 proposing is to lengthen the Federal seasons to give more  
42 subsistence opportunity and it would align with the State.  
43 All these are season changes except for one which is the  
44 Chichigof Island, and that's just a main clarification of  
45 the description of the area. And with that, I'll close.

46

47 CHAIRMAN DEMIENTIEFF: Summary of written  
48 public comments.

49

50 MR. SHERROD: Yes, Mr. Chair, the Denali



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1 National Park and Preserve, Wrangell-St.Elias National Park  
2 and the Lake Clark National Park and Preserve Resource  
3 Commissions all supported this proposal. We also had  
4 support with modification from Cooper Landing Fish and Game  
5 Advisory Committee. The modification by this body was that  
6 all State and Federal trapping seasons should be aligned,  
7 just not those in which the Federal season aligned with the  
8 more liberal State one.

9

10 CHAIRMAN DEMIENTIEFF: Thank you.  
11 Department comments.

12

13 MR. HAYNES: Thank you, Mr. Chairman. I'd  
14 like to make a couple just general comments before I  
15 comment on the specific proposal, if I could? On behalf of  
16 the Department of Fish and Game, I want to thank you for  
17 the opportunity to comment to the Board this week on  
18 proposals. I, for one, am amazed to now be a 10-year  
19 veteran of this process as are several other people in this  
20 room and it's hard for me to think that we've been at this  
21 for 10 years. But during that time, a lot of changes have  
22 occurred and one of the most significant that I've observed  
23 is the evolution of the Regional Subsistence Advisory  
24 Councils and very effective advocates for rural subsistence  
25 uses. These Council meetings are important forums for the  
26 exchange of information and ideas. The Department  
27 certainly encourages our staff to attend these meetings  
28 when they can. We appreciate Department participation  
29 being incorporated into the proposal deliberation and  
30 discussion of other important topics at most Council  
31 meetings.

32

33 Department Staff and our Federal counterparts have  
34 also established a constructive dialogue. We continue to  
35 look for ways to improve our interactions, especially  
36 during the preparation and revision of proposal analysis.  
37 We believe additional discussions sometimes will help to  
38 ensure that the analysis and Staff recommendations  
39 adequately examine resource conservation issues and full  
40 range of options available to address regulation proposals.  
41 The Department is committed to continuing to work with our  
42 Federal counterparts on this concern in the months ahead.

43

44 I believe the Department's involvement in the  
45 Board's deliberations on special action requests has been  
46 more effective in recent years. In particular, I note the  
47 close cooperation between the Department and Federal Staff  
48 this past winter in addressing Unit 18 moose and the Huslia  
49 Tribal Council special action request. In one instance the  
50 Board was particularly sensitive to the conservation

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1 concerns identified by both State and Federal Staff and in  
2 the other the Department was able to resolve a request that  
3 the Board was not empowered to address. These are but two  
4 of examples of how we're working together successfully to  
5 address important resource management issues.

6

7 We're pleased that half or more of the proposals  
8 before you this week have been placed on the consent  
9 agenda, including most or all of the proposals for some  
10 regions. We also appreciate the Board's commitment to  
11 aligning State and Federal subsistence hunting and trapping  
12 seasons when possible. Doing so benefits users by reducing  
13 confusion and the risk of unintentional illegal activity  
14 and through simplifying administration enforcement of these  
15 regulations.

16

17 The Department will continue to support proposed  
18 changes to the Federal Subsistence Regulations that provide  
19 for conservation of the resource, provide for subsistence  
20 uses and provide for other beneficial uses. The guiding  
21 principals in the interim memorandum of agreement for  
22 coordinated fisheries and wildlife management of  
23 subsistence uses on Federal public lands in Alaska will be  
24 a guiding force for us.

25

26 Collaborative planning efforts initiated by the  
27 Department like those for the Fortymile Caribou Herd and  
28 more recently for Koyukuk River moose have emerged as  
29 important strategies for achieving these goals.

30

31 So thank you for the opportunity to provide these  
32 opening remarks.

33

34 Specifically, on Proposal No. 2, the Department  
35 supports the alignment of State and Federal subsistence  
36 trapping seasons. In some instances we recognize that  
37 aligning the seasons would require shortening the existing  
38 Federal season and thereby reduced trapping opportunity  
39 under the Federal subsistence regulations. We are unaware  
40 of any conservation issues that would require shortening  
41 any Federal trapping seasons under consideration today in  
42 order to align them with the current corresponding State  
43 seasons.

44

45 CHAIRMAN DEMIENTIEFF: Thank you very much.  
46 We don't have any requests for additional public testimony  
47 at this time. Regional Council recommendation.

48

49 MS. WILLIAMS: My name is Donna Williams.  
50 I'm representing Copper River Native Association and I

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1 would just like to say that we support extending the  
2 seasons for the species on this proposal.

3

4 CHAIRMAN DEMIENTIEFF: Proposal No. 2?

5

6 MS. WILLIAMS: Yes.

7

8 CHAIRMAN DEMIENTIEFF: Thank you. Could  
9 you take the time to fill out one of these cards, we need  
10 to keep a record of all the people that are testifying.

11

12 MS. WILLIAMS: Okay.

13

14 CHAIRMAN DEMIENTIEFF: So they've got them  
15 right at the back table.

16

17 MS. WILLIAMS: Okay.

18

19 CHAIRMAN DEMIENTIEFF: I'd appreciate it,  
20 thank you. Okay, Regional Council recommendations. We  
21 don't have any other additional comments at this time --  
22 yes.

23

24 MS. HILDEBRAND: Mr. Chairman, the Staff  
25 Committee -- I give the Staff Committee report on this but  
26 just in response to this, all the Regional Councils  
27 affected by this since it's statewide, is supported.

28

29 CHAIRMAN DEMIENTIEFF: Right. Yeah, we've  
30 got the written record but I just thought if anybody had  
31 additional comments right now. Of course, once we advance  
32 it we'll go around again if there's any final comments from  
33 the things that we learn. Okay, Staff Committee  
34 recommendation.

35

36 MS. HILDEBRAND: Mr. Chairman, the Staff  
37 Committee supports the proposal with a modification to add  
38 beaver to Unit 23 for no closed season for beaver.

39

40 CHAIRMAN DEMIENTIEFF: Thank you. Okay, is  
41 there any comments from the Federal Board members.

42

43 MR. CESAR: Mr. Chairman.

44

45 CHAIRMAN DEMIENTIEFF: Yes.

46

47 MR. CESAR: I move that we adopt the  
48 recommendation of the Staff Committee.

49

50 MR. ALLEN: Second.

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1 CHAIRMAN DEMIENTIEFF: It's been moved and  
2 seconded. Is there any other comment, Regional Council  
3 members, Board members.

4

5 MR. CESAR: Call for the question.

6

7 CHAIRMAN DEMIENTIEFF: Question's been  
8 called for. All those in favor of the motion please  
9 signify by saying aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN DEMIENTIEFF: Those opposed, same  
14 sign.

15

16 (No opposing votes)

17

18 CHAIRMAN DEMIENTIEFF: Motion carries.  
19 We'll move on into the Southcentral region. Our first  
20 proposal up is Proposal No. 12. Who's going to do the  
21 analysis -- George.

22

23 MR. SHERROD: Thank you, Mr. Chair.  
24 Proposal No. 12 would add Slana and residents of Unit 13(C)  
25 to the existing black bear/brown bear determination for  
26 Unit 11.

27

28 In the analysis I have referred to Slana as Old  
29 Slana and New Slana. The community is divided. Portions  
30 of the community are in 13(C) and another portion is in  
31 Unit 11. The Unit 11 portion developed as a result of the  
32 Homestead Act in the 1980s. Historically these two  
33 subcommunities have been treated differently in C&T  
34 determinations. And while it makes logical sense that a  
35 community basically split would normally have the same C&T  
36 determination, like I say, that has not been the case.  
37 What is particularly problematic about this instance is  
38 that the residents of the Unit 13(C) portion of the  
39 community, the ones requesting C&T for Unit 11 do not have  
40 a documented history of harvesting the resources requested  
41 in Unit 11. They do have C&T in Unit 11 for caribou and  
42 moose but as I say, there is no evidence in the hunting  
43 records that show a long-term use of Unit 11 by the  
44 residents of the Unit 13 portion of Slana.

45

46 CHAIRMAN DEMIENTIEFF: Summary of written  
47 public comments.

48

49 MR. MATHEWS: Yes, Mr. Chairman. One thing  
50 to advise the Board and the Chairs is we do have headphone

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1 sets for each of those units, that's why I was running back  
2 and forth. If you desire a headphone set get a hold of  
3 myself or Tim or Helga and we'll get you a headphone set  
4 that will plug into the unit. So I apologize for running  
5 around.

6

7 Yes, on Proposal 12, we need to add to the list of  
8 support, we need to add Margaret Scott on that list. There  
9 was several telephone calls, a total of 17, in support of  
10 it. So Margaret Scott and Mary Francis DeHart. Margaret  
11 lives on Tok Cutoff Road and Mary DeHart lives on Nabesna  
12 Road. So again, there was a total of 17 calls in support  
13 of the proposal based on the history and dependency.  
14 Sixteen of those calls were from individuals. One was from  
15 the Tok Cutoff/Nabesna local fish and game advisory  
16 committee. There was one comment in opposition from the  
17 Copper River Native Association. They opposed it because  
18 of the lack of substantial evidence. The Wrangell-St.Elias  
19 Subsistence Resource Commission defers until further  
20 analysis.

21

22 That's all the comments I have, thank you.

23

24 CHAIRMAN DEMIENTIEFF: Thank you.  
25 Department comments.

26

27 MR. HAYNES: Thank you, Mr. Chairman. The  
28 Department of Fish and Game supports the Wrangell-St.Elias  
29 Subsistence Resource Commission recommendation to defer  
30 action on this proposal pending further analysis. The  
31 Staff analysis notes that Slana is a resident zone  
32 community for Wrangell-St.Elias National Park but it does  
33 not indicate how the community of Slana is defined for  
34 purposes of its resident zone status.

35

36 Residents of resident zone communities typically  
37 are eligible to harvest all resources in the Park with  
38 which they're affiliated. Section 808 of ANILCA assigns to  
39 the National Park Subsistence Resource Commissions  
40 responsibility for developing subsistence hunting programs.  
41 The Federal Board should act in accordance with  
42 recommendations of the Wrangell-St.Elias Subsistence  
43 Resource Commission in this case.

44

45 The Department is also concerned about how the C&T  
46 use determination process is being applied in this  
47 proposal. We do not support the Staff recommendation that  
48 the portion of Slana in Unit 13(C) be found not to have  
49 customary and traditional uses of black bear, brown bear  
50 and goats in Unit 11. Staff analysis does not make a

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1 compelling case for applying differential treatment to Old  
2 Slana in Unit 13(C) and New Slana in Unit 11.

3

4 The low recorded harvest levels of these three  
5 wildlife resources in Unit 11 by residents of Old Slana are  
6 used as primary evidence for denying the request. Data  
7 presented for some other communities that have been granted  
8 C&T uses of these species in Unit 11 also indicate very low  
9 levels of harvest. We encourage the Federal Board to be  
10 consistent of is application of the eight factors to rural  
11 communities.

12

13 The Southcentral Regional Advisory Council  
14 recommendation suggested that in lieu of a positive  
15 customary and traditional use determination, residents of  
16 Slana should apply to the National Park Service for  
17 individual 13.44 permits. We're not certain if this is a  
18 viable alternative and whether these permits would apply to  
19 Preserve lands in Unit 11.

20

21 Thank you.

22

23 CHAIRMAN DEMIENTIEFF: Thank you. We have  
24 no request for public testimony on Proposal No. 12 at this  
25 time. Regional Council recommendation do we have any  
26 follow up -- Ralph.

27

28 MR. LOHSE: Mr. Chair, we don't have  
29 anything further to add to what's in the record at this  
30 point in time.

31

32 CHAIRMAN DEMIENTIEFF: Okay. Staff  
33 Committee recommendation.

34

35 MR. THOMPSON: Mr. Chairman, the Staff  
36 Committee recommends the Board reject this proposal  
37 consistent with the recommendation of the Southcentral  
38 Regional Council.

39

40 The Staff Committee agrees with the Council that  
41 there is insufficient evidence available to support the  
42 proposals. Given this lack of harvest data and the fact  
43 that Slana is a diverse community with both long-term  
44 residents having a history of using natural resources and  
45 the more recent arrivals with less temporal depth in the  
46 fish and wildlife use. Application of individual customary  
47 and traditional use determination should be considered.

48

49 CHAIRMAN DEMIENTIEFF: Thank you. Ready to  
50 advance this to the Board. Any additional Board comments

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1 at this time.

2

3 MS. GOTTLIEB: Mr. Chairman, I have a  
4 question, please.

5

6 CHAIRMAN DEMIENTIEFF: Yes.

7

8 MS. GOTTLIEB: For George. If we defer  
9 this proposal is there some additional information or  
10 evidence that can still be gathered?

11

12 MR. SHERROD: I, in conjunction with the  
13 Park, attempted to develop some questionnaires and gather  
14 some information. Unfortunately there was not enough time  
15 to allow that to happen. It is possible that this could  
16 come back up. Some regional research would have to be  
17 conducted but I think it would be, not a large effort to do  
18 that.

19

20 CHAIRMAN DEMIENTIEFF: Any other Board  
21 comments, questions. Any other final Regional Council  
22 comment.

23

24 MR. LOHSE: Mr. Chair. Could I re-ask  
25 Terry, I kind of got a conflicting understanding of -- did  
26 I understand him to say that he had -- that the ADF&G  
27 didn't find with the Staff but supported the Southcentral,  
28 that there was insufficient evidence?

29

30 MR. HAYNES: Mr. Chairman, I'm not sure I  
31 understood the question.

32

33 MR. LOHSE: Terry, when you -- Mr. Chair.

34

35 CHAIRMAN DEMIENTIEFF: Go ahead.

36

37 MR. LOHSE: Terry, when you started the  
38 Fish and Game's position on this, I understood at the start  
39 that you found with the RAC that there was insufficient  
40 evidence but that later on you disagreed with the Staff  
41 that other ones had been given C&T with less evidence than  
42 that. Was I correct in that?

43

44 MR. HAYNES: I think at the outset I  
45 supported the Wrangell-St.Elias Subsistence Resource  
46 Commission position.

47

48 MR. LOHSE: Okay.

49

50 MR. HAYNES: That there be more

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1 information, actually be deferred so more information could  
2 be gathered.

3

4 MR. LOHSE: Okay, thank you.

5

6 CHAIRMAN DEMIENTIEFF: Any other  
7 discussion. Judy.

8

9 MS. GOTTLIEB: If you're ready for a  
10 motion.....

11

12 CHAIRMAN DEMIENTIEFF: Yes.

13

14 MS. GOTTLIEB: .....I would like to submit  
15 one please. I move that we reject Proposal 12 consistent  
16 with the recommendation of the Southcentral Regional  
17 Council. The Eastern Interior Regional Council deferred to  
18 Southcentral, the home region, and we agree that the  
19 Southcentral Council, that there is insufficient evidence  
20 at this point available to support a positive customary and  
21 traditional use determination at this time.

22

23 MR. CESAR: I'll second that.

24

25 CHAIRMAN DEMIENTIEFF: It's been moved and  
26 seconded. Further discussion.

27

28 MR. CESAR: Question.

29

30 CHAIRMAN DEMIENTIEFF: Question has been  
31 called for. All those in favor signify by saying aye.

32

33 IN UNISON: Aye.

34

35 CHAIRMAN DEMIENTIEFF: Those opposed, same  
36 sign.

37

38 (No opposing votes)

39

40 CHAIRMAN DEMIENTIEFF: Proposal 12 has been  
41 rejected. Proposal 13. Who's doing the analysis?

42

43 MR. BOYD: Donna.

44

45 CHAIRMAN DEMIENTIEFF: Go ahead.

46

47 MS. DEWHURST: Proposal 13 was submitted by  
48 the Paxson Fish and Game Advisory Committee. It was to  
49 reduce the caribou bag limit in Unit 13 from two to one and  
50 to reduce the seasons, mainly removing the winter season,



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1 the October through March season.

2

3 The area involved involves very little Federal  
4 lands, and Unit 13 is only about 10 percent. The main  
5 issue is the decreased -- recent decline in the past couple  
6 of years of the Nelchina Caribou Herd. That herd has a  
7 long history of being a roller coaster as far as going up  
8 and down. It peaked at one point at 70,000. ADF&G's  
9 management goal is trying to keep it around 35 to 40,000.  
10 Currently, in 1999, it was surveyed at 33,000, with a very  
11 low calf recruitment and a high adult mortality rate.

12

13 The current information for the Federal hunt, this  
14 past fall, the State closed their Tier II season with an  
15 emergency closure but the Federal subsistence season  
16 remained open. Our current numbers on that, we have  
17 hunters that are eligible from both Unit 13 and Unit 20(D).  
18 Had a total of 2,660 hunters get permits. We have about 58  
19 percent reporting at this time. Based on that, we've had  
20 345 caribou reported killed and about 52 percent of that  
21 was male. So about half and half. And that's the current  
22 update on the Federal harvest. The numbers are a little  
23 bit different than what's in the book.

24

25 And that will conclude my analysis.

26

27 CHAIRMAN DEMIENTIEFF: Thank you. Summary  
28 of written public comments.

29

30 MR. MATHEWS: Yes, Mr. Chairman. There  
31 were five in opposition. Basically they appreciated the  
32 winter season because of the colder temperatures -- or  
33 cooler temperatures, excuse me. Of the five opposing, two  
34 were individuals and the three remaining were from the Tok  
35 Cutoff/Nabesna Road local Fish and Game Advisory Committee,  
36 the Copper River Native Association, and the Wrangell-  
37 St. Elias Subsistence Resource Commission. There was one  
38 public comment in support of the proposal. Basically their  
39 support was because of increasing hunting pressure and the  
40 need for some action. There was one in support with  
41 modification, that was from the Denali Subsistence Resource  
42 Commission. They support reducing the fall season stage to  
43 keep current winter season and harvest limits but have a  
44 cap of 600 animals harvested.

45

46 That's all the comments that I'm aware of.

47

48 CHAIRMAN DEMIENTIEFF: Department comments.

49

50 MR. HAYNES: Thank you, Mr. Chairman. We

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1 support this proposal with modification. We support  
2 elimination of the September 21 through 30 season and  
3 recommend that the bag limit be changed to either one bull  
4 or two bulls. We believe that eliminating cow harvest is  
5 essential at this time.

6

7 The Department projects a 30 percent annual  
8 mortality rate for the Nelchina Caribou Herd this  
9 regulatory year. Continuing to authorize the harvest of  
10 cows in the Federal subsistence hunt will exacerbate this  
11 population decline. Approximately 3,000 Nelchina caribou  
12 overwintered in Unit 13 during the past two years.  
13 Continuing a winter harvest will result in the harvest of  
14 more cows and members of the non-migratory segment of the  
15 herd. The Department of Fish and Game emergency closed the  
16 current year, Nelchina caribou season in early September  
17 and limited harvest to bulls only then closed the season  
18 altogether in November.

19

20 The Department has been reviewing population data  
21 to determine if a State hunt will be held next season. And  
22 I'd like to turn the mic over to Jeff Hughes who's regional  
23 supervisor for Southcentral region wildlife conservation,  
24 and he'll present some additional information on this  
25 proposal.

26

27 CHAIRMAN DEMIENTIEFF: Thank you. Jeff.

28

29 MR. HUGHES: Thank you. I'm here today to  
30 encourage you to conserve cow care and to adopt the one  
31 bull bag limit for the Federal registration hunt for  
32 Nelchina caribou. I have just a few brief remarks this  
33 morning. I think Staff has prepared a thorough biological  
34 analysis of the Nelchina situation.

35

36 Back in March of 1996, the Board of Game held a  
37 meeting in Fairbanks and the Department shared a concern  
38 for the short-term welfare of the Nelchina Caribou Herd.  
39 At that time, the herd numbered over 50,000 animals and  
40 there were already signs that the herd was beginning to  
41 decline. The Department was concerned the herd could  
42 exceed the carrying capacity of the summer range.  
43 Productivity was declining and predators were increasing.  
44 Indeed, the Nelchina herd declined dramatically between  
45 1996 and 1999 from over 50,000 caribou to an estimated  
46 31,000 animals.

47

48 Calf production has been poor with many  
49 unproductive two year old cows in the herd, indicative of  
50 poor summer range conditions. And calf survival has been

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1 poor with increasing numbers of wolves in Unit 13. Last  
2 fall, the calf/cow ratio was the lowest we've observed in  
3 the Nelchina basin. Winter mortalities of adults has also  
4 become a management concern. Increased predation and  
5 inclimate winter weather further reduced the survival of  
6 cows and calves this past winter.

7  
8 Last year, the Department issued 8,000 Tier II  
9 permits, this was a reduction of 2,000 permits from the  
10 previous year. This year we anticipate issuing no more  
11 than 2,000 permits and limiting the harvest to no more than  
12 1,000 bulls. At this point in time, we believe the cow  
13 harvest is unacceptable and violates the principles of  
14 scientific wildlife management and sound wildlife  
15 conservation. Presently, there is a need for you to  
16 eliminate cow harvest in the Federal registration hunt.  
17 Any cow harvest at this point will accelerate the  
18 population decline, worsen the effect of predators and  
19 delay the eventual recovery of the herd.

20  
21 The Department strongly recommends that the Federal  
22 Subsistence Board take responsible action to eliminate the  
23 harvest of cow caribou.

24  
25 Thank you.

26  
27 CHAIRMAN DEMIENTIEFF: Thank you. We have  
28 one request at this time for public testimony, Donna  
29 Williams.

30  
31 MS. WILLIAMS: The CRNA does not support  
32 shortening the caribou season in Unit 13. Keep the hunting  
33 status quo. The shortened fall hunting season and doing  
34 away with the winter hunt would adversely impact the  
35 subsistence users in Unit 13.

36  
37 CHAIRMAN DEMIENTIEFF: Thank you. We have  
38 the Southcentral Regional Council recommendation in the  
39 book, do you have anything to add to that Ralph?

40  
41 MR. LOHSE: The Southcentral Regional  
42 Council, in their deliberations on this, the main driving  
43 idea was behind the fact that we're there to protect  
44 subsistence rights. And as long as we saw that the State  
45 felt that they could hold a sport hunt on it we felt that  
46 that needed to be eliminated for subsistence hunting was  
47 eliminated.

48  
49 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
50 Committee recommendation.

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1 MR. THOMPSON: Yes, Mr. Chairman. The  
2 Staff Committee recommends the Board reject this proposal  
3 consistent with the recommendation of the Southcentral  
4 Advisory Council.

5  
6 We felt that while there was some biological and  
7 management concerns associated with the high adult caribou  
8 mortality rate and low calf recruitment, the Southcentral  
9 Regional Council's concern that subsistence opportunity be  
10 maintained was compelling given the relatively small number  
11 of caribou harvested by Federal subsistence hunters.  
12 However, a special action by the Board may be necessary for  
13 a bulls only harvest following a completion of the summer  
14 surveys.

15  
16 CHAIRMAN DEMIENTIEFF: Thank you. Is there  
17 any Regional Council or Board member comments before we  
18 move on with the motion -- Bill.

19  
20 MR. THOMAS: Thank you, Mr. Chairman. I  
21 know with regards to deer, we don't have many caribou in  
22 Unit 1 through 5, but I was just wondering, biologically,  
23 how do they determine sizes of either herds or how do you  
24 count them? I know with regard to deer they use a method  
25 known as a pellet count and I was wondering how they  
26 monitor caribou and other species of the Interior, just a  
27 curiosity, Mr. Chairman.

28  
29 CHAIRMAN DEMIENTIEFF: How will those  
30 counts be done this summer, Ken, do you know?

31  
32 MR. GOODWIN: Mr. Chairman.

33  
34 CHAIRMAN DEMIENTIEFF: Yes.

35  
36 MR. GOODWIN: The way they count our half a  
37 million caribou is they take pictures and then count the  
38 caribou in the pictures.

39  
40 MR. THOMAS: Mr. Chairman.

41  
42 CHAIRMAN DEMIENTIEFF: Yes.

43  
44 MR. THOMAS: I was hoping to hear from one  
45 of the ology people.

46  
47 MS. DEWHURST: I'll defer to Jeff Hughes  
48 and ADF&G on that.

49  
50 CHAIRMAN DEMIENTIEFF: Jeff, are you going

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1 to be involved with the counts this summer, could you run  
2 it by us?

3

4 MR. HUGHES: Thank you, Mr. Chair, members  
5 of the Board. We use our experienced area biologists and  
6 we use two methods. We use aerial surveys where we fly  
7 over and estimate numbers and then we back that up with, as  
8 was pointed out, an aerial photo census where we take  
9 pictures and count. The Nelchina is a little bit different  
10 from some of the larger herds, the Western Arctic, we  
11 frequently encounter cloud cover. The animals may not  
12 aggregate. We do this survey at the end of June or the  
13 first of July, again, we shoot for two things; we shoot for  
14 clear weather and for aggregations of the herd.

15

16 We also then, after we do a census, go in with  
17 helicopters, do what we call composition counts where we  
18 count the number of cows, bulls and calves. That gives us  
19 an idea of the make up of the population. And then in the  
20 fall, we go back again and do another composition count,  
21 again, using helicopters so we can get a very good estimate  
22 and back that up with photos to see what the survival of  
23 the calves has been.

24

25 MR. THOMAS: Thank you, Mr. Chairman.

26

27 CHAIRMAN DEMIENTIEFF: Any other  
28 discussion. Fenton.

29

30 MR. REXFORD: Yeah, just a question or  
31 observation on Proposal 13. The TransAlaska Pipeline,  
32 right away, I'd like to get some information where that --  
33 which part of the regulation are saying that the right-of-  
34 way is prohibited hunting and also 25 feet on the other  
35 side of the pipeline; where that authority came from or  
36 where -- because we deal with a five mile buffer zone on  
37 our area where the pipeline is and probably more apt to use  
38 the lenient more version or there's authority from TAPS.

39

40 CHAIRMAN DEMIENTIEFF: Can any of the  
41 Staffers respond to that?

42

43 MS. DEWHURST: I don't have any history on  
44 that. I'm not familiar with the regulatory history on that  
45 area.

46

47 MR. BOYD: Mr. Chair, I was present, I  
48 think, early in the Federal program when this regulation  
49 was modified. I don't remember the particulars. I do  
50 remember a discussion surrounding concerns about damage to

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1 the Pipeline, maintaining some sort of a safety corridor in  
2 that area. I don't remember the particulars but the Board  
3 did pass this regulation based on what it heard. I think  
4 it goes back to 1990 or 1991.

5

6 CHAIRMAN DEMIENTIEFF: Just a follow-up.

7

8 MR. REXFORD: Yes, we tried to pass one  
9 through the Board of Game and that was State authority for  
10 access going back and forth, east and west of the Pipeline.  
11 But anyway, this might be on Federal lands, I'm not sure,  
12 but I'm curious where that authority or okay came from.

13

14 MR. BOYD: As I understand it, we'd have to  
15 look at a map but the Federal lands that we're dealing with  
16 generally parallel the Pipeline corridor along the  
17 Richardson Highway and it's a fairly narrow -- relatively  
18 narrow strip of land along the highway that we have the --  
19 the Federal harvest on primarily.

20

21 CHAIRMAN DEMIENTIEFF: I'd you had a  
22 comment.

23

24 MS. HILDEBRAND: Mr. Chairman, in response  
25 to Mr. Rexford's question, that Pipeline language authority  
26 comes from the Pipeline Act that directs the corridor  
27 language regarding the corridor and hunting in the  
28 corridor. I don't have a cite for it but there is an act  
29 that governs it and that's where that comes from.

30

31 CHAIRMAN DEMIENTIEFF: Any other  
32 discussion, if not we're ready for a question.

33

34 MR. ALLEN: Mr. Chairman, I had a question.

35

36 CHAIRMAN DEMIENTIEFF: I'm sorry, go ahead.

37

38 MR. ALLEN: And maybe either Jeff or Terry  
39 can answer it. Is it true, did I understand that the State  
40 hasn't made a decision yet on how many permits to issue or  
41 whether it will be bulls or cows or bulls and cows and, if  
42 not, when do you expect that decision to be made?

43

44 MR. HUGHES: The decision that's been made  
45 at this point has been that we will issue no more than  
46 2,000 permits for bulls only.

47

48 MR. ALLEN: Okay, so that decision has been  
49 made for conservation reasons?

50

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1 MR. HUGHES: That is correct.

2

3 MR. ALLEN: And there's a -- one other  
4 question, there is a spring survey that's planned?

5

6 MR. HUGHES: That is correct. That should  
7 be at the end of June, first of July.

8

9 MR. ALLEN: End of June, first of July,  
10 okay.

11

12 MR. HUGHES: There will be a census and a  
13 composition count.

14

15 MR. ALLEN: Okay, thank you. Mr. Chairman,  
16 just a comment. It seems to me that based on what Staff  
17 Committee had indicated that we should watch this very  
18 carefully from the standpoint of what this population looks  
19 like, and it may be necessary, I agree, to reconsider the  
20 issue of whether cows should be harvested this year. But  
21 at this particular time, it seems to me we can deal with  
22 that once we have better information on the actual  
23 population numbers.

24

25 CHAIRMAN DEMIENTIEFF: Any other  
26 discussion.

27

28 MR. HUGHES: Mr. Chairman.

29

30 CHAIRMAN DEMIENTIEFF: You have additional,  
31 go ahead, Jeff.

32

33 MR. HUGHES: Thank you, Mr. Chair.

34

35 Presently our models indicate that even with good  
36 production the herd will decline again this year. There  
37 was almost a complete loss of the calf crop over the past  
38 two years, that's why we're particularly concerned about  
39 the continued harvest of cows. The herd will decline again  
40 this year even with good production. We're quite concerned  
41 about that. And the issue for us really is to continue to  
42 hunt this herd and take cows out a declining herd will  
43 further steepen the decline and lengthen any recovery.

44

45 CHAIRMAN DEMIENTIEFF: Thank you.  
46 Additional comment, if not, we're ready for an action.

47

48 MR. CESAR: Mr. Chairman.

49

50 CHAIRMAN DEMIENTIEFF: Yes.

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1 MR. CESAR: I move that we accept the Staff  
2 Committee proposal to reject the proposal as recommended by  
3 the Southcentral Regional Advisory Council.

4  
5 CHAIRMAN DEMIENTIEFF: There's a.....

6  
7 MR. WILSON: Second.

8  
9 CHAIRMAN DEMIENTIEFF: Is there a second?

10  
11 MR. WILSON: Second.

12  
13 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
14 Ralph, you guys -- has the Regional Council, you've heard  
15 the biological concerns expressed by the Department on some  
16 caution on the part of the Federal Staff, were you guys  
17 aware of these concerns when you considered the action?

18  
19 MR. LOHSE: Not to the extent that we've  
20 heard them today. At the time, and if I understood Terry  
21 right, the only permits that the State's thinking of  
22 issuing this year are 2,000 Tier II permits and that there  
23 are no sport -- there is no intention for a sport hunt on  
24 the caribou herd this year; was I correct in that  
25 assumption?

26  
27 MR. HUGHES: Mr. Chair, we've not had a  
28 sport hunt for at least 10 years.

29  
30 MR. LOHSE: So basically it's just 2,000  
31 Tier II permits then? Our biggest concern was the fact  
32 that if there was basically sport hunting on it then we  
33 didn't feel like the subsistence hunting should be  
34 curtailed. I don't think we had -- we didn't have the data  
35 that they have given us today. I'm not sure that that  
36 would have changed our opinion. I see the need for caution  
37 though.

38  
39 CHAIRMAN DEMIENTIEFF: I'm curious because  
40 I'm wondering if the Council would be willing to reconsider  
41 based on, you know, additional biological data which I'm  
42 sure would be available, at least preliminary, by mid-July  
43 or so, which would give us plenty of time. Do you think  
44 the Council would be willing to revisit this?

45  
46 MR. LOHSE: I'm sure the Council would be  
47 willing to revisit it whether the opinion would change I'm  
48 not sure.

49  
50 CHAIRMAN DEMIENTIEFF: Yeah.



00025

1 MR. CESAR: Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Yeah.

4

5 MR. CESAR: Additionally, I think that most  
6 members of the Federal Board share some concern about  
7 opening it up to a cow harvest. I think we -- at least, I  
8 am looking towards that spring count to give us a little  
9 more definition, and I think that the Regional Council  
10 would probably revisit it and we could deal with it by  
11 special action, I believe.

12

13 MR. CAPLAN: Mr. Chairman.

14

15 CHAIRMAN DEMIENTIEFF: Jim.

16

17 MR. CAPLAN: Yes, sir, I agree with Mr.  
18 Cesar. I think this is the kind of situation that we often  
19 have to act with a special action, with better information,  
20 and I'm looking forward to getting that, too.

21

22 MR. WILSON: Mr. Chair.

23

24 CHAIRMAN DEMIENTIEFF: Yes.

25

26 MR. WILSON: The majority of the land that  
27 is there is BLM and we're already discussing making sure we  
28 monitor what's going on very closely.

29

30 CHAIRMAN DEMIENTIEFF: Thank you, Kurt.

31 Judy.

32

33 MS. GOTTLIEB: Perhaps this question for  
34 BLM then, I guess we're concerned with calf survival as  
35 well as numbers of caribou so hopefully that will be part  
36 of both the monitoring survey at the State as well as BLM  
37 are planning on doing?

38

39 CHAIRMAN DEMIENTIEFF: Kurt.

40

41 MR. WILSON: Yes, I think that's the case.

42

43 MR. CESAR: Question.

44

45 CHAIRMAN DEMIENTIEFF: Yeah, before we go  
46 there, I do intend to support the proposal but I'm just a  
47 little bit concerned that the Council didn't have the full  
48 information that we had when you made your recommendation.  
49 But if we do get other information, I'm gratified that the  
50 Council would revisit and would have the full information.

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1 Like I said, you don't know how the vote would have come  
2 out based on that information but, I think, you know, it's  
3 going to bear some looking into. I intend to support the  
4 Council action. But, you know, I think we're all kind of  
5 on notice that we might be doing a special action this  
6 summer.

7

8 MR. LOHSE: Mr. Chair, I think the biggest  
9 difference in the way the Council will look at it is is the  
10 reduction in the State season. I think that would have  
11 probably a bigger impact than anything else.

12

13 CHAIRMAN DEMIENTIEFF: Okay, further  
14 discussion. Hearing none, all those in favor signify by  
15 saying aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN DEMIENTIEFF: Those opposed.

20

21 (No opposing votes)

22

23 CHAIRMAN DEMIENTIEFF: Motion carries.

24 Proposal 14.

25

26 MS. DEWHURST: Proposal 14 is for a  
27 mountain goat harvest in Unit 6(D), propose to -- mountain  
28 goats are managed in very small areas and subareas by Fish  
29 and Game. And -- well, actually it's a joint management  
30 with the Service and we're looking at RG243 and RG249. In  
31 the case of RG243, there was no prior harvest, at least,  
32 not in recent years. It was closed to allow the goats in  
33 that area to increase which they have. And then in RG249,  
34 there has been a history of a split harvest. 249, if you  
35 look at the graph in the books it's on Page 54 and we also  
36 have it up on the slides. There has been a dual management  
37 harvest in 249, the vast majority of that has been on the  
38 State side. The Federal subsistence side has been pretty  
39 negligible as far as the number of permits issued in the  
40 harvest. So there is a request to put a couple more  
41 animals in on the Federal side from that -- from that dual  
42 managed harvest. so that's the primary issue, is just  
43 increasing the Federal -- the Federal permits issued in 243  
44 and 249.

45

46 The issue of giving full allocation to Tatitlek has  
47 been withdrawn by the proponent, and that was done at the  
48 Council meeting. And that concludes my analysis.

49

50 CHAIRMAN DEMIENTIEFF: Thank you. Written

00027

1 public comments.

2

3 MR. MATHEWS: Yes, Mr. Chairman. There was  
4 one public comment submitted from the Copper River/Prince  
5 William Sound Local Advisory Committee. They opposed the  
6 proposal because it would prevent residents having a  
7 positive C&T for Unit 6 from participating in the goat  
8 season.

9

10 CHAIRMAN DEMIENTIEFF: Thank you.  
11 Department comments.

12

13 MR. HAYNES: Thank you, Mr. Chairman. The  
14 Department supports this proposal with modification. We  
15 support the increase in permits issued for subarea RG249  
16 from two to four since most of the lands in this subarea  
17 are Federal public lands. If this proposal is adopted, the  
18 number of State permits will be reduced to compensate for  
19 the increase in Federal permits.

20

21 We recommend that the Federal permits not be  
22 allocated in subarea RG243, since only 57 percent of the  
23 lands there are Federal public lands. The Department  
24 intends to open a hunt in this subarea and issue permits if  
25 the Federal Board does not. Hunters using State permits  
26 could hunt in the entire sub area and would not have the  
27 burden of determining land ownership patterns in the hunt  
28 area if they were to hunt there.

29

30 Thank you.

31

32 CHAIRMAN DEMIENTIEFF: Thank you, Terry.  
33 There's no request for public testimony at this time.  
34 Regional Council or Board comments. Ralph.

35

36 MR. LOHSE: Mr. Chair, the only real  
37 objection has been from the Copper River/Prince William  
38 Sound and that was answered when the proposal was modified  
39 to eliminate the sole reference to Tatitlek. So I think as  
40 it stands, you know, our support of this proposal still  
41 stands as it is modified.

42

43 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
44 Any other Board discussion or Regional Council comment, if  
45 not, we're ready for a motion.

46

47 MR. CESAR: Mr. Chairman, I move that we  
48 adopt the interagency Staff Committee recommendation which  
49 was to adopt the proposal as modified by the Southcentral  
50 Subsistence Regional Advisory Council.

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1 CHAIRMAN DEMIENTIEFF: There's a motion, is  
2 there a second.

3  
4 MR. CAPLAN: Second. Mr. Chairman, just to  
5 take a moment, too, we might want to ask for the Staff  
6 Committee input, we skipped that step, sir.

7  
8 CHAIRMAN DEMIENTIEFF: Did we skip Staff  
9 Committee recommendation?

10  
11 MR. CAPLAN: Yes. You know how it  
12 exasperates them when you do that.

13  
14 MR. THOMPSON: Oh, you're doing good work,  
15 Mr. Chairman, you're right on track for the Staff  
16 Committee.

17  
18 CHAIRMAN DEMIENTIEFF: Now, that the train  
19 has left the station let's have a recommendation. We  
20 agree, but go ahead.

21  
22 MR. THOMPSON: You're right on track, this  
23 is what the Staff Committee's recommending.

24  
25 CHAIRMAN DEMIENTIEFF: Okay. Okay, motion  
26 -- do we have a motion -- I'm all upset here, we've got it  
27 moved and seconded -- okay. Additional discussion.

28  
29 MR. CAPLAN: Mr. Chairman.

30  
31 CHAIRMAN DEMIENTIEFF: Yes.

32  
33 MR. CAPLAN: A couple things, number 1, of  
34 course, I will support this as I seconded it, but I also  
35 wanted to comment that I appreciate ADF&G's support for  
36 this proposal since I wasn't aware where they were going to  
37 come from to begin with, and I do appreciate that, so thank  
38 you.

39  
40 CHAIRMAN DEMIENTIEFF: Any other  
41 discussion. Hearing none, all those in favor of the motion  
42 please signify by saying aye.

43  
44 IN UNISON: Aye.

45  
46 CHAIRMAN DEMIENTIEFF: Those opposed, same  
47 sign.

48  
49 (No opposing votes)

50

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1 CHAIRMAN DEMIENTIEFF: Motion carries.  
2 Proposals 15 and 16 are on the consent agenda. I think  
3 we're going to take a short break here right now and come  
4 back to Proposal 17.

5  
6 (Off record)  
7 (On record)

8  
9 CHAIRMAN DEMIENTIEFF: We'll come back to  
10 order. The next item up will be Proposal No. 17, Staff  
11 analysis.

12  
13 MS. DEWHURST: Proposal 17 is for moose in  
14 Unit 6(D).

15  
16 This area is under a joint moose management plan  
17 that has been worked out cooperatively with the State and  
18 the Forest Service and the local community, which has  
19 established a fairly complex system harvest between the two  
20 units, 6(B) and 6(C). The request was to set up some sort  
21 of a Federal subsistence moose harvest and what was  
22 originally suggested was to go with 10 bulls per subunit in  
23 the two areas.

24  
25 Under the current State regulations, were mainly  
26 done with Cordova residents here and most of the residents  
27 refer to hunts in 6(C) because it's the closer subunit and  
28 a drawing permit is dealt with for that and then generally  
29 if they don't get one of the drawing permits, then they go  
30 under and try to get into 6(B) and that is done by State  
31 registration permit. And then they also have antlerless  
32 permits.

33  
34 We looked at that and looked at the population.  
35 Basically the population, the moose population in 6(C) is  
36 doing pretty good. All of these were -- it was -- it  
37 started with an original transplant to 24 moose calves back  
38 in the 50s and 6(C) is doing fairly well, 6(B) is not doing  
39 as well. There are some problems with the moose population  
40 with, there again, calf production, predation have played a  
41 toll in 6(B) so there is some concern to watch 6(B), but  
42 6(C) is doing fairly well right now and projected that  
43 they'll actually -- under the management plan that they'll  
44 actually be increasing the number of State permits in the  
45 near future if that population keeps going up.

46  
47 We had a lot of discussions early on with the  
48 State, with the Forest Service and tried to come up with  
49 something that could increase subsistence opportunity but  
50 would have the least disruption to the overall moose

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1 management plan that was in effect. And with the local  
2 discussions that's when the proposed modification came up,  
3 the issue of potentially taking the cow harvest which is  
4 under a drawing, right now it's 10 cows for 6(C), and  
5 taking that portion out. Because that way we wouldn't set  
6 up a dual State/Federal system. If we went with the bulls,  
7 which is what was proposed, we would then be splitting the  
8 bull harvest between the State and the Federal system and  
9 creating another a dual management issue. And we're trying  
10 to minimize the complexity. It's already a complex --  
11 complexly run hunt under the State system and throwing in a  
12 Federal system, it wouldn't increase the -- it would not  
13 propose any substantial increase in subsistence opportunity  
14 for the local residents by putting some of the bull permits  
15 under the Federal system. Where we did look and say, well,  
16 if we took those 10 cow permits and put it under the  
17 Federal system that could potentially increase the  
18 subsistence opportunities, giving, basically the local  
19 residents the first shot at -- at those cows which are  
20 usually preferred by subsistence hunters anyway over bulls.

21  
22 So that's where we went with this. There was a lot  
23 of issues involved. In 6(C), the amount of Federal land is  
24 limited and where most of the hunting occurs is along the  
25 road corridor there, if you look on the map, and most of  
26 the Federal land doesn't occur along the road corridor, so  
27 that was the one complication with setting up a Federal  
28 hunt in 6(C), is that, we would be restricting where folks  
29 could hunt primarily along the road. But that was -- that  
30 was the original kind of compromise that we all came up  
31 with early on and has followed through to this point.

32  
33 CHAIRMAN DEMIENTIEFF: Thank you, very  
34 much. Summary of written public comments.

35  
36 MR. MATHEWS: Yes, Mr. Chairman. There is  
37 an error in the book there and if I get it wrong, staff  
38 from Wrangell-St.Elias can correct it, but the book has it  
39 as the Wrangell-St.Elias opposing the proposal but in  
40 actuality their letter says they took no action on that  
41 proposal because of a lack of familiarity. So I assume  
42 that's correct. If not, then I think Park Service Staff  
43 will log in on that.

44  
45 The Copper River/Prince William Sound Advisory  
46 Committee opposes the proposal. They oppose the proposal  
47 because this proposal would make this drawing hunt  
48 exclusive for the residents of Cordova. These hunts would  
49 have to be co-managed. There would be confusion as to the  
50 areas available for access and would eliminate many points

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1 to the moose management plan. There was one public comment  
2 in support and it was from the Native Village of Eyak.  
3 They support it. We make it very clear that the Copper  
4 River/Prince William Sound Advisory Committee does not  
5 represent the Native Village of Eyak.

6

7 That's all the comments I have, Mr. Chairman.

8

9 CHAIRMAN DEMIENTIEFF: Thank you.

10 Department comments.

11

12 MR. HAYNES: Thank you, Mr. Chairman. I'll  
13 read our comments into the record but if the Board has  
14 questions, Mr. Steve Machida is here with me this morning  
15 and he's management coordinator for Division of Wildlife  
16 Conservation and can provide additional information on --  
17 on this proposal.

18

19 The Department does not support this proposal as  
20 written. We do support a part of the proposal as it was  
21 modified by the Southcentral Regional Advisory Council for  
22 a harvest of five cow moose. The Department recommends  
23 establishing an August 15 through October 31 season in Unit  
24 6(C) consistent with the existing State season.

25

26 Our records indicate that in previous years most  
27 hunters have successfully harvested moose by October 31st.  
28 If this proposal is adopted, the State's cow drawing permit  
29 hunt in Unit 6(C) probably will be closed. This would  
30 disallow moose hunting on State and private lands in Unit  
31 6(C), which are among the most road accessible in that  
32 subunit.

33

34 If this proposal or the Regional Council  
35 recommendation is adopted, we question the Council's  
36 suggestion that this be administered as a drawing permit  
37 hunt. To do so assumes that all eligible rural residents  
38 are similar situated. Evidence has not been supported to  
39 support this assumption. We recommend this hunt be  
40 administered according to the provisions of Section .804 of  
41 ANILCA. If the Staff Committee recommendation is adopted  
42 we request the Board discuss how the limited Federal  
43 registration permit hunt would be administered and if the  
44 intended approach is consistent with the provisions of  
45 ANILCA, Section .804.

46

47 Thank you.

48

49 CHAIRMAN DEMIENTIEFF: Thank you, Terry.

50 Tom, you had a comment or a follow-up comment.

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1 MR. BOYD: I wanted to bring to the Board's  
2 attention the comments that Vince Mathews just shared with  
3 regard to the Copper River/Prince William Sound Advisory  
4 Committee. And I'm doing this on behalf of Tom Carpenter  
5 who made a phone call to me to express and reemphasize his  
6 concerns and I shared with him that I would share his  
7 concerns with the Board that, they oppose this proposal for  
8 the reasons that Mr. Mathews stated.

9

10 MS. DEWHURST: Mr. Chairman, I had a  
11 correction, too, to my previous -- I kept saying 10 cows,  
12 it's five.

13

14 CHAIRMAN DEMIENTIEFF: Yes. Okay. I'm not  
15 the only one asleep at the wheel here this morning, uh.  
16 Okay, we have no requests for additional public comment at  
17 this time. Regional Council recommendation is in the book,  
18 do you have other comment?

19

20 MR. LOHSE: Mr. Chair, as you can see, our  
21 Regional Council supported this with modifications. We did  
22 deal with a lot of the issues that have been brought up  
23 this morning. One thing we did recognize is that, you  
24 know, the hunt in Cordova has been basically run for the  
25 benefit of Cordovans and over the years Cordovans have  
26 taken most of the moose out of that transplanted herd. The  
27 reason we didn't look at it as an .804 thing and just  
28 considered an open drawing as we looked at all Cordova as  
29 being rural residents.

30

31 On the length of the season, that was an issue that  
32 was brought up. We didn't see any -- with only five moose  
33 being taken and under a Federal drawing hunt, with an  
34 agency right there to report at any time, we didn't see any  
35 reason to have any length on it but we just decided to  
36 close it at that point in time. It really is not going to  
37 effect the take of the moose. The five moose will be taken  
38 whether, you know, whatever the length of the season is.

39

40 The one thing that was an issue and did cause us  
41 some concern is this actually limits the area that these  
42 five moose can be taken on instead of expands the area. At  
43 this point in time, those five moose are still available  
44 through the regular drawing hunt. They can be taken on any  
45 land with the -- making it a Federal drawing hunt, we're  
46 going to be taking a lot of land out of the hunting area  
47 and a lot of the land that people have normally liked to  
48 hunt in the past.

49

50 Mostly, I think, we did this basically because we



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1 were recognizing the fact that there was Federal land there  
2 and this would be more consistent with the subsistence hunt  
3 and by using the cows, the cows are more of a subsistence  
4 animal.

5

6 Thank you.

7

8 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
9 Committee recommendation.

10

11 MR. THOMPSON: Yes, Mr. Chairman. The  
12 Staff Committee recommends the Board adopt the proposal as  
13 modified by the Southcentral Regional Council, which  
14 recommended providing a limited Federal registration permit  
15 harvest for five cows in Unit 6(C), August 15th through  
16 December 31st to be administered by the U.S. Forest Service  
17 office in Cordova.

18

19 Staff Committee, however, recommends that the Board  
20 not include the cow harvest in Unit 6(B) due to the  
21 declining moose population trend. We felt that the  
22 changing cow portion of the State harvest to a Federal hunt  
23 would provide a rural subsistence priority on Federal  
24 public lands while keeping the existing State run bull  
25 harvest intact. Providing a Federal registration permits  
26 harvest for bulls in 6(B) would provide no additional  
27 opportunity for subsistence users since currently the State  
28 has an open registration hunt for bulls.

29

30 CHAIRMAN DEMIENTIEFF: Thank you, very  
31 much. Board or Regional Council discussion.

32

33 MR. CAPLAN: Mr. Chairman.

34

35 CHAIRMAN DEMIENTIEFF: Yes.

36

37 MR. CAPLAN: Just a quick question, sir,  
38 for Terry. Is the State system going to continue just as  
39 it is or did I hear you say that?

40

41 MR. MACHIDA: Mr. Chair, no, if the Federal  
42 Board passes this proposal as recommended, then we would  
43 not hold the State cow hunt. I mean we've already written  
44 that into our permit hunt supplement so the hunting public  
45 is aware of that situation. So if the Board passes this  
46 proposal then we would cancel our cow hunt.

47

48 MR. CAPLAN: But you would continue your  
49 bull hunt as presently done?

50

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1 MR. MACHIDA: Yes, that's correct.

2

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

4

5 CHAIRMAN DEMIENTIEFF: Ralph.

6

7 MR. LOHSE: Mr. Chair, I think one of the  
8 things that needs to be pointed out is it's been talked  
9 about that this has been a very regulated, very managed  
10 moose herd, probably one of the more successfully managed  
11 moose herds in the State. And as a community we have  
12 gotten together and made a management plan for it. One of  
13 the reasons we have a five cow limit right at the moment is  
14 we're trying to grow the herd in Unit (C) to a certain  
15 extent to where we can increase the take of bulls and  
16 increase the take of cows. So it's under a fairly  
17 regimented management regime at this point in time.

18

19 So all you're doing with this right here is you're  
20 going into the management plan and you're taking animals  
21 that were in the management plan and changing it from one  
22 hunt to another hunt but they're still part of the  
23 management plan. I would hope that in the future if you  
24 continued, that you would buy into the management plan for  
25 the sake of the welfare of the moose herd that's being  
26 managed for the local community. In other words, don't --  
27 if you're going to make decisions, make sure that they fit  
28 within the health and welfare of that moose herd for the  
29 long-term goals that the community has set up.

30

31 CHAIRMAN DEMIENTIEFF: Thank you.

32 Additional comments.

33

34 MR. THOMAS: Mr. Chairman.

35

36 CHAIRMAN DEMIENTIEFF: Yes.

37

38 MR. THOMAS: Thank you, Mr. Chairman. Just  
39 listening to the discussion here it sounds like this is a  
40 pretty sensitive system and I appreciate that. And it  
41 sounds like there's been some extra care into the  
42 management of this particular herd. And that being the  
43 case, I'm hoping that we're on notice to see whether the  
44 current management exercises are enhancing that particular  
45 herd in terms of increasing numbers and I am hoping that  
46 their data is current to reflect an up or down trend with  
47 those. I really appreciate the comments. It's just an  
48 observation I had and I wanted to alert us to keep an eye  
49 on that.

50

00035

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Thank you.

4 Additional discussion. Yes, Fenton.

5

6 MR. REXFORD: Thank you, Mr. Chairman.  
7 Fenton Rexford, North Slope. I just wanted to maybe get a  
8 copy or if there's a policy on drawing permits. I know  
9 there's various systems or mechanisms of issuing permits  
10 once the regulations are drawn it kind of changes within  
11 our area from regulation to agency policy or something we  
12 are starting to conflict with. So if there's something in  
13 writing defining the permitting -- the way they draw  
14 permits or the way they issue permits, that's where it  
15 starts getting regulatory or agency restrictions.

16

17 CHAIRMAN DEMIENTIEFF: You're talking  
18 Federal permits?

19

20 MR. REXFORD: Yes.

21

22 MR. BOYD: Well, I hope I can respond. I  
23 don't think we have an official policy as I think as you  
24 articulated, Mr. Rexford. What we've done, I guess, over  
25 time and as the Board has deliberated on the various ways  
26 of regulating a harvest of a particular population has  
27 applied a tool, either a drawing permit or a registration  
28 permit or used the existing State permit as it applies to  
29 the particular circumstances surrounding, you know, that  
30 particular population.

31

32 So I don't think I'm being very helpful to you. I  
33 mean I think there's a variety of tools that the Board  
34 could choose to use and we've applied them as those  
35 circumstances have dictated.

36

37 CHAIRMAN DEMIENTIEFF: Ken.

38

39 MR. THOMPSON: Yes, Mr. Chairman. It is  
40 our intention for this particular hunt to issue those  
41 permits in Cordova because the hunt is for the residents of  
42 Unit 6(B) and 6(C). So those permits would be issued on a  
43 preannounced occasion in Cordova and there will be permit  
44 applications, hopefully, issued within the next couple of  
45 weeks for local residents to apply for those. But the  
46 drawing would actually occur later.

47

48 CHAIRMAN DEMIENTIEFF: Fenton, maybe you  
49 can get with Tom on a break or something and he'll get you  
50 started in terms of looking at the various tools that may

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1 be out there and where we've applied them. Terry, you had  
2 something.

3

4 MR. HAYNES: Thank you, Mr. Chairman. I  
5 guess I need some clarification as to how, sort of -- if  
6 there's going to be a drawing permit hunt, only a limited  
7 number of permits are available, are the applicants or the  
8 successful permittees going to be selected by drawing names  
9 out of a hat? How is that consistent with Section .804 of  
10 ANILCA provisions? I guess I just have a question about  
11 that.

12

13 CHAIRMAN DEMIENTIEFF: Greg.

14

15 MR. BOS: Thank you, Mr. Chair. I think  
16 there's been a number of hunts around the state where the  
17 number of registration permits has been limited by the  
18 Federal Board. And the Board has used different methods of  
19 distributing those permits to eligible subsistence users.  
20 In some cases we've gone through IRA councils or elders.  
21 When we determine that all of the residents of the affected  
22 community or communities are similarly situated with  
23 respect to their customary and traditional uses of those  
24 populations we then issue them by lottery. But it's not --  
25 it may be improper to call this a drawing permit, it's a  
26 registration permit, which may be issued by lottery when we  
27 determine that all of the applicants have similar  
28 preference to use that resource.

29

30 CHAIRMAN DEMIENTIEFF: Any other  
31 discussion. Yes, Ralph.

32

33 MR. LOHSE: Mr. Chair, I think it was the  
34 intention of the Council that in the case of Cordova, since  
35 it is a rural community and the herd is a transplanted herd  
36 that all residents have the same C&T on it and so they  
37 would fit Greg's definition of the fact that all are of  
38 equal stature when it came to doing the drawing, at least,  
39 at this point in time. I think that was our intention and  
40 that was our understanding.

41

42 CHAIRMAN DEMIENTIEFF: Thank you. No other  
43 discussion, I think we're ready for a motion.

44

45 MR. CAPLAN: Mr. Chairman.

46

47 CHAIRMAN DEMIENTIEFF: Yes, Jim.

48

49 MR. CAPLAN: I move to adopt Proposal 17 as  
50 modified by the Southcentral Advisory Council, which

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1 recommended providing a limited Federal drawing permit  
2 harvest for five cow moose in Unit 6(C). The harvest to be  
3 scheduled during August 15th through December 31st. The  
4 hunt is to be administered by the Forest Service district  
5 office in Cordova and we offer that we exclude Unit 6(B)  
6 due to the declining moose population in that subunit.

7

8 CHAIRMAN DEMIENTIEFF: There's a motion, is  
9 there a second.

10

11 MS. GOTTLIEB: Second.

12

13 CHAIRMAN DEMIENTIEFF: Additional  
14 discussion. Yes.

15

16 MR. LOHSE: Mr. Chair, I don't know if it's  
17 possible to have that as part of the motion but I would  
18 sure like to see the Federal government be willing to buy  
19 into the current moose management plan the community has  
20 worked out and that their proposals and bag limits would  
21 fit within the ramifications of that plan.

22

23 CHAIRMAN DEMIENTIEFF: Yes.

24

25 MS. GOTTLIEB: Mr. Chairman, I appreciate  
26 what you're asking and you certainly caught my ear when you  
27 mentioned the plan but I really would like to get a copy of  
28 it and look at it and I'm sure it's something we'd all like  
29 to endorse after we're more familiar with it. But I  
30 commend the efforts to solve problems at the local level.

31

32 CHAIRMAN DEMIENTIEFF: Yeah, Ralph, the --  
33 you know, we've done that many times in the past and  
34 Regional Councils basically have brought us plans,  
35 management plans, you know, basically for Board  
36 endorsement. So if we can just advance it through the  
37 process. I don't know if we're going to be able to get to  
38 it before next year. I don't know, if it's not a real  
39 special action request -- but if the Council advances it to  
40 us next year we'll be glad to take the time to take a look  
41 at it. We've done it many times.

42

43 Okay, any further discussion. Hearing none, all  
44 those in favor of the motion please signify by saying aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN DEMIENTIEFF: Those opposed, same  
49 sign.

50

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1 (No opposing votes)

2

3 CHAIRMAN DEMIENTIEFF: Motion carries.

4 Proposal 18.

5

6 MR. SHERROD: Thank you, Mr. Chair.

7 Proposal 18 was submitted by the Eyak Tribal Council. It

8 would allow the Native Village of Eyak to take one bull

9 moose for an annual memorial sobriety day potlatch.

10

11 The communal consumption or feasting is an  
12 intricate part of Alaska Native cultures regardless of  
13 their linguistic affiliation. Since 1992, the Board,  
14 through special action and regulatory changes have  
15 accommodated numerous requests to allow for the communal  
16 consumption of resources harvested for those specific  
17 purposes. The Eyak and the other Native individuals  
18 residing in Cordova certainly fall within this body of  
19 people that have a history of a communal consumption of  
20 resources. And it's in these context that cultural values  
21 are transmitted and reaffirmed. While sobriety in and of  
22 itself lacks a precontract history, certainly the values  
23 associated with this act have strong cultural depth, not  
24 only for the Eyak but for other Alaska Natives as well.

25

26 CHAIRMAN DEMIENTIEFF: Thank you. Summary  
27 of written public comments.

28

29 MR. MATHEWS: Yes, Mr. Chairman. We had  
30 three public comments submitted. One in opposition, the  
31 Copper River/Prince William Sound Advisory Committee is in  
32 opposition to it. This proposal has caused for much debate  
33 in Cordova. These moose are not indigenous. These moose  
34 were planted by the residents of Cordova in the 1950s. The  
35 Federal Board has found that all residents of Cordova have  
36 a positive customary and traditional use for moose in Unit  
37 6(B) and 6(C). Granting a specific group within the  
38 community special privilege for harvest divides a  
39 community. There are many indigenous animals with higher  
40 allocative harvest levels that could be used at a potlatch.

41

42 The two comments in support were from the Wrangell-  
43 St.Elias National Park Subsistence Resource Commission and  
44 from the Native Village of Eyak.

45

46 CHAIRMAN DEMIENTIEFF: Thank you.  
47 Department comments. Oh, Tom has a comment first.

48

49 MR. BOYD: Again, I want to speak for Tom  
50 Carpenter, Chair of the Copper River/Prince William Sound

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1 Advisory Committee who called me by phone to discuss his  
2 comments and his council -- or his committee's comments  
3 regarding this proposal. I think Vince just read the  
4 summary verbatim so I won't go back through that.

5

6 But I think another concern that he expressed to me  
7 was taking this particular -- passing this particular  
8 proposal would take one moose out of the total allocation  
9 that could be directed for other users in Cordova and that  
10 was a concern that he expressed.

11

12 CHAIRMAN DEMIENTIEFF: Thank you. Okay,  
13 Department.

14

15 MR. HAYNES: Mr. Chairman, the Department  
16 does not support this proposal. We remain concerned about  
17 the absence of clear guidelines in the Federal subsistence  
18 regulations as to what constitute customary and traditional  
19 activities for which special permits can be issued.

20

21 The Staff analysis for this proposal is a good  
22 start at examining a range of cultural events and providing  
23 guidance for developing such guidelines. In the absence of  
24 standard guidelines, it is difficult to determine whether  
25 the memorial sobriety day potlatch meets the test.

26

27 CHAIRMAN DEMIENTIEFF: Thank you. We don't  
28 have any request for additional public testimony at this  
29 time. Regional Council recommendation.

30

31 MR. LOHSE: Our Council supported this  
32 request. It's a case of where we realized there are no  
33 specific guidelines on it, we thought it fit within the  
34 ramifications of what we would think would be a worthwhile  
35 and acceptable use of moose in the community.

36

37 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
38 Committee recommendation.

39

40 MR. THOMPSON: Mr. Chairman, the Staff  
41 Committee recommends the Board adopt this proposal  
42 consistent with the recommendation of the Southcentral  
43 Regional Council.

44

45 The Native Village of Eyak's memorial sobriety  
46 potlatch is an annual reoccurring event, which the Board  
47 has endorsed by previous special actions. This would make  
48 it -- this would put it into the annual regulatory process  
49 whereby it would stand unless modified.

50

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1 Taking of one bull moose for ceremonial purposes  
2 will not significantly impact the moose population. And  
3 another persuasive piece of testimony that was provided at  
4 the Council meeting by one of the members is that these  
5 potlatches are attended, not only by the local residents,  
6 but by a cross-section of communities in Prince William  
7 Sound, which in our minds further legitimizes the event.

8  
9 CHAIRMAN DEMIENTIEFF: It's funny I just  
10 come from -- a couple of weeks ago I came from potlatch, it  
11 was called a memorial potlatch but it was held in Fairbanks  
12 and there were two principal families, my family and a  
13 family from Nulato. And I really don't know if it would  
14 stand the test of being a traditional memorial potlatch  
15 either but it was -- we just kind of worked it out between  
16 us, the family from Nulato did things their way and then I  
17 kind of supervised a potlatch from our point of view and it  
18 turned into just an absolutely beautiful event because the  
19 two principal families, you know, they had lost a loved one  
20 and they, you know, even it wasn't a Nulato-style memorial  
21 potlatch, it wasn't a Nenana-style memorial potlatch, it  
22 definitely was a beautiful memorial potlatch so I don't  
23 know about all these standards. I don't think potlatches  
24 really have standards. If they're a traditional cultural  
25 event, you know, that's good enough, I think for me.

26  
27 MR. THOMAS; Mr. Chairman, thank you.  
28 There's been mention of lack of specific guidelines. I beg  
29 to differ. You'll find those specific guidelines in the  
30 first paragraph of Title VIII. Title 801 makes all those  
31 provisions. It does it in generality but it covers them  
32 and it doesn't ask for any of those specifics. So those  
33 guidelines are in place.

34  
35 Thank you, Mr. Chairman.

36  
37 MR. CESAR: Mr. Chairman.

38  
39 CHAIRMAN DEMIENTIEFF: Yes.

40  
41 MR. CESAR: I think this, obviously, is an  
42 appropriate use of the resource. And the Eyak memorial  
43 sobriety has been growing over the number of years and, in  
44 fact, has taken on a life of its own. I am, though, of the  
45 mind that we really should begin to look at these things  
46 and give a little more definition to them. Because I think  
47 as the program grows and as a request for the resource  
48 grows, it just makes our case, I think, stronger that we  
49 have some definition to the program but are still flexible.  
50 And so I think, you know, we can use our independent



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1 judgment now and come together and make a decision but at  
2 some point I think the pressure begins to build and I just --  
3 if we're building a record of it and we're looking at it  
4 on a case by case basis, we still, I think, can give a  
5 little more definition to what it really entails. And I  
6 would encourage that the folks give some thought to that in  
7 the future.

8

9 MR. THOMAS: Mr. Chairman.

10

11 CHAIRMAN DEMIENTIEFF: Yes.

12

13 MR. THOMAS; Although they're really good  
14 observations but as long as Section .801 isn't amended,  
15 regardless of how these are used within either culture  
16 meets the standards of the provisions listed in .801.

17

18 Thank you, Mr. Chairman.

19

20 CHAIRMAN DEMIENTIEFF: I pretty near  
21 appointed a committee of one to look into this. I was  
22 toying with the idea -- no, I think your points are well  
23 taken, Niles, and that may be an exercise we'll have to --  
24 I don't know, it may be something for a Board workshop one  
25 day, you know. Because we do those once a month now, and  
26 that may be a topic where we could take a look at it during  
27 our monthly meeting where we don't have the pressure of  
28 regulations in front of us.

29

30 Ron.

31

32 MR. SAM: Thank you, Mr. Chair. I'd like  
33 to make the Board aware and our Regional Council members  
34 aware that we do have this in place within the Interior  
35 under the State Department. We do not have any annual  
36 memorial potlatches but we do -- they do grant us the right  
37 to harvest moose for funerary purposes and memorial  
38 potlatches, whether -- they're not annual, just memorial  
39 potlatches for our people, and I'd like to make our people  
40 aware of this. It is already in place in the state, and I  
41 would like to see that reflected somehow in our  
42 regulations.

43

44 Thank you.

45

46 CHAIRMAN DEMIENTIEFF: Ralph.

47

48 MR. LOHSE: Well, Mr. Chair, I think one of  
49 the reasons that -- and I'm not speaking for them but I  
50 think one of the reasons that Eyak has requested this as an

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1 annual thing is the fact that our moose herd down in  
2 Cordova is a community moose herd and it is under very  
3 tight management plans. This moose will affect the  
4 management plan. And they want this in as part of  
5 recognition that that's one of the reasons that the moose  
6 are there. The availability of doing like we do in  
7 Interior wouldn't be there simply because we don't have  
8 that vast source of moose to draw from or even that kind of  
9 a management plan for the moose. So I think that was one  
10 of the main reasons that they would like to put this in as  
11 an annual event so that that can actually become part of  
12 the moose management plan so that that's recognized ahead  
13 of time that that's going to be something that's taken out.

14

15 CHAIRMAN DEMIENTIEFF: Yes.

16

17 MR. CESAR: Mr. Chairman, could someone  
18 remind me of where we're at, did we make a proposal for  
19 MR. ALLEN:

20

21 CHAIRMAN DEMIENTIEFF: Board discussion.

22

23 MR. CESAR: Okay.

24

25 CHAIRMAN DEMIENTIEFF: We remembered the  
26 Staff Committee this time and we're ready for a motion if  
27 we've exhausted our discussion.

28

29 MR. CAPLAN: Mr. Chairman.

30

31 CHAIRMAN DEMIENTIEFF: Yes.

32

33 MR. CAPLAN: I move to adopt Proposal 18 as  
34 recommended by the Southcentral Advisory Council. Thank  
35 you, sir.

36

37 CHAIRMAN DEMIENTIEFF: Thank you. Is there  
38 a second to the motion.

39

40 MR. CESAR: Mr. Chairman, I'll second it.

41

42 CHAIRMAN DEMIENTIEFF: Further discussion  
43 on the motion. Hearing none, all those in favor signify by  
44 saying aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN DEMIENTIEFF: Those opposed, same  
49 sign.

50

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1 (No opposing votes)

2

3

4 CHAIRMAN DEMIENTIEFF: Motion carries.  
5 Okay, Proposal 19 is linked with 21, they're both on the  
6 consent agenda. So with that we'll move on to Proposal No.  
7 20. Analysis.

8

9

10 MS. DEWHURST: Proposal 20 was a deferred  
11 proposal from last year. And it is to discuss the  
12 requirement for keeping evidence of sex attached for moose  
13 in Units 11 and 13 in cases where the harvest is single sex  
14 harvest.

15

16

17 It has gone through extensive discussion and  
18 review, actually reviewed by all the Regional Councils this  
19 year, and it was decided to defer it back to the original  
20 proponent. So we are dealing with it only in Units 11 and  
21 13.

22

23

24 A lot of the discussion was trying to come up with  
25 some sort of alternative and what seems to work for this  
26 region is the additional options. Still having one option  
27 being that you have sex parts attached as an option but the  
28 additional option that was discussed and proposed is to  
29 provide the option of having the entire head, with or  
30 without antlers. Even this option has had a lot of  
31 discussion as to its ability to be enforceable. For  
32 example, if the antlers were cutoff at the skullcap, we  
33 discussed that recently and said, well, if antlers were  
34 cutoff with the skullcap then you could pretty much assume  
35 the animal had antlers and was a male or you wouldn't  
36 bother to skullcap a cow. So we felt like the entire head  
37 was still a very viable option and it is a customary and  
38 traditional practice in this region to take the head anyway  
39 for either headcheese or head soup. So that option was  
40 felt was viable and could provide legitimate enforcement.

41

42

43 The Interior region brought up an additional option  
44 recently of the hoofs. And with discussion with our  
45 technical folks, State technical folks, it was felt that  
46 the hoofs are not enforceable as a means of determining  
47 sex. There's too much variability in the hoof size and  
48 shape.

49

50

51 So basically what was felt was the head was a  
52 viable option and, of course, the existing regulation of  
53 sex parts attached.

54

55

56 CHAIRMAN DEMIENTIEFF: Summary of written  
57 public comments.

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1 MR. MATHEWS: Yes, Mr. Chairman. We had  
2 several comments. We had three in opposition. One from an  
3 individual and the other from a Paxson local Fish and Game  
4 Advisory Committee. And I won't summarize the comments of  
5 the State Division of Fish and Wildlife Protection since  
6 they have a representative here.

7  
8 There were two comments in support with  
9 modification. The Copper River Native Association supports  
10 the proposal with the modification that most of the antlers  
11 are carried with the head. The Wrangell-St.Elias  
12 Subsistence Resource Commission supports the proposal as  
13 modified by the Staff. The Denali Subsistence Resource  
14 Commission took no action on it but the Commission, in  
15 general -- their general consensus was that leaving sex  
16 organs attached is not a traditional practice.

17  
18 That's all the comments I have.

19  
20 CHAIRMAN DEMIENTIEFF: Thank you. We're  
21 going to move on to State's comments. First off, Mr.  
22 Lorrington, I see you're representing Department of Public  
23 Safety here, I'm just going to throw away this public  
24 testimony because you can testify here with the Department.  
25 Okay, go ahead, you guys have it worked out how you're  
26 going to do it.

27  
28 MR. HAYNES: Thank you, Mr. Chairman. I'll  
29 present some brief Department comments and then turn over  
30 the mic to Lieutenant Lorrington.

31  
32 The Department does not support this proposal.  
33 We're concerned that this proposed change in the evidence  
34 of sex requirements in Units 11 and 13 put the cow moose  
35 population at risk to harvest in those units. Due to the  
36 low cow moose densities and declining moose numbers in the  
37 Copper River Basin, any regulatory change that might result  
38 in the harvest of cow moose in these units is biologically  
39 imprudent and raises significant conservation concerns in  
40 one of the most heavily hunted areas in the state.

41  
42 Enforcement efforts will be more difficult if the  
43 State and Federal evidence of sex requirements are  
44 different. It's our understanding that Federal law  
45 enforcement presence is very limited in the Copper River  
46 Basin so most of the burden of monitoring hunters falls on  
47 State enforcement personnel whose resources are already  
48 stretched thin during the fall hunting season.

49  
50 Federally qualified subsistence hunters will have

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1 the additional burden of ensuring that they take moose from  
2 Federal public lands if they choose to use the head to meet  
3 the evidence of sex requirements. This will be done more  
4 easily in Unit 11, which is predominately Federal land than  
5 in Unit 11 [sic], which contains very little public land.

6

7 LT. LORRING: Thank you, Mr. Chairman,  
8 Board members. My name is David Loring, I am the  
9 detachment commander for the Interior with the Department  
10 of Public Safety, Fish and Wildlife Protection. I work in  
11 Fairbanks. I'm representing our division, Public Safety.

12

13 The Division is opposed to changing the evidence of  
14 sex requirements that are currently in Proposal No. 20.  
15 Currently the State and the Federal regulations mirror each  
16 other. They have the same language. The State regulation  
17 has been in existence since statehood and has remained  
18 unchanged since that time. This regulation is a biological  
19 regulation in nature. It is designed to protect the female  
20 segment of the ungulate population in those areas where  
21 that protection is deemed necessary by the biologists.

22

23 Since this proposal is biological in nature, the  
24 regulation has provided a set of tools for enforcement  
25 officers to enforce that regulation. And those tools that  
26 the regulation provides are the evidence of sex, the sex  
27 parts that must remain attached to the carcass after it's  
28 killed. These tools are easily followed. They're 100  
29 percent accurate every single time. Every enforcement  
30 officer knows what he's looking at and every hunter knows  
31 what he's looking at.

32

33 In the last three years I've checked our numbers of  
34 citations that are issued for this violation and they've  
35 been under 20 for each year and this is for all animals  
36 statewide that our officers have contacted hunters in the  
37 field on. So that tells us that this regulation is very  
38 easily complied with by the hunters.

39

40 Our main concern about allowing the head to be used  
41 as evidence of sex is that through our experience when  
42 hunters try to cheat and take cow moose under -- in a bull  
43 area they do two things. First they bring in evidence of  
44 sex parts from other moose that were taken and bring those  
45 back into the field and try to use those again to cover the  
46 moose that they just killed that wasn't a bull. And  
47 secondly, they bring heads or antlers back into the field  
48 to try to cover that animal.

49

50 This is a practice and it's the two main ways to

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1 try to get around the cow moose that they just took in a  
2 bull only area.

3

4 The head is not 100 percent accurate every single  
5 time because it can be brought in from another animal a day  
6 or two before or even a week before and brought back in the  
7 field to cover a cow moose that might have been taken  
8 illegally. Again, we're trying to protect the cow moose  
9 segment of the population.

10

11 If an enforcement officer does come across a  
12 situation that the animal is not readily identifiable as a  
13 cow moose, then he's going to have to take those steps  
14 required to preserve the evidence and most of the time that  
15 includes the seizure of the whole carcass. We try not to  
16 do this because it interferes with the hunter. We don't  
17 want to be intrusive upon the hunting process that the  
18 hunter's involved with. And by allowing the regulation to  
19 stay in place the only thing that has to stay on the  
20 carcass is the evidence of sex and that animal is then  
21 positively identified as the correct sex.

22

23 Our current Division policy with the State is that  
24 if we can readily identify an animal as the correct sex  
25 even if the animal's sex organs were removed, we will not  
26 cite that person. So if we go into the field and he did  
27 accidentally take that off but we can readily identify that  
28 animal as the correct sex we will not cite that person.  
29 Again, trying to be less intrusive on the hunter.

30

31 The last thing and Terry referred to that briefly,  
32 is that, the State has not changed its current regulation.  
33 It was addressed at the last Board meeting in March in  
34 Fairbanks, it remains the same. Most of Unit 13 is under  
35 State jurisdiction because of the large amount of State  
36 land and parts of 11 are also. And I think if the Federal  
37 Board would change this, there could very well be confusion  
38 upon the hunters part where they may be hunting in State  
39 land and not have the evidence of sex attached. At that  
40 point they'd be cited if we couldn't readily identify the  
41 animal as being a bull. Again, we don't want to do that  
42 but that possibility would exist if the regulation were to  
43 change having a dual regulation with different types of  
44 format.

45

46 That's all I have at this time and I'd be willing  
47 to answer any questions if any of the Board members have  
48 any questions about numbers or different types of problems  
49 that we do have. Both the Federal, U.S. Fish and Wildlife  
50 Service and the BLM enforcement divisions are also opposed

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1 to this although I see that that point of view did not come  
2 out from the Staff reports.

3

4 Thank you.

5

6 CHAIRMAN DEMIENTIEFF: Yeah, I'd ask that  
7 you stay through the deliberation stuff anyway so we can --  
8 because often times things do come up as you've seen  
9 already. Okay, we have one request for public testimony,  
10 Donna Williams.

11

12 MR. WILLIAMS: I'm just here to tell you  
13 that CRNA does not support -- wait a minute, wrong one.  
14 CRNA supports this proposal that we submitted with the  
15 modification that part of the antlers be carried out from  
16 the field with or without the head and taking the sex  
17 organs from the moose is not a customary and traditional  
18 practice.

19

20 Thank you.

21

22 CHAIRMAN DEMIENTIEFF: Thank you. Regional  
23 Council recommendation.

24

25 MR. LOHSE: Mr. Chair, this is an issue  
26 that's come before us before and I know it's come before  
27 you. To a certain extent this is a culturally -- I don't  
28 like to use the words, repulsive practice, but it's not  
29 only not part of the culture but it's also not -- in a way,  
30 not acceptable in the culture in the Interior. So they  
31 brought it to us and we did the best we could to try to  
32 come up with some other means of identification so that it  
33 could be used. We know it's not perfect, we're definitely  
34 open to other suggestions. It is like the Copper River  
35 Native Association said, it -- it's not customary and  
36 traditional in their practice but when we listen to them  
37 it's more than not customary and traditional, it's -- it's --  
38 I don't like to use the word, repulsive, but that's the  
39 closest that I can come in my language to put on it so I'll  
40 use that.

41

42 I'm sure that if there was something else that  
43 could be done and I know that it's the easiest method to  
44 use, they'd probably be open to it. But the way it is,  
45 what we did is we supported the proposal with the  
46 modification to, at least, use the head because we  
47 recognize that in their culture the head comes out and this  
48 allows somebody who doesn't want to take the head to remain  
49 using the sex organs.

50

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1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Staff Committee  
4 recommendation.

5

6 MR. THOMPSON: Mr. Chairman, the Staff  
7 Committee recommends the Board adopt this proposal as  
8 modified by the Southcentral Regional Council. We felt  
9 that requiring a portion of the external sex organs remain  
10 attached to a portion of the carcass to provide evidence of  
11 sex is a reasonable requirement that protects moose  
12 populations. However, providing an additional option, such  
13 as, possession of the head would better fit customary and  
14 traditional practices of local users while still providing  
15 a reasonable approach for method of enforcement.

16

17 CHAIRMAN DEMIENTIEFF: Board deliberations.  
18 Regional Council. Yes, Jim.

19

20 MR. CAPLAN: Mr. Chairman, I do intend to  
21 support this proposal when we get to the motion stage but I  
22 just want to take a moment and reflect on a couple of  
23 things. One, that I'm always concerned when law  
24 enforcement professionals, and those include both Federal  
25 and State law enforcement professionals are saying we could  
26 have a problem here. And that's one point. Because  
27 enforceability of our regulations and the State regulations  
28 is extremely important when we're talking about the  
29 conservation of resources like wildlife resources.

30

31 The second thing is I think that we may be placing  
32 some of our subsistence users at risk of citation down the  
33 road and that is always also unpleasant to contemplate.

34

35 So although I realize and agree that the Advisory  
36 Council has done a tough and good job -- or a good job with  
37 a tough subject trying to get us a proposal we can work  
38 with, I really want to encourage the Council and the State  
39 and others to be vigilant and report back to us if we start  
40 having problems in law enforcement, citations of people who  
41 are well-intended, want to do the right thing culturally  
42 but wind up being cited and perhaps lose their -- you know,  
43 the yield of their hunting, but it's -- it's -- you know, I  
44 think this is one of those more troubling proposals that we  
45 work with and we do have to be vigilant down the road to  
46 make sure that it's effective.

47

48 In addition, I think I'd ask others who are  
49 currently in opposition to the proposal to be thinking  
50 about alternatives. I note that they talk about DNA



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1 testing, that, of course, takes a while and it's expensive.  
2 There may be other means in the field to determine whether  
3 the pieces of the carcass are connected or not and we might  
4 be -- we might want to consult some specialist in wildlife  
5 forensics to see what those might be if we haven't already.

6

7 Thank you, sir.

8

9 CHAIRMAN DEMIENTIEFF: Go ahead, Bill.

10

11 MR. THOMAS: This has been an interesting  
12 discussion. I hate to see the practice disappear from the  
13 Game Warden trying to catch the hunter. You know, when I  
14 was growing up that was part of our recreation was to  
15 outfox the Game Warden. And that made his job interesting  
16 and it made our harvest much more nutritional. So it looks  
17 like there's no other option left available but for the  
18 DNA, so if I was you I'd get the experts from New York on --  
19 put him on paid standby and we'll pay \$30,000 apiece for  
20 DNA testing of the species. I'd be embarrassed to shoot a  
21 moose now after listening to all this. I wouldn't know  
22 what to do with it. I don't know whether I'd have a  
23 transvestite or what I'd have there.

24

25 Thank you, Mr. Chairman.

26

27 CHAIRMAN DEMIENTIEFF: Any more interesting  
28 Regional Council comments.

29

30 MR. GOODWIN: Mr. Chairman.

31

32 CHAIRMAN DEMIENTIEFF: Yes.

33

34 MR. GOODWIN: Would one nut be sufficient  
35 for an external sex organ?

36

37 CHAIRMAN DEMIENTIEFF: I didn't -- I don't  
38 know what you said, Willie.

39

40 MR. BOYD: I don't think you want to go  
41 there.

42

43 CHAIRMAN DEMIENTIEFF: Oh, all right. We  
44 normally get this goofy about mid-meeting and we're  
45 starting out first thing in the morning.

46

47 MR. THOMAS: This should have been in the  
48 middle part of the agenda.

49

50 CHAIRMAN DEMIENTIEFF: It is very much a

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1 serious issue and I think with our mandate, you know, we've  
2 basically been stuck on this issue. I'm going to have to  
3 support the motion even though I am concerned as well. But  
4 I think finally I'm -- you know, we've tried and tried and  
5 wrestled with this thing. I don't know if it is going to  
6 pass, you know, but we'll decide with what that is but  
7 we'll need to know right away -- I would agree, that we'll  
8 need to know right away if we're either -- with regard to  
9 the concerns that Mr. Caplan was raising, I mean if we are  
10 endangering subsistence hunters out there, causing them  
11 problems or causing enforcement problems that are bad for  
12 the resources. You know, I think we've all talked about it  
13 before, we're challenged to find some kind of a medium  
14 here.

15

16 But given all the effort that we've put into it, we  
17 haven't really been able to come up with anything else as  
18 of yet. But I will support it, and like I said, if there's  
19 a slightest hint of trouble, I mean I wouldn't hesitate at  
20 all coming back with a special action, even during the  
21 season, you know, if it's -- also I think if we could flag  
22 this proposal for a report after the season, I'm not sure,  
23 I don't -- you know, if it lasts the whole season and  
24 during one of our work sessions come back and see --  
25 revisit it without the pressure of a regulatory proposal so  
26 we could take a look at it. I'd invite the State also, you  
27 know, to that work session for that part of it if we can  
28 make it. We don't want to cause the problems but we got to  
29 find some way to balance this if it does pass, you know, I  
30 think we all need to revisit it in a work session  
31 atmosphere.

32

33 MS. GOTTLIEB: Mr. Chairman.

34

35 CHAIRMAN DEMIENTIEFF: Yes.

36

37 MS. GOTTLIEB: Certainly, noting some  
38 hesitancy here, and I also notice that there's far more  
39 Federal lands in Unit 11 than in 13 and I'm not sure how  
40 Donna or CRNA might feel about this but I don't know if we  
41 want to discuss approaching it for just Unit 11 for  
42 starters, just a thought?

43

44 CHAIRMAN DEMIENTIEFF: Under what -- or is  
45 it just the State hunting license that they're hunting  
46 under now, that's all they're using? That's just what I  
47 was just thinking, I mean we may want to seriously think  
48 about going with a permit, you know, just for those hunters  
49 that are going to be hunting on Federal land, a special  
50 permit that we would take the initiative, we would have to

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1 issue it. But that, at least, would -- it would probably  
2 eliminate some of your problems as you're in contact with  
3 hunters. I mean they would have -- it would be a special  
4 permit by the Federal Board, if they don't have that on  
5 there then they've got to comply basically with the State  
6 law. That would probably, at least, eliminate the pools.

7

8 (Pause)

9

10 CHAIRMAN DEMIENTIEFF: Okay, just for the  
11 benefit of everyone, we're just looking it up right now but  
12 we're thinking we have a Federal registration permit  
13 already in place for Unit 13, we don't have one in 11.  
14 Ralph.

15

16 MR. LOHSE: Mr. Chair, in talking to  
17 Gloria, one of the things that she brought up is the  
18 proposal is for Unit 11 and 13, and I think that you'd  
19 probably have to take it back out for public comment before  
20 you could modify it to exclude one or the other. That  
21 you'd probably have to leave it as Unit 11 and 13 and  
22 either accept it or reject it. I'm not sure of that myself  
23 but that was her understanding.

24

25 MR. BOYD: I didn't hear all of that.

26

27 CHAIRMAN DEMIENTIEFF: Okay, so the bottom  
28 line is we do have a registration permit for Unit 13?

29

30 MR. BOYD: That's correct, Mr. Chair.

31

32 CHAIRMAN DEMIENTIEFF: And we don't have  
33 one for 11?

34

35 MR. BOYD: No, not from our regulations.  
36 We do have designated hunter permits available in those  
37 units but not a Federal registration permit for Unit 11.  
38 So we would rely on the State harvest ticket. That's  
39 correct currently.

40

41 CHAIRMAN DEMIENTIEFF: Okay. I'm  
42 struggling on how to get back to this. Let's just stand  
43 down for a couple minutes here.

44

45 (Off record)

46 (On record)

47

48 CHAIRMAN DEMIENTIEFF: I think it is a  
49 serious concern, you know, it's a serious concern. One of  
50 the things that would minimize any potential biological

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1 damage and yet give us a tool to utilize, to look at this.  
2 I mean it's a thorny issue, it's not going to go away. We  
3 need to find some way to deal with it that doesn't put the  
4 species at risk.

5

6 And one of the things that we're talking about is  
7 adding a registration permit hunt to Unit 11, Federal  
8 registration permit hunt. Currently on the regulations  
9 there is a Federal registration permit that you have to  
10 have for Unit 13. So what we're thinking is in order to  
11 give it a try is to add a Federal registration permit for  
12 Unit 13 and to make possession of that Federal permit a  
13 requirement for implementation of this proposal.

14

15 In other words, if we pass the Southcentral Council  
16 recommendation we would have to modify the proposed  
17 regulation to include.....

18

19 MR. BOYD: Actually you would modify  
20 another regulation, it would be for the taking of moose in  
21 Unit 11, to add the requirement for a Federal registration  
22 permit, that's where that would go, this is in another part  
23 of the regulations.

24

25 CHAIRMAN DEMIENTIEFF: Then we have to  
26 amend this proposed regulation to include the hunter must  
27 have a Federal registration permit in possession?

28

29 MR. BOYD: I think if you just make that  
30 motion we'll make it fit into wherever it belongs in the  
31 regulation.

32

33 MS. FOX: Yes.

34

35 CHAIRMAN DEMIENTIEFF: Okay. Then are we  
36 noticed enough to be able to require a Federal registration  
37 permit hunt, Bill, can.....

38

39 MS. FOX: Yeah, we're well in advance of  
40 the season.

41

42 CHAIRMAN DEMIENTIEFF: Pardon.

43

44 MS. FOX: We're well in advance of the  
45 season, we can issue public notice about that requirement.

46

47 CHAIRMAN DEMIENTIEFF: Okay. Charles.

48

49 MR. MILLER: Yes, Mr. Chair. Wouldn't this  
50 develop a burden on the subsistence hunter in that area or

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1 another burden on them? I mean would it have to go through  
2 this process again in order to get this thing done, the  
3 public comment period and all that?

4

5 CHAIRMAN DEMIENTIEFF: No. We can -- see  
6 Unit 13 already has a Federal registration permit, you have  
7 to have to hunt, we'll just add that to Unit 11 and then  
8 you have to have that permit -- actually, no, if I  
9 understand right, if we did take that action it would  
10 actually make it easier on the subsistence users that have  
11 brought this proposal to us. Because right now they don't  
12 have that option of doing this, that is not traditional and  
13 customary with their people.

14

15 MR. MILLER: Mr. Chair, so in other words,  
16 with this permit you don't have to go through all this of  
17 having the external sex organs attached or something, you  
18 just have to have the permit?

19

20 CHAIRMAN DEMIENTIEFF: Yeah. We would go  
21 with the proposal but we'd just add the language that you  
22 must have that Federal registration permit in your  
23 possession. The Southcentral Regional Council  
24 recommendation, I'm talking about. Go ahead, Donna.

25

26 MS. DEWHURST: The only question I had was,  
27 I understand what you're talking about but if we're adding  
28 that requirement for Unit 11, the primary purpose I'm  
29 seeing would be that if a Federal subsistence user would be  
30 caught by a State enforcement officer and with the very  
31 small amount of non-Federal land in 11, I wonder what the  
32 odds of that occurring. Because if the Federal subsistence  
33 user was caught by a Federal officer, it wouldn't be an  
34 issue. It would only be if they were stopped by a State  
35 enforcement officer, and looking at the land status that's  
36 not a likely possibility in Unit 11. So I guess I question  
37 the need of having the Federal registration permit.

38

39 CHAIRMAN DEMIENTIEFF: Well, one of the  
40 obvious things is that, you know, people when they're  
41 coming out of the field, I mean if you've got an animal in  
42 your truck and you're stopped, you know, there's all kinds  
43 of different ways this could work.

44

45 MR. ALLEN: Mr. Chairman.

46

47 CHAIRMAN DEMIENTIEFF: Yes.

48

49 MR. ALLEN: You know, I understand the  
50 intent of the proposal but I think we need to bear in mind

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1 that the Federal registration permit still, you know, does  
2 not provide a State law enforcement officer any information  
3 about where the moose is taken if the interview occurs away  
4 from the harvest area. Now, while in the case of Unit 11,  
5 you might, you know, be more likely to be given the benefit  
6 of the doubt, I would doubt that that would be the case in  
7 Unit 11. So to me it's problematic. The benefits that are  
8 derived from issuing or having a Federal registration  
9 permit especially for Unit 13.

10

11 And for those that are -- well, anyway, that's the  
12 only concern I would have. I'm not sure that what we're  
13 trying to accomplish here is going to occur because of a --  
14 if a hunter in Unit 13 brings out a head and has a Federal  
15 permit and the State enforcement officer has to rely on  
16 where that animal was taken, having the permit by itself  
17 does not, in fact, protect them from possible citation from  
18 the State. That was my only point.

19

20 So still we're exposing subsistence hunters to --  
21 by having a different regulation, we are still exposing  
22 subsistence hunters to possible violation by the State,  
23 being in violation if they don't have the sex organs.

24

25 CHAIRMAN DEMIENTIEFF: So what does anybody  
26 else feel about this, does that seem like a reasonable  
27 compromise? Ralph, you're willing to go with it for a year  
28 or two?

29

30 MR. LOHSE: Well, Mr. Chair, I agree that  
31 it's something that's going to have to be watched. And I  
32 think that one of the things -- one of the problems that is  
33 going to be a possibility is exactly what Dave was just  
34 talking about and we're going to have to see how much of a  
35 problem that is.

36

37 The idea that once you've transported it off of  
38 Federal land you're on State land and State jurisdiction  
39 and you might have trouble showing where you got it is --  
40 you know, this is how it works in other places. I know I'm  
41 thinking back to one of the places that I fished as a child  
42 on Federal land, it had different regulations than State  
43 land did but as soon as you crossed on State land you were  
44 under State authority and your ducks better be in a row.

45

46 I think one thing that's going to have to be made  
47 evident on your permit is you're going to have to make sure  
48 and inform people that this only applies on Federal land.  
49 There are some risks involved that they -- you know, that  
50 they want to make sure and be aware that they are going to

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1 have to show. And also that it's behovent on the people  
2 who would like this proposal passed, that they make it  
3 work. I mean if it turns out that we find that this has  
4 increased a lot of illegal moose take and stuff like that  
5 you're going to have no choice but to take this proposal  
6 back away. And so it's going to be up to the people who  
7 are out in the field to make sure that they abide by the  
8 intent of the law and not use it for a way to circumvent  
9 the law.

10

11 MR. THOMAS: Mr. Chairman.

12

13 CHAIRMAN DEMIENTIEFF: Yes.

14

15 MR. THOMAS: I don't think this is going to  
16 be an isolated circumstance. So I think it would be an  
17 opportunity to find out the compatibility of the two  
18 governments and their two systems of management. We have  
19 to give credence to the credibility of the hunter in either  
20 case and we need to see if that will stand the test of  
21 that. And if it doesn't, it will give us something to work  
22 on in the future.

23

24 Thank you, Mr. Chairman.

25

26 CHAIRMAN DEMIENTIEFF: Doesn't the  
27 registration permit, doesn't that have your location of  
28 where you harvested or does that come on the State harvest  
29 ticket; how does that work?

30

31 MR. BOS: Mr. Chair, there's a harvest  
32 report form that's part of the registration permit. But  
33 that's not required to be filled out immediately. There is  
34 a punch harvest ticket section on the registration permit  
35 that the person indicates the date taken. It's afterwards  
36 that he sends the report form in, that he fills out where  
37 the location of the kill was.

38

39 MR. ALLEN: Mr. Chairman.

40

41 CHAIRMAN DEMIENTIEFF: Yes.

42

43 MR. ALLEN: Greg also informs me that we  
44 already have a similar regulation with the State having to  
45 do with antler size in Unit 13. In other words, it's,  
46 right now, if I understand this right, technically, a  
47 subsistence -- a legitimate subsistence hunter who is in  
48 possession of an antlered animal, which is a lesser than an  
49 animal with a larger antler conceivably could be cited and  
50 being in violation of the State regulation. In other

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1 words, the situation already exists, and this is just going  
2 to be another example.

3

4 I'm not aware, unless the State, you know, has any  
5 information, anybody's been cited that way. But this  
6 separation, if it continues to widen, obviously, you know,  
7 could be cumulative in terms of the exposure that a  
8 subsistence user might have. I'm not sure that since the  
9 situation already exists, that adding this change of an  
10 option of sex organs versus head greatly increases their  
11 exposure in terms of differential enforcement.

12

13 The permit in Unit 13, similar to Unit 11 perhaps  
14 gives some additional information to an enforcement officer  
15 but clearly it does not completely remove a potential  
16 citation.

17

18 So I guess in summary, we're already across that  
19 line in having some differential regulations that expose  
20 subsistence users, this is just going to be one more  
21 situation added to it.

22

23 CHAIRMAN DEMIENTIEFF: So we have that in  
24 place in Unit 13 right now, is that what you're saying?

25

26 MR. ALLEN: That's what I understand with  
27 antler size.

28

29 CHAIRMAN DEMIENTIEFF: With taking the head  
30 out on the Federal registration; is that what we have?

31

32 MR. BOYD: I think what Mr. Allen is  
33 referring to is that the State requires a spike-fork 50; is  
34 that correct and we require any bull so there's a  
35 differential, a difference in those requirements, antler  
36 requirements.

37

38 MR. ALLEN: And the State regulation  
39 requires that the antler be taken out with the animal; is  
40 that correct?

41

42 CHAIRMAN DEMIENTIEFF: So nobody knows of  
43 any problems with that regulation in Unit 13? Have you  
44 heard of any, Ralph?

45

46 MR. LOHSE: No, I haven't heard of any. I  
47 think the person to ask that would be Dave Lorrington, I think  
48 he's still here. Because that's an issue that I haven't  
49 thought of is the fact that we already have differential  
50 regulations there and this would just add one more thing to



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1 that differential.

2

3 LT. LORRING: Mr. Chair, I don't have any  
4 information about this regulation difference at all. Unit  
5 13 is not my area so I would have to contact the people  
6 down in Palmer and ask that question, if there's been some  
7 problems, so I can't help either.

8

9 CHAIRMAN DEMIENTIEFF: I want to backup a  
10 second here and invite either Gloria or Donna, if you  
11 would, do you guys know of any problems up in that area  
12 with the differential in the moose regulations at this  
13 point? Have there been any problems in Unit 13, Gloria,  
14 that you're aware of?

15

16 MS. STICKWAN: I don't know of any  
17 problems. I just would like to say that -- could I speak  
18 to this proposal?

19

20 CHAIRMAN DEMIENTIEFF: Pardon?

21

22 MS. STICKWAN: Could I speak to what you  
23 guys are talking about here?

24

25 CHAIRMAN DEMIENTIEFF: No, really, I -- you  
26 know, we're past the point of public testimony.

27

28 MS. STICKWAN: Okay.

29

30 CHAIRMAN DEMIENTIEFF: But you can go  
31 through your Regional Council rep and get things to -- I  
32 don't want to backup right now at this time.

33

34 MR. CESAR: Mr. Chairman.

35

36 CHAIRMAN DEMIENTIEFF: Yes.

37

38 MR. CESAR: I just can't help but think  
39 that if we had had even more than minor problems with this  
40 dual kind of situation we'd have heard about it. I mean as  
41 much scrutiny as these programs are coming under, it seems  
42 to me like a change that causes, you know, someone to be  
43 arrested because of the difference wouldn't stay silent too  
44 long, I wouldn't think. I guess it would be my initial  
45 reaction that it's probably an anomaly but, hey, we got a  
46 lot of them in our lives, you know.

47

48 CHAIRMAN DEMIENTIEFF: The other thing,  
49 too, is that we could really take a look at putting, like  
50 the State tag, where you've got to put an area on the form

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1 where you put down the area that you harvested from right  
2 there, you know, right at the time. That you got to have  
3 that registration form on you and yet, I don't know if we  
4 can do it this year but, you know, at least for next year  
5 to where you disclose the area, this was hunted in Unit 11,  
6 specifically at, you know, like that and just have that  
7 have to be punched out right there as well.

8

9 Terry, I'm sorry.

10

11 MR. MACHIDA: Thank you, Mr. Chairman. I  
12 believe I could address or answer, to some extent, the  
13 question that you have. We don't really believe that the  
14 difference in antler requirements for subsistence hunters  
15 versus non-local hunters is really that much of a problem.  
16 Because currently the State, for Unit 13 has a Tier II hunt  
17 for moose in place and one of the requirements of the Tier  
18 II hunt is that they just need to take an antlered bull.  
19 The 50-inch three brow-tine requirement doesn't apply to  
20 Tier II moose hunters. And the local resident is probably  
21 going to obtain both the Federal permit and a Tier II  
22 permit and most of them would qualify for a Tier II permit  
23 and the reason for that is because with these two permits  
24 they can virtually hunt anywhere in Unit 13 and take a  
25 moose.

26

27 So, you know, we just haven't seen this dual antler  
28 regulation as being a requirement because the State already  
29 has a provision for local residents to take just an  
30 antlered bull and not comply with the 50-inch three brow-  
31 tine requirement.

32

33 CHAIRMAN DEMIENTIEFF: Okay. Ralph.

34

35 MR. LOHSE: Mr. Chair, just a question. On  
36 the permit that you were talking about having, you're just  
37 talking about the current permit that's in place at this  
38 point in time, not an additional registration permit,  
39 aren't you? It's just the standard Federal permit that you  
40 have in place in Unit 13 right now?

41

42 CHAIRMAN DEMIENTIEFF: Yeah, in Unit 13.  
43 Basically, talking about adding Unit 11 and you have to  
44 have that permit in hand for this regulation.

45

46 MR. LOHSE: But it's the same permit that  
47 you already have?

48

49 CHAIRMAN DEMIENTIEFF: Yeah, right.

50

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1 MR. LOHSE: Thank you, muchly.

2

3 CHAIRMAN DEMIENTIEFF: The only thing I was  
4 suggesting we may want to do is do like the State tag and  
5 disclose the site where you killed before you transport.  
6 You know, so that would clear that up, anyway. If somebody  
7 was to get stopped at least they'd say, well, I harvested  
8 here under these Federal regulations and I'm transporting  
9 home.

10

11 What's the pleasure of the Board here?

12

13 MR. ALLEN: Do we have a motion on the  
14 table?

15

16 CHAIRMAN DEMIENTIEFF: No. We've just  
17 been.....

18

19 MS. GOTTLIEB: Are we ready for one?

20

21 CHAIRMAN DEMIENTIEFF: Yeah, I think so.

22

23 MS. GOTTLIEB: Mr. Chairman.

24

25 CHAIRMAN DEMIENTIEFF: Yes.

26

27 MS. GOTTLIEB: I move that we support the  
28 proposal as modified by the Southcentral Regional Council  
29 but with the addition that we would have a -- add a permit  
30 hunt to Unit 11 and disclosure information about the hunt,  
31 the kill site.

32

33 CHAIRMAN DEMIENTIEFF: And also you had in  
34 your motion that you must have the Federal permit in your  
35 possession?

36

37 MS. GOTTLIEB: Correct. Federal permit  
38 must be in possession.

39

40 CHAIRMAN DEMIENTIEFF: Okay. There's a  
41 motion, is there a second.

42

43 MR. CESAR: I would second that motion.

44

45 CHAIRMAN DEMIENTIEFF: Okay. Well, I think  
46 it's one of the things I'm willing to support it, you know,  
47 in trying to put something together that can work. And if  
48 we have a problem I am just as willing to come back with a  
49 special action and make the problem go away until we can  
50 work out something in the longer term.

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1 And, yes, that is the challenge, basically. If  
2 this is successful in adopting, the burden's going to be on  
3 the people in that area and we're going to have to  
4 communicate that to them. If it's going to work they're  
5 going to have to make it work. Clearly, there's no doubt  
6 about it. Otherwise we go back to square one until we can  
7 come up with another idea to resolve the problem.

8  
9 Okay. Further discussion.

10  
11 MR. CAPLAN: Mr. Chairman.

12  
13 CHAIRMAN DEMIENTIEFF: Yes.

14  
15 MR. CAPLAN: Yeah, I just wanted to say, I  
16 continue in my support of this proposal and also think that  
17 the changes as offered are good changes. It will decrease  
18 the risk to the subsistence hunter and I think that's very  
19 valuable.

20  
21 Thank you.

22  
23 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
24 Further discussion. I agree that it decreases a risk to  
25 the subsistence hunter, I think it's going to make  
26 enforcement a little easier. At least it will be clear  
27 that they have to have that. And I don't think it  
28 jeopardizes the resource, you know. Like I say, if we do  
29 have a problem we'll have to take action quickly.

30  
31 Any further discussion. Hearing none, all those in  
32 favor of the motion signify by saying aye.

33  
34 IN UNISON: Aye.

35  
36 CHAIRMAN DEMIENTIEFF: Those opposed.

37  
38 (No opposing votes)

39  
40 CHAIRMAN DEMIENTIEFF: Motion carries.  
41 Next item, 22 is a consent agenda. The next proposal up is  
42 Proposal 23. Analysis.

43  
44 MS. DEWHURST: Well, I'd like to hope that  
45 Proposal 23 will be a little bit easier than the last one.  
46 This is for a beaver summer hunting season in a number of  
47 units in Southcentral. This was at the request to provide  
48 additional subsistence opportunity in the summer and to  
49 allow the subsistence user to be able to hunt beaver versus  
50 just trapping. So they would be able to take beaver with a

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1 gun.

2

3           The beaver population is incredibly healthy in that  
4 area. It's hard to keep it down because the price of pelts  
5 is, of course, low so it doesn't provide a lot of trapping  
6 incentive. And this proposal was primarily geared not so  
7 much acquiring pelts because pelts aren't very good in the  
8 summer, more as a meat, using beaver as a meat source. So  
9 at this point there's no biological reason to oppose it.

10

11                   CHAIRMAN DEMIENTIEFF: Written public  
12 comments.

13

14                   MR. MATHEWS: Yes, Mr. Chairman. We had  
15 four public comments in support. The Copper River/Prince  
16 William Sound and the Cooper Landing local Fish and Game  
17 Advisory Committee supported as well as the Copper River  
18 Native Association and the Wrangell-St.Elias Subsistence  
19 Resource Commission.

20

21                   CHAIRMAN DEMIENTIEFF: Thank you.  
22 Department comments.

23

24                   MR. HAYNES: Thank you, Mr. Chairman.  
25 Although the Department has no biological concerns with  
26 this proposal we do have a few comments. At its January  
27 meeting this year, the Board of Game classified beaver as a  
28 fur animal which allows beaver to be harvested under terms  
29 of a hunting license.

30

31                   However, the State currently has no beaver hunting  
32 regulations in the units covered in this proposal. Beaver  
33 can be taken with firearms under provisions of a trapping  
34 license during the established trapping seasons. If this  
35 proposal is adopted, beaver hunting before and after the  
36 current trapping seasons would be authorized only on  
37 Federal public lands in the affected units. Similarly,  
38 beaver hunting would not be authorized on State and private  
39 lands during the trapping seasons. Federal subsistence  
40 hunters would then have the burden of determining what are  
41 the Federal lands on which beaver hunting is authorized in  
42 the Federal regulations.

43

44                   CHAIRMAN DEMIENTIEFF: When does the Board  
45 of Game take up beaver in that area again?

46

47                   MR. HAYNES: Mr. Chairman, March of next  
48 year.

49

50                   CHAIRMAN DEMIENTIEFF: That may be an

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1 opportunity for them to -- for the Board to consider  
2 aligning the seasons with the Federal if they're going to  
3 go under one regulation. If there's no biological concern,  
4 which there isn't, throughout most of Alaska anymore right  
5 now for beaver. But we may suggest that to the Council or  
6 somebody, who proposed this one?

7

8 MR. BOYD: It was proposed by the  
9 Southcentral Council.

10

11 CHAIRMAN DEMIENTIEFF: Thank you. Public  
12 testimony, yes, Donna Williams.

13

14 MS. WILLIAMS: I would just like to say  
15 that CRNA does support the beaver season proposal just to  
16 go on record.

17

18 CHAIRMAN DEMIENTIEFF: Okay. Thank you,  
19 very much. Regional Council recommendation.

20

21 MR. LOHSE: Mr. Chair, as you can see this  
22 was actually submitted by Southcentral Regional Council.  
23 At this point in time beaver are probably at the lowest  
24 monetary value than they've been in 200 years in real  
25 dollars. They actually have a bigger value as a meat  
26 product than they do as a fur. This would give opportunity  
27 to people in summer camps, cultural camps, fish camps to  
28 access these animals for meat and there is no biological  
29 reason not to have it. So we thought this was a good way  
30 to make use of a resource that currently isn't being made  
31 use of.

32

33 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
34 Committee.

35

36 MR. THOMPSON: Mr. Chairman, the Staff  
37 Committee recommends adopting the proposal as recommended  
38 by Southcentral and Eastern Interior Councils.

39

40 CHAIRMAN DEMIENTIEFF: Good. We'll move on  
41 to deliberations. I think the only thing I would encourage  
42 the Councils is to make proposals to the State, to the  
43 Board of Game. They're going to be -- I don't know when  
44 they go out but they're going to meet in March to take it  
45 up but you might want to align your seasons up in that area  
46 and reduce the burden.

47

48 Any other discussion. Is there a motion.

49

50 MR. WILSON: Mr. Chairman.

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1 CHAIRMAN DEMIENTIEFF: Yes.

2

3 MR. WILSON: I move to adopt the proposal  
4 in support of the Southcentral Council.

5

6 CHAIRMAN DEMIENTIEFF: Thank you. Is there  
7 a second.

8

9 MR. CAPLAN: Second.

10

11 CHAIRMAN DEMIENTIEFF: Seconded by Mr.  
12 Caplan. Further discussion. Hearing none, all those in  
13 favor of the motion signify by saying aye.

14

15 IN UNISON: Aye.

16

17 CHAIRMAN DEMIENTIEFF: Those opposed, same  
18 sign.

19

20 (No opposing votes)

21

22 CHAIRMAN DEMIENTIEFF: Motion carries.  
23 Okay, 24 is consent. 25 is the next proposal.

24

25 MS. DEWHURST: No. 25 was.....

26

27 CHAIRMAN DEMIENTIEFF: Well, excuse me,  
28 Donna. I'll just say we're probably going to try to get  
29 through Southcentral. We've got 25 and 26 is consent and  
30 27 is, so even if we run a little bit late we'll just  
31 adjust our lunch hour but I think we can get through  
32 Southcentral before we move on to the next region. Sorry,  
33 Donna.

34

35 MS. DEWHURST: 25 was submitted by the  
36 Paxson Fish and Game Advisory Committee. It was to align  
37 Federal with State regulations adjusting the ptarmigan bag  
38 limit from 20 and 40 to 10 and 20, so we're basically  
39 cutting it in half. And this is Unit 13.

40

41 The only biological concern I was able to come up  
42 with is that there is some evidence that there's pretty  
43 good ptarmigan hunting pressure or increasing ptarmigan  
44 hunting pressure along the Denali Highway but the Denali  
45 Highway is not where our Federal lands occur as we've  
46 talked about in previous proposals. We have very limited  
47 Federal lands in Unit 13 and the evidence I was able to  
48 come up with is that there are no problems with the  
49 ptarmigan populations on Federal lands in Unit 13. So  
50 basically there is no biological reason to support this

00064

1 proposed restriction of Federal subsistence users.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. Summary  
4 of written public comment.

5

6 MR. MATHEWS: Yes, Mr. Chairman, there were  
7 three in support. One from an individual and support also  
8 from the Paxson local Fish and Game Advisory Committee and  
9 the Wrangell-St.Elias Subsistence Resource Commission.  
10 There were two in opposition, the Copper River Native  
11 Association and the Denali Subsistence Resource Commission  
12 opposed the proposal because there is no biological need  
13 for it.

14

15 That's all.

16

17 CHAIRMAN DEMIENTIEFF: Thank you. State.

18

19 MR. HAYNES: Thank you, Mr. Chairman. The  
20 Department supports this proposal. Although we agree that  
21 there currently is no biological need to reduce the  
22 ptarmigan bag limit in Unit 13, the small amount of Federal  
23 land in this unit requires that hunters be able to verify  
24 the land status when hunting and ensure that they are on  
25 Federal public land if they take more ptarmigan than are  
26 allowed under the current State regulations.

27

28 If this proposal is adopted, we recommend the  
29 Federal Staff provide local public outreach and education  
30 to ensure that hunters easily identify the Federal public  
31 lands in Unit 13. Since the State and Federal hunting  
32 regulations differ for several species in Unit 13, this  
33 outreach effort should address more than just ptarmigan.

34

35 CHAIRMAN DEMIENTIEFF: Thank you. Donna  
36 Williams, public testimony.

37

38 MS. WILLIAMS: I'm wearing out a path here.  
39 CRNA does not support -- or Copper River Native Association  
40 does not support limiting harvest for ptarmigan.

41

42 That's all.

43

44 CHAIRMAN DEMIENTIEFF: Thank you. Regional  
45 Council recommendation.

46

47 MR. LOHSE: Mr. Chair, our Regional Council  
48 opposes this proposal. And basically we proposed it on --  
49 we oppose it on the reason that if there is no biological  
50 reason to limit harvest there's no reason to restrict



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1 subsistence access. So we recognize that there could be  
2 problems crossing borders and things like that but we don't  
3 believe in restricting access if there's no biological  
4 reason.

5

6 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
7 Committee.

8

9 MR. THOMPSON: Mr. Chairman, Staff  
10 Committee recommends the Board reject the proposal  
11 consistent with the recommendations of the Southcentral and  
12 Eastern Interior Councils.

13

14 CHAIRMAN DEMIENTIEFF: Thank you. More  
15 Regional Council discussion.

16

17 MR. THOMAS: Mr. Chairman.

18

19 CHAIRMAN DEMIENTIEFF: Yes.

20

21 MR. THOMAS: Mr. Chairman, the intent of  
22 this proposal is in direct conflict with .801. .801 says  
23 that continued opportunity must be in place.

24

25 CHAIRMAN DEMIENTIEFF: Any further  
26 discussion. We're ready for a motion if somebody is so  
27 inclined.

28

29 MR. WILSON: Mr. Chairman.

30

31 CHAIRMAN DEMIENTIEFF: Yes.

32

33 MR. WILSON: I make a motion that we reject  
34 this proposal in support of the Southcentral and Eastern  
35 Interior Subsistence Regional Advisory Councils.

36

37 CHAIRMAN DEMIENTIEFF: There's a motion, is  
38 there a second.

39

40 MS. GOTTLIEB: Second.

41

42 CHAIRMAN DEMIENTIEFF: Moved and seconded.  
43 Additional discussion. Hearing none, all those in favor of  
44 the motion signify by saying aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN DEMIENTIEFF: Those opposed, same  
49 sign.

50

00066

1 (No opposing votes)

2

3 CHAIRMAN DEMIENTIEFF: Motion carries.

4 Okay, 26 consent -- 27, analysis please.

5

6 MS. DEWHURST: This proposal requested two  
7 things. One was to extend the Federal trapping seasons for  
8 marten and weasels and the other was to realign the way we  
9 organize our trapping regs as far as marten, mink and  
10 weasels.

11

12 The issue of the seasons change, you already  
13 approved, basically the -- the requested season change  
14 under Proposal 2. So the only thing remaining in this  
15 proposal was the issue of realigning the way we organize  
16 our trapping regs. And the concern was our trapping regs  
17 currently are organized the exact same as the State's so  
18 the user could hold the two next to each other and it would  
19 be very easy to compare trapping regulations between the  
20 State and the Federal system. If we reorganized, it would  
21 make it a little more difficult for the Federal subsistence  
22 user.

23

24 CHAIRMAN DEMIENTIEFF: Summary of written  
25 comments.

26

27 MR. MATHEWS: Yes, Mr. Chairman. The  
28 Paxson local Fish and Game Advisory Committee supports it.  
29 The Denali Subsistence Resource Commission supports with  
30 modification to align with seasons listed in Proposal 2.  
31 The Copper River Native Association opposes the proposal  
32 because it does not support increased trapping season with  
33 no limit. And just note for the record that the Wrangell-  
34 St. Elias Subsistence Resource Commission deferred for  
35 clarification not with clarification, they deferred for  
36 clarification and that's all.

37

38 CHAIRMAN DEMIENTIEFF: Department.

39

40 MR. HAYNES: Mr. Chairman, the Department  
41 supports the intent of this proposal to align the State and  
42 Federal subsistence trapping seasons for marten and weasel  
43 in these units. However, the current State trapping season  
44 for marten in Unit 13(E) is November 10 to December 31,  
45 current Federal season there closes on January 31 and the  
46 proposed change would extend the season to February 28th.  
47 Proposal analysis does not indicate what, if any, impacts  
48 an additional month of trapping would have on marten  
49 populations on Federal public lands in Unit 13(E).

50

00067

1           If extending the already longer Federal season in  
2 13(E) would not have any biological impacts, then we do not  
3 oppose the season extension there.

4  
5                   CHAIRMAN DEMIENTIEFF: Thank you. Let me  
6 see, Donna Williams, public testimony.

7  
8                   MS. WILLIAMS: I would just like to go on  
9 record that Copper River Native Association does not  
10 support eliminating trapping season for marten.

11  
12                   CHAIRMAN DEMIENTIEFF: Thank you. Regional  
13 Council recommendation.

14  
15                   MR. LOHSE: Mr. Chair, our Regional Council  
16 took no action on this because we felt that we had already  
17 covered this under statewide Proposal 02 which aligned the  
18 seasons with the State season. We didn't see any reason  
19 after aligning all the rest of the seasons with State  
20 season to take one specific set of animals and change them  
21 back out of the alignment.

22  
23                   CHAIRMAN DEMIENTIEFF: Thank you. Do you  
24 have comment, too, Charles?

25  
26                   MR. MILLER: No comment.

27  
28                   CHAIRMAN DEMIENTIEFF: Okay. Staff  
29 Committee.

30  
31                   MR. THOMPSON: Mr. Chairman, Staff  
32 Committee recommends the Board adopt the recommendations of  
33 the Regional Council.

34  
35                   CHAIRMAN DEMIENTIEFF: Okay. Board  
36 comments, additional Regional Council comments.

37  
38                   MS. GOTTLIEB: Mr. Chairman, just so I'm  
39 clear, Staff Committee adopts the recommendation that no  
40 action be taken?

41  
42                   MR. THOMPSON: (Nods affirmatively)

43  
44                   MS. GOTTLIEB: Thank you.

45  
46                   CHAIRMAN DEMIENTIEFF: So then that would  
47 leave us in line with the State system. Good. Any other  
48 discussion. We're ready for a motion.

49  
50                   MR. WILSON: Mr. Chair.

00068

1 CHAIRMAN DEMIENTIEFF: Yes.

2

3 MR. WILSON: I move that we adopt this  
4 proposal as it's supported by the Southcentral Alaska  
5 Subsistence Regional Advisory Council. That would keep it  
6 consistent with Proposal 2.

7

8 CHAIRMAN DEMIENTIEFF: So what would a  
9 motion to table do, that would keep it the same, right? Is  
10 that what we're saying, basically? And that's consistent  
11 with the interagency Staff Committee recommendation and  
12 Southcentral Regional Council. Is there a motion to table?

13

14 MR. CESAR: I so move.

15

16 CHAIRMAN DEMIENTIEFF: Is there a second.

17

18 MR. ALLEN: Second.

19

20 CHAIRMAN DEMIENTIEFF: Discussion. Hearing  
21 none, all those in favor signify by saying aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN DEMIENTIEFF: Those opposed, same  
26 sign.

27

28 (No opposing votes)

29

30 CHAIRMAN DEMIENTIEFF: Motion carries.  
31 Okay, at this time we are going to recess for lunch we'll  
32 come back at 1:00. Terry.

33

34 MR. HAYNES: Mr. Chairman, could you  
35 roughly indicate how far you plan to go today?

36

37 CHAIRMAN DEMIENTIEFF: 4:30, 5:00.

38

39 MR. HAYNES: Do you intend to stop if you  
40 get to a certain region?

41

42 CHAIRMAN DEMIENTIEFF: No. It's really  
43 tough to say. I mean we're going to go -- we're going to do  
44 a full day's work unless we -- sometimes when we get to  
45 4:30 or so and if we're going to switch regions sometimes  
46 we'll do that. It's hard to say, we only have 12 actual  
47 proposals to do.

48

49 Anyway, listen up, before we recess here, I want  
50 everybody to understand what our plan is for this

00069

1 afternoon. We're going to come back at 1:00 or shortly  
2 thereafter and we're going to go to -- we're going to flip-  
3 flop Western and Eastern Interior. We're going to have  
4 public testimony, we've already got one request for public  
5 testimony right at 1:00. And then we'll have Western  
6 Interior, all of their proposals are on the consent agenda  
7 but there is a report, Mr. Rogers is here from Fish and  
8 Game on the Koyukuk River Moose Plan and so we're going to  
9 hear a report and then we'll move into the Eastern  
10 Interior. So that's how we're going to start out the  
11 afternoon. And there are only 12 proposals left so we may  
12 have a day off tomorrow.

13

14 (Off record)

15 (On record)

16

17 CHAIRMAN DEMIENTIEFF: I'll call the  
18 meeting to order. Robert Willard, Jr., is going to open up  
19 public testimony on general issues not on proposals from  
20 the Southeast Native Subsistence Commission. Welcome, Bob.

21

22 MR. WILLARD: Thank you, Mr. Chairman. Mr.  
23 Chairman, members of the Federal Board my name is Robert  
24 Willard, Jr. I'm from Angoon, which is located on  
25 Admiralty Island. My wife and I reside in Juneau. I'm  
26 here on behalf of the 4,500 Alaska Natives and American  
27 Indians that reside in Juneau. I serve on the executive  
28 committee of the Southeast Native Subsistence Commission.  
29 Each of our communities in Southeast elect a commissioner  
30 to represent their community. We also have representatives  
31 from the Tlingit and Haida Central Council, the Sea-Alaska  
32 Corporation, the Grand Camp of the Alaska Native  
33 Brotherhood and the Grand Camp of the Alaska Native  
34 Sisterhood.

35

36 In the past 10 years we have approached the Federal  
37 Subsistence Board to address the issue of subsistence  
38 opportunity for Juneau. We realize that the Federal Board  
39 determined in 1990 that subsistence eligibility was based  
40 upon rural determination. I might take issue with that but  
41 I think the greater issue right now is what is happening to  
42 the Native community in Juneau. The Federal Subsistence  
43 Board closure of Juneau in 1990 likely precipitated a  
44 determination by the Alaska State Legislature to declare  
45 and enact legislation that created the non-subsistence user  
46 in 1992. Since then, I have approached the U.S. Senate  
47 Oversight Committee in 1992 appealing to them to correct  
48 the 1990 Federal Subsistence Board decision. We have also  
49 submitted proposals to the Federal Subsistence Board over  
50 the years.

00070

1 I'm here on behalf of all 28 Native organizations  
2 in Juneau to appeal to you to consider declaring  
3 subsistence opportunity for Juneau. We are not asking for  
4 a preference, so to speak, as is -- as we believe in the  
5 rural preference of when the resource declines in  
6 population. We support that decision in Title VIII of  
7 ANILCA. The opportunity, though, we believe is available  
8 in Section .801(3) of Title VIII.

9

10 What is happening now in Juneau is that the  
11 knowledge that kept the culture alive all these thousands  
12 of years is being systematically destroyed by laws, Federal  
13 and State, regulations interpretations thereof, public  
14 policy, court decisions, and delay after delay. We have a  
15 generation that, if they were born in the early 1980s have  
16 no memory of their mother and father going out subsistence  
17 hunting, subsistence fishing, food gathering and that  
18 activity. You must understand that we have a tribal  
19 obligation to pass the knowledge of our cultural existence  
20 on to the next generation. What is particularly dangerous  
21 for us at this point is that those children will have no  
22 knowledge to pass on to their children, and that is the  
23 problem, Mr. Chairman.

24

25 We have made several attempts to explain to the  
26 children the subsistence lifestyle and the subsistence  
27 culture which Congress determined to be a cultural  
28 existence with very little success. They need the wisdom  
29 of where to hunt, when, when not to, where to fish, when,  
30 when not to, and how to and where to gather berries, when,  
31 and the effects of weather and the timing and how to  
32 prepare these wild renewable resources for preservation and  
33 the preparation thereof. They have no personal knowledge  
34 of these activities that is common place in all of our  
35 other communities, having been closed to subsistence.

36

37 The Juneau Native community petitions the Federal  
38 Subsistence Board to reconsider their 1990 decision. We  
39 submitted a proposal to the Federal Subsistence Board on  
40 January 2, we accompanied the Schmidtt report of 1943,  
41 1946, that details the customary and traditional uses of  
42 the Juneau, Douglas and Auke Bay areas that well  
43 establishes the customary and traditional uses. These uses  
44 would continue except that the laws of the state and the  
45 laws or the regulations of the Federal Subsistence Board  
46 prohibit such activity. We feel that we do have a very  
47 serious situation in Juneau. We ask that the Federal  
48 Subsistence Board allow subsistence opportunity in the  
49 Juneau, Douglas and Auke Bay area. As I indicated, we are  
50 not asking for a preference. The harvest by other users

00071

1 continues in the Juneau area. The sport, personal use,  
2 charter vessel fishery, except that subsistence is closed,  
3 and we believe that is wrong and we would ask that it be  
4 reconsidered.

5  
6 I will be returning to Juneau to deliver a report  
7 of your determination and to the other Southeast  
8 communities. We have tried so many times over the years  
9 because we feel that the culture is being very severely  
10 destroyed because of the lack of subsistence opportunity.

11  
12 I might appeal to you and ask that it is our  
13 determination and for you to consider, we believe that  
14 Title VIII of ANILCA was enacted by the Congress to protect  
15 and continue the cultures of the Alaska Natives whose  
16 cultures are dependent upon the harvest and uses of the  
17 wild renewable resource, except that ironically it is Title  
18 VIII that is destroying the cultural existence of our  
19 people in Juneau. And I humbly ask for your determination  
20 on behalf of our children, our grandchildren and their  
21 children.

22  
23 Thank you, Mr. Chairman.

24  
25 CHAIRMAN DEMIENTIEFF: Mr. Willard, are you  
26 expecting a decision this week; is that what you're saying?

27  
28 MR. WILLARD: We would ask that the Board  
29 consider that.

30  
31 CHAIRMAN DEMIENTIEFF: Yeah, that's.....

32  
33 MR. WILLARD: When the Legislature began  
34 their work this year, I approached several of them, they  
35 were reluctant to do anything this year. The action of the  
36 Legislature to repeal their 1992 subsistence law would be  
37 influenced by your determination this year.

38  
39 CHAIRMAN DEMIENTIEFF: Yeah, the reason I'm  
40 saying that is because there's no way we could even  
41 consider that this week. We've got regulatory -- we're  
42 right in the middle of our regulatory meeting.

43  
44 MR. WILLARD: Yeah.

45  
46 CHAIRMAN DEMIENTIEFF: But I think if you  
47 get with Staff, we can get the right paperwork filed for,  
48 you know, petition for recon -- to reconsider, is that what  
49 we call them Keith, a petition to reconsider a previous  
50 ruling? Is that how we -- that's how we did it when --

00072

1 anyway, we can make sure you got the right paperwork and  
2 get that filed but I mean there's no way -- I mean if I  
3 realized that you were going to do that I probably would  
4 have shortened your testimony so we could get on with our  
5 regular -- no -- I mean no insult meant.....

6

7 MR. WILLARD: Sure.

8

9 CHAIRMAN DEMIENTIEFF: .....but, you know,  
10 if you get a petition for reconsider in then we're going to  
11 hear it. You'd have ample opportunity to present your  
12 views in support of your petition at that time. So, you  
13 know, basically that's where we're at. But I thank you  
14 anyway. You just get the right paperwork filed this week  
15 and then we'll take it up as soon as we can.

16

17 MR. WILLARD: Thank you, Mr. Chairman. I  
18 don't want to interfere with your region considerations.

19

20 CHAIRMAN DEMIENTIEFF: Okay, thank you very  
21 much.

22

23 MR. WILLARD: Thank you, very much.

24

25 CHAIRMAN DEMIENTIEFF: If one of the Staff  
26 can make sure that he gets the right paperwork to file  
27 from, Tom, Peggy, I don't know, make sure we get it squared  
28 away.

29

30 MR. BOYD: I'll talk to him.

31

32 CHAIRMAN DEMIENTIEFF: Okay. At this time  
33 we're going to do Western Interior, which has all of their  
34 items, as I said before lunch, on consent agenda, but we  
35 have the Koyukuk River Moose Management Plan; is that the  
36 one we're bringing up right now, the report on it -- yeah,  
37 that's fine, wherever you're comfortable.

38

39 MR. ROGERS: Thank you, Chairman  
40 Demientieff. My name is Randy Rogers and I'm here  
41 representing the Alaska Department of Fish and Game. I  
42 know your schedule is busy and I appreciate the Federal  
43 Subsistence Board providing me time for brief presentation  
44 on the draft Koyukuk River Moose Management Plan.

45

46 My comments relate to the Western Interior Regional  
47 Advisory Council Proposals No.'s 42, 46, 47 and 48. As  
48 amended in recent Council teleconference, these proposals  
49 will align Federal and State regulations in Units 21(D) and  
50 24 and are supported by the Alaska Department of Fish and



00073

1 Game.

2

3 First to start off I'd like to thank the Western  
4 Interior Regional Advisory Council for their involvement in  
5 the Koyukuk moose management planning process. The Western  
6 Council helped get the project underway with their  
7 resolution of support adopted at their March 1999 meeting  
8 in Galena. Council members, Benedict Jones, Michael  
9 Stickman, Ron Sam and Jack Reakoff have contributed  
10 throughout the planning process. We also appreciate the  
11 role of the U.S. Fish and Wildlife Service, Office of  
12 Subsistence Management in providing funding for additional  
13 Western Interior Council members to participate in meetings  
14 and the involvement of the Subsistence Staff. Finally, I  
15 want to thank Gene Williams, Tom Early and Staff from the  
16 Koyukuk and Kanuti National Wildlife Refuges and the other  
17 involved Federal agencies for participation in the project.  
18 We couldn't have made the progress we have without the  
19 cooperative effort of all the State and Federal agencies  
20 and representatives of both rural and non-rural hunting  
21 interests. I hope the Koyukuk planning process can be an  
22 example of cooperation that we can all try and build on in  
23 the future.

24

25 I won't have time to describe the planning process  
26 and results in detail but I'll try to cover some of the  
27 main points from the plan and I'm available for questions  
28 any of you might have.

29

30 We've passed out copies of the draft plan and a  
31 recently completed newsletter. I understand we may be a  
32 little short in copies of the plan but we can certainly get  
33 more of those.

34

35 The Koyukuk River Moose Hunters Working Group is  
36 composed of members of the Koyukuk River, Middle Yukon  
37 River Advisory Committees, the Western Interior Council,  
38 non-local advisory committees and a commercial guide. This  
39 was a special organization that we put together just for  
40 this planning process to bring all the stakeholders  
41 together. Overall, eight members, including the commercial  
42 guide are from the local area while four members represent  
43 non-local hunting interests. Representatives on the  
44 working group were intentionally drawn from existing  
45 wildlife management advisory bodies and emphasized persons  
46 who personally participate in Koyukuk moose hunting.  
47 Agency personnel were involved as technical advisors.

48

49 The working group held a series of six meetings  
50 between May 1999 and February 2000. All meetings were open

00074

1 to the public and everyone was encouraged to participate.  
2 We used a consensus decision-making process. Following  
3 each meeting, meeting summaries were mailed to all who had  
4 expressed interest including the village councils in the  
5 area, members of the Western Interior Council and local  
6 advisory committee members. The preliminary  
7 recommendations of the Koyukuk River Moose Hunters Working  
8 Group were circulated for public review in fall 1999. The  
9 Middle Yukon and Koyukuk River Advisory Committees  
10 supported the preliminary recommendations during their  
11 joint meeting in Huslia as did the Western Interior Council  
12 at its meeting in Aniak. I traveled to nearly every  
13 village in the Middle Yukon and Koyukuk River last fall  
14 trying to share information on the planning process and  
15 solicit feedback from folks in the villages.  
16 Unfortunately, I got sick before I made it to Alatna and  
17 Allakaket, so I didn't get to Ron's town.

18  
19 While rural and urban members on the working group  
20 achieve consensus on major changes in the lower Koyukuk  
21 moose hunting regulations, not everyone agreed with the  
22 planning process and the regulatory changes. Early in the  
23 process, a coalition of local residents calling themselves  
24 the Koyukuk River Tribal Task Force on Moose Management  
25 filed a lawsuit against the State. Tanana Chiefs  
26 Conference was kept informed as a technical advisory but  
27 did not participate as closely as we had hoped. During the  
28 Board of Game meeting last March, some urban hunters going  
29 by the name Koyukuk River Moose Hunters Association  
30 testified against restricting general hunting opportunities  
31 at all. Representatives of the Koyukuk River Tribal Task  
32 Force testified that the general hunt should be completely  
33 eliminated. And by general hunt I mean, in the Koyukuk  
34 area there's two separate hunts set up right now, there's a  
35 subs -- there has been a subsistence registration hunt and  
36 a general drawing hunt. The general hunt is, you know,  
37 more commonly referred to as the sport or trophy side of  
38 it, although many of those folks, the meat is just as  
39 important to them.

40  
41 The local subsistence hunters have been  
42 understandably concerned with the steadily increasing  
43 numbers of non-local hunters, residents of the area have  
44 maintained a reasonably high level of subsistence use of  
45 moose. Division of Subsistence 1999 harvest survey results  
46 for Middle Yukon and Koyukuk River communities indicate  
47 that 91 percent of households use moose, 69 percent hunted  
48 moose and 49 percent harvested a moose.

49  
50 Presently there are indications of a decline in the

00075

1 Koyukuk River moose populations and this is of concern to  
2 both hunters and State and Federal biologists.  
3 Nonetheless, relative to many other areas of Interior  
4 Alaska, moose in the Koyukuk Basin, particularly in the  
5 lower river remain abundant. At it's spring meeting, the  
6 Board of Game carefully reviewed the status of Koyukuk  
7 moose populations and the harvestable surplus. The Board  
8 increased their determination for the amount of moose  
9 necessary to meet subsistence needs and they noted that the  
10 harvestable surplus exceeds the subsistence need at this  
11 time.

12  
13 The Board of Game adopted all the regulatory  
14 proposals stemming from the planning process with only  
15 minor revisions. There were no reductions in subsistence  
16 opportunity, however, the subsistence season in the Koyukuk  
17 Controlled Use area was shifted five days forward to  
18 provide hunting opportunity for local residents before  
19 general hunters arrive in the area.

20  
21 One revision made to the proposals by the Board of  
22 Game was to provide a five day antlerless season in the  
23 fall subsistence hunt. Both State and Federal biologists  
24 had recommended no fall cow harvest. Representatives from  
25 the Middle Yukon Advisory Committee felt it was not  
26 appropriate to completely eliminate all fall cow harvest  
27 when as recently as last year cow harvest was allowed in  
28 the general hunt. Because antlerless moose seasons require  
29 an annual reauthorization, this provision can be closely  
30 monitored and changed, if necessary.

31  
32 The most significant action the Board of Game took  
33 was changing the general hunt from a registration system to  
34 a drawing hunt with a strict limit on the number of permits  
35 to be available. The Board authorized the Department to  
36 issue up to 320 resident and 80 non-resident general hunt  
37 permits for a total of 400 permits in the entire Koyukuk  
38 Controlled Use area. This is approximately the level of  
39 general hunting that occurred in the 1998 season and was  
40 recommended as the maximum allowable level of general  
41 hunting by the working group.

42  
43 At the same time, the Department informed the Board  
44 of Game that based on indications, a decline in the moose  
45 population, we would only issue 258 permits for the fall  
46 2000 season. This compares to 380 general hunt  
47 registration permits issued in 1999 in the portion of the  
48 Koyukuk Controlled Use area downstream from Huslia. So  
49 overall we're looking at a very significant reduction in  
50 the level of general hunting in the Lower Koyukuk.

00076

1           For the Fall 2000 general hunt -- or 2001, excuse  
2 me, the permit application and drawing schedule is going to  
3 be changed to occur in December and January rather than  
4 spring. The Department is going to have to project permit  
5 numbers earlier in the year and we're going to need to be  
6 conservative in doing so. The Koyukuk River Moose  
7 Management Plan provides that reasonable subsistence  
8 opportunities must be provided before general hunting  
9 opportunities.

10

11           So if, for example, Glenn Stout, the Galena area  
12 biologist, projects a 10 percent decrease in the moose  
13 population and a commensurate reduction in the harvestable  
14 surplus of moose, the number of general hunting permits  
15 must be reduced to achieve the appropriate reduction in  
16 harvest. This scenario may result in a further reduction  
17 of general hunting permits for the 2001 season. The key  
18 point here is that first the general opportunities get cut  
19 back before there's any reduction in subsistence.

20

21           If subsistence demand increased or the moose  
22 population declined to the point where the entire  
23 harvestable surplus is needed for subsistence, the  
24 management plan provides for discontinuing the general  
25 hunt. If restrictions among subsistence users became  
26 necessary a Tier II permit system would be required. Under  
27 Alaska State law, all Alaska residents are potentially  
28 eligible for the subsistence permits. We don't know how  
29 many Alaska residents will choose to participate in the  
30 subsistence registration hunt. If there's a significant  
31 increase in non-local subsistence users, further  
32 adjustments to the general permit numbers or regulations  
33 may be needed. Hopefully, implementation of a strict  
34 policy on destroying the trophy value of antlers in the  
35 subsistence hunt by sawing through one palm and requiring  
36 the hunter to salvage the head along with all the meat to  
37 the final point of processing will discourage increased  
38 participation in the subsistence by non-local residents.

39

40           The Department has announced that we'll keep the  
41 comment period open on the draft Koyukuk River Moose  
42 Management Plan through November 1. Following that, we  
43 intend to have another meeting involving members of the  
44 working group and others to determine if further  
45 adjustments to the hunting regulations are needed. Also,  
46 as recommended in the draft plan, the Department will  
47 closely monitor hunting in the Upper Koyukuk and Middle  
48 Yukon for increased pressure that could result from changes  
49 in the Lower Koyukuk hunting regulations.

50

0077

1 Not everyone has fully supported the Koyukuk River  
2 Moose Hunters Working Group planning process or the  
3 regulation changes adopted by the Board of Game. However,  
4 the working group composed of local and non-local hunters  
5 achieved consensus on significant changes in Koyukuk River  
6 basin moose management. The opportunity remains to make  
7 further changes if public comment or observations from the  
8 fall 2000 hunting season indicate they're needed. It would  
9 have been difficult to achieve this level of agreement  
10 without a forum where all local and non-local hunters could  
11 share information and ideas and develop a better  
12 understanding of each others perspectives.

13

14 Non-local hunters have been amazingly supportive of  
15 the planning process, especially considering the reductions  
16 in general hunting opportunity that are taking place.  
17 Local residents will more fully appreciate the changes that  
18 have occurred through the planning process when they  
19 personally observe an improved hunting situation this  
20 coming fall.

21

22 Thank you. That's it for a quick summary. To go  
23 through the details of this at the board of Game meeting it  
24 took us two hours so I know you guys have short time but I  
25 will be happy to answer any questions you might have now or  
26 in the future.

27

28 One point I would mention is that we will be  
29 looking at other areas where we can generate these  
30 cooperative planning processes and a possible location for  
31 future efforts might be working in the Yukon Flats area and  
32 if that was the case we would certainly want to work very  
33 closely with members of the Eastern Interior Regional  
34 Advisory Council.

35

36 Thank you.

37

38 CHAIRMAN DEMIENTIEFF: Ronny, you're going  
39 to be looking in the future for the Board to endorse the  
40 plan?

41

42 MR. SAM: Well, I haven't given that  
43 thought but I just wanted to get this on the floor as an  
44 example of how we can work with the Department in -- it  
45 more or less culminates a two and a half year effort to  
46 come up with a consent agenda as we did.

47

48 CHAIRMAN DEMIENTIEFF: Well, just so you  
49 share with your Council when you get back that you have  
50 that opportunity, you know, to have the Board endorse the

00078

1 plan if your Council is so inclined to advance it to us  
2 we'd be glad to look at it.

3

4 Randy.

5

6 MR. ROGERS: Yes, Mr. Chairman. The reason  
7 we didn't specifically seek endorsement from the Board of  
8 Game or your Board, initially, was we were on a really  
9 tight time line and putting meetings together of the  
10 working group just as closely as we could. We had a final  
11 working group meeting in February where we made decisions  
12 from that group as to what to move forward to the Board of  
13 Game and into the Federal Subsistence Board and we really  
14 didn't have a chance to spread that particular draft out  
15 for widespread public review and comment. Even though,  
16 conceptually, the Western Interior Council endorsed the  
17 plan, they didn't have -- I walked into their meeting and  
18 delivered the plan and so it would have been a little  
19 unfair of us to ask for full endorsement without them  
20 knowing the details of what was in the package.

21

22 CHAIRMAN DEMIENTIEFF: Yeah, well, normally  
23 our process -- the way our process works, it would be the  
24 Council who would advance it to us. And even if you did  
25 advance it to us we'd just pass it back to the Council, so,  
26 you know, if and when they decide then we'll be glad to  
27 take a look at the plan in a little more detail.

28

29 MR. ROGERS: Great, we appreciate that.

30

31 CHAIRMAN DEMIENTIEFF: Thank you, very  
32 much. Okay.

33

34 MR. THOMAS: Mr. Chairman.

35

36 CHAIRMAN DEMIENTIEFF: Yes.

37

38 MR. THOMAS: May I ask for a comment?

39

40 CHAIRMAN DEMIENTIEFF: Pardon?

41

42 MR. THOMAS: May I ask for a comment on  
43 this?

44

45 CHAIRMAN DEMIENTIEFF: Sure.

46

47 MR. THOMAS: Thank you, Mr. Chairman. I  
48 really appreciate the work that's gone into this plan. And  
49 like any other good management approach, I always have  
50 several up front questions. One of them is what shape is

00079

1 that population in at this point? And what are the  
2 management ambitions with regards to the subsistence  
3 harvest? And at what point would it require the  
4 elimination of general use in order to see that the  
5 subsistence requirements were met? Those are just three  
6 general type of questions that I apply to every proposal.  
7 And I was wondering if you had any response to those at  
8 this point?

9

10 MR. ROGERS: I'd be happy to give it a try.  
11 I'm not sure if I got all three of them down but the first  
12 one was what is the health of the moose population at this  
13 point? And the Lower Koyukuk River has had some of the  
14 highest densities of moose in the entire world for the last  
15 decade. That's really what's attracted the large steadily  
16 increasing numbers of non-local hunters into the area.

17

18 For many years the population has been able to  
19 sustain this increasing harvest. Just recently, in the  
20 last few years, we've had indications based on lower calf  
21 cow ratios that the population may be getting into trouble.  
22 The surveys conducted this last fall showed a potential  
23 significant decline so I don't think anybody expected to  
24 keep the densities that were there for a very long period  
25 of time. Because of the low calf cow ratio, it's suspected  
26 that a major factor in the declining densities is  
27 predation.

28

29 CHAIRMAN DEMIENTIEFF: Randy, I'm going to  
30 -- we're going to have to cut it off. I mean I'm really  
31 sorry but maybe you want to get with Bill on a break or  
32 something like that and find out a little more detail.  
33 Because you know, the Regional Council will advance it to  
34 us if they're ready and that's the time where we'll have  
35 these kinds of discussions.

36

37 Ronny.

38

39 MR. SAM: Yeah, thank you, Mr. Chairman.  
40 Just briefly, I would like to thank the Office of  
41 Subsistence Management and the ADF&G for going forward and  
42 culminating this plan. Thank you.

43

44 CHAIRMAN DEMIENTIEFF: Yeah. And, again, I  
45 thank you very much, Randy, we're just going to have to  
46 move on. We thought we had less work than we did this  
47 afternoon and if we do as many as proposals this afternoon  
48 as we did this morning we still wouldn't get done with the  
49 proposals we've got to do this afternoon so I've just got  
50 to move on. They will advance it and it will get a full

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1 airing if they decide to, the Council does.

2

3 MR. THOMAS: I'm going to remember this  
4 action, Mr. Chairman.

5

6 CHAIRMAN DEMIENTIEFF: What's that?

7

8 MR. THOMAS: I'm going to remember this  
9 action you took just now.

10

11 CHAIRMAN DEMIENTIEFF: As long as you don't  
12 bring your gavel, Bill.

13

14 MR. ROGERS: Thanks, we appreciate the time  
15 you've given to this, though, and we will be around for  
16 questions.

17

18 CHAIRMAN DEMIENTIEFF: Good. Proposal No.  
19 58. Who's the analyzer here now?

20

21 MR. BOYD: Pete DeMatteo.

22

23 CHAIRMAN DEMIENTIEFF: Okay, Pete.

24

25 MR. DeMATTEO: Mr. Chair, if it's possible  
26 for 30 seconds to retool our projector here.

27

28 CHAIRMAN DEMIENTIEFF: Okay.

29

30 MR. DeMATTEO: Mr. Chair, Proposal 58 was  
31 submitted by the Tetlin National Wildlife Refuge. This  
32 proposal would delegate to the Refuge manager the authority  
33 to determine the sex of the animal that would be taken and  
34 also the opening and closing dates for caribou in the  
35 winter to be announced season in the remainder of Unit 12.

36

37 As I mentioned the season is currently a to be  
38 announced season. It's often done in conjunction with the  
39 State but not always, sometimes the Federal season is open  
40 by itself. The season mainly targets the Nelchina Caribou  
41 Herd but the main conservation concern here is the Mentasta  
42 Caribou Herd which is less than 500 animals. So the  
43 biologists up in that region make certain that before the  
44 season is open there is adequate mixing of the two herds to  
45 minimize the risk of harvest to the Mentasta Caribou Herd.  
46 In the past three years, that I'm aware of, this Board has  
47 opened that season by special action probably a half a  
48 dozen times. Because the caribou move through that area  
49 very quickly, it's hard to predict when they'll be there.  
50 And because of the delay of the special action process,



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1 sometimes that lends for a very narrow window or  
2 opportunity for the users. So this proposal, by delegating  
3 that authority to the Refuge manager, would provide for a  
4 better subsistence opportunity and allow for more  
5 flexibility of managing the Nelchina herd.

6

7 All the important and necessary safeguards are in  
8 place. I think the drill is down pat between the Refuge  
9 manager and also the area biologist, the Staff of the  
10 Wrangell-St.Elias National Park and Preserve and also the  
11 Chair of the Eastern Interior Regional Advisory Council and  
12 the Chair of the Upper Tanana Fortymile Fish and Game  
13 Advisory Committee. This is done in consultation with all  
14 those people before it is opened. And I think they've had  
15 plenty of practice in instituting the necessary safeguards  
16 before it is opened.

17

18 Thank you.

19

20 CHAIRMAN DEMIENTIEFF: Written public  
21 comments.

22

23 MR. MATHEWS: Yes, Mr. Chairman. We had  
24 three public comments all in support. The Upper Tanana  
25 Fortymile Fish and Game Advisory Committee supports the  
26 proposal as well as the Copper River Native Association and  
27 the Wrangell-St.Elias Subsistence Resource Commission.  
28 Basically they support it as Pete has laid out, that it  
29 would increase opportunity for them to harvest because it  
30 would get over using special actions.

31

32 With that, there was no other comments.

33

34 CHAIRMAN DEMIENTIEFF: Department comments.

35

36 MR. HAYNES: Thank you, Mr. Chairman. The  
37 Department supports this proposal. And our only concern is  
38 that we feel there should be some direction provided to the  
39 Tetlin Refuge manager regarding the population or other  
40 criteria that would be used to determine if a winter season  
41 should be open and, if so, what season dates and harvest  
42 limits should be established. And we'd like to recommend  
43 that the Federal Board provide this additional guidance  
44 before delegating its authority as provided for in this  
45 proposal.

46

47 CHAIRMAN DEMIENTIEFF: Thank you. Donna  
48 Williams. Okay, that was the only request we had for  
49 public testimony. Regional Council recommendation.

50

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1 MR. MILLER: Yes, Mr. Chair, we still  
2 support Proposal 58. We don't have any other comments.

3  
4 CHAIRMAN DEMIENTIEFF: Okay. Thank you.  
5 Staff Committee recommendation.

6  
7 MR. BOS: Yes, Mr. Chair. The Staff  
8 Committee recommendation is to adopt the proposal with the  
9 modifications recommended by the Eastern Interior Regional  
10 Council. Delegating the proposed authority to the Refuge  
11 manager would allow greater flexibility in managing the  
12 Nelchina Caribou Herd and would provide better opportunity  
13 for local subsistence users. No additional impacts to the  
14 Nelchina Caribou Herd or the Mentasta Caribou Herd or loss  
15 of subsistence opportunity are anticipated as a result of  
16 the proposed regulatory change.

17  
18 Compliance with established management objectives  
19 and necessary safeguards would be established prior to  
20 opening the winter season in the remainder of Unit 12. The  
21 requirement of consultation between State and Federal  
22 managers is essential to ensure that a winter season is  
23 opened only if it does not jeopardize the management  
24 objectives for the Mentasta Caribou Herd or the Nelchina  
25 Caribou Herd.

26  
27 CHAIRMAN DEMIENTIEFF: Thank you. Board  
28 deliberation, Regional Council comment. Yes, Ralph.

29  
30 MR. LOHSE: The Southcentral Regional  
31 Council also supported this.

32  
33 CHAIRMAN DEMIENTIEFF: All right. Yes.

34  
35 MR. EDWARDS: Mr. Chairman, I then move  
36 that we adopt Proposal 58 with the modifications that have  
37 been recommended by the Eastern Interior Regional Advisory  
38 Council.

39  
40 CHAIRMAN DEMIENTIEFF: There's a motion, is  
41 there a second.

42  
43 MR. WILSON: Second.

44  
45 CHAIRMAN DEMIENTIEFF: Moved and seconded.  
46 Additional discussion. Hearing none, all those in favor  
47 signify by saying aye.

48  
49 IN UNISON: Aye.

50

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1 CHAIRMAN DEMIENTIEFF: Those opposed, same  
2 sign.

3

4 (No opposing votes)

5

6 CHAIRMAN DEMIENTIEFF: Motion carries. 59  
7 is a consent item, leaving 60, I believe. Staff analysis.

8

9 MR. DeMATTEO: Proposal 60 was submitted by  
10 the Stevens Village Tribal Council. This proposal proposes  
11 several things.

12

13 First it would increase the number of Federal  
14 registration permits for moose in Unit 25(D) west from the  
15 existing 30 permits to an unspecified number of permits.  
16 The permits would be issued to the tribal governments in  
17 the Yukon Flats area which is Stevens Village, Beaver and  
18 Birch Creek and the tribal governments would be responsible  
19 for doling out the permits for the residents.

20

21 The proposal also requests a decrease in the number  
22 of State Tier II permits issued by the State of Alaska.  
23 And also the permitted hunters would be authorized to hunt  
24 until a combined maximum total of 60 moose, no more than 20  
25 of which shall be cow moose are taken within the combined  
26 Federal, State and private lands comprising Unit 25(D)  
27 west.

28

29 The proponent also requests that the Board delegate  
30 to the three tribal governments the authority to establish  
31 a community based moose management program.

32

33 Because moose populations in Unit 25(D) west  
34 continue to be chronically low, the current Federal  
35 regulations reflect this in the total allocation for moose  
36 and the current allocation is 30 bulls by registration  
37 permit. The conservation concerns are still there,  
38 however, recent analysis of composition data from surveys  
39 and also new population modeling that's been conducted by  
40 ADF&G recently suggests that looking at the current  
41 population, that the total allocation of bulls can be  
42 increased. Both the State and the Refuge feel confidently  
43 that, considering this new information, the total can be  
44 doubled from 30 to 60 bulls but would not support the  
45 addition of cow harvest at this time. The population  
46 modeling when you factor in cows, 20 cows, it does show a  
47 decline in the population overall.

48

49 To facilitate the proposal's request and also to  
50 meet the conservation concerns it'd be best if the total

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1 harvest allocation remained bulls only.

2

3 Thank you.

4

5 CHAIRMAN DEMIENTIEFF: Thank you. Public  
6 comment.

7

8 MR. MATHEWS: Mr. Chairman, I'm a little  
9 lost here on this one. I think we have listed there under  
10 public comments, the written comments from the Wildlife  
11 Refuge, Yukon Flats National Wildlife Refuge. I don't --  
12 there's Staff here. I think it would be redundant for me  
13 to go over their length -- they have a page and a half of  
14 items there that they have as comments and they've been  
15 part of the deliberation throughout. So I'll leave it at  
16 that. I would assume that the Board will bring forth the  
17 Refuge Staff, if needed, for discussions on their points.

18

19 Thank you.

20

21 CHAIRMAN DEMIENTIEFF: Thank you.  
22 Department comments.

23

24 MR. HAYNES: Mr. Chairman, the Department  
25 supports this proposal with modifications. At it's March  
26 2000 meeting, the Board of Game modified the season dates  
27 for the State moose hunt in Unit 25(D) west to be August 25  
28 through February 28 consistent with the Federal subsistence  
29 season in the area. The Board of Game also revised the  
30 harvest quota to be up to 60 bull moose. This quota  
31 applies to all lands in Unit 25(D) west and to both the  
32 State and Federal subsistence hunts.

33

34 If a harvest quota for this hunt continues to be  
35 listed in the Federal regulations then we believe it should  
36 clearly indicate that this quota applies to the combined  
37 State and Federal hunts. The Department can revise this  
38 harvest guideline annually if necessary and would consult  
39 with the appropriate Federal land managers before  
40 instituting a change. Similarly, timely consultation  
41 between the State and Federal managers will be essential if  
42 the harvest quota is reached before the season closes.

43

44 Consistent with Board of Game action, the  
45 Department also does not support a cow moose harvest in  
46 Unit 25(D) west but does support the Staff Committee  
47 recommendation that determination of a tribal role in moose  
48 management be deferred until a moose management plan has  
49 been developed for the area.

50

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1           Since the Federal Board has no authority to  
2 establish the number of Tier II permits that may be  
3 authorized for this hunt, the Department has agreed to  
4 issue only 75 Tier II permits for this hunt next season,  
5 consistent with one of the objectives in the proposal.  
6 However, the Department cannot limit eligibility for these  
7 permits only to residents of Beaver, Birch Creek and  
8 Stevens Village. The Federal regulations do not clearly  
9 indicate whether State Tier II permittees from Beaver, Birch  
10 Creek and Stevens Village may also possess a Federal  
11 permit.

12  
13           Even with the higher harvest quota for the combined  
14 State and Federal hunts, close coordination and timely  
15 reporting will be important to ensure that the harvest  
16 quota for this hunt in Unit 25(D) west is not exceeded.

17  
18                   CHAIRMAN DEMIENTIEFF: Thank you, very  
19 much. Randy Mayo, public testimony. Are you going to  
20 testify together, you and Dewey?

21  
22                   MR. MAYO: Yes.

23  
24                   CHAIRMAN DEMIENTIEFF: Okay.

25  
26                   MR. MAYO: Thank you, Mr. Chair. Yeah,  
27 Randy Mayo, First Chief Stevens Village Tribal Government.  
28 One of the affected communities, you know, Beaver, Stevens  
29 and Birch Creek, you know, just wanted to speak to the cow  
30 harvest issue that, you know, for all these years there has  
31 been a cow harvest out there and since we started our  
32 monitoring and data harvest collections through our tribal  
33 natural resource director, you know, through the department  
34 there that, you know, we have started monitoring the  
35 correct numbers that the community has harvested, the  
36 number of cows and that this harvest is ongoing.

37  
38                   You know, for a number of reasons, you know, some  
39 of the reasons there is that, you know, for some  
40 traditional reasons and, you know, different hunting  
41 practices but that there is a sustained cow harvest that  
42 has been going on for a long time there and I don't know  
43 where the agencies, how they can justify this original 30  
44 animal limit in the first place when, you know, they don't  
45 have the correct numbers and our tribal members at home are  
46 more willing to work with our own established, you know,  
47 collection system on the ground right there. They feel  
48 more comfortable. You know, for a lot of years, you know,  
49 some of the State and Federal people had come out but  
50 they're not getting the right information. And the big

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1 reason is, you know, afraid of being cited or, you know,  
2 arrested for the agencies irresponsibility on something  
3 that has been taking place. And I would like to hear from  
4 the agencies on how you plan to, you know, you're saying,  
5 well, no cow harvest, you know, it's -- you know how are  
6 you going to deal with the reality that it's going to go on  
7 and that the tribal members would be more willing to work,  
8 you know, through the tribal council and the natural  
9 resource department. You know, we've had meetings at home  
10 amongst ourselves and, you know, called hunter meetings and  
11 the people have turned out. But when the State or Federal  
12 agency comes around, you know, they're wandering around the  
13 community wondering where the heck is everybody, with their  
14 little clipboard under their arm, you know, saying where  
15 are all the hunters? But, you know, that we do have the  
16 correct numbers and can help these agencies, but that --  
17 that up in our region we're surrounded by Refuge lands and  
18 it's the Board's responsibility to, you know, face these  
19 situations and, you know, fulfill the responsibility.

20

21 So if there's any questions, I just wanted to point  
22 that out. You know, that there will continue to be cows  
23 being harvested. You know, if the agencies -- you know,  
24 this gentleman here said that he suggested that tribal  
25 council involvement be excluded, you know, to me that --  
26 that's a very inflammatory statement that you cannot  
27 exclude us. We live out there and people will continue to  
28 subsist, you know, no matter what. And cows will continue  
29 to be harvested and we'll continue to be documented and,  
30 you know, the hunters will continue to, you know, we will  
31 try to come up with, you know, local initiatives on  
32 regulating this. You know, some of the studies indicate  
33 that a high percentage of the calves are being taken by  
34 predators, especially bears in the springtime.

35

36 So if there's any questions, I'll turn it over to  
37 my natural resource director here.

38

39 CHAIRMAN DEMIENTIEFF: I guess just one  
40 question, did you get -- did Stevens participate in the  
41 Regional Council meeting, Eastern Interior?

42

43 MR. MILLER: Yes, they did.

44

45 CHAIRMAN DEMIENTIEFF: Okay. So you heard  
46 pretty much the same testimony?

47

48 MR. MILLER: Yes, we did.

49

50 CHAIRMAN DEMIENTIEFF: Okay. Dewey, you

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1 have additional comment.

2

3 MR. SCHWALENBERG: First off I'd just like  
4 to say that this proposal represents an awful lot of  
5 cooperation. After all these different issues were put on  
6 the table between the State, Federal, tribal programming  
7 people we basically only have one issue that we're not in  
8 agreement on. So this was a very cooperative process and  
9 I'd like to think we helped move the process forward  
10 because we brought these issues up.

11

12 Now, to clarify just a few of the points, number 1,  
13 there is no increased harvest of moose in this proposal.  
14 That was always a very difficult thing for people to  
15 understand. When they had 30 permits or 30 bulls allowed  
16 and they want to go to 60 bulls, people automatically  
17 assume there's going to be increased harvest. Well, we  
18 found out from our traditional harvest data collection  
19 programs and that was Council of Athabaskan Tribal  
20 Governments, prior to the Stevens Village people doing  
21 their own, we found that the harvest of bulls was 60 to 64  
22 animals per year, so it amounted to the State and Federal  
23 permit allocations were not in accordance with what the  
24 local practice was. What we also found, and I think we  
25 were the first community that I know of to testify openly  
26 last year at the number of animals that Stevens Village  
27 took because the testimony indicated that the Stevens  
28 Village people were in non-compliance with State and  
29 Federal law, which was always the local people's concern.

30

31 Randy and the tribal council are not interested in  
32 making their people into criminals. That's what drove this  
33 entire process. Our people need to be able to hunt legally  
34 out there. If the State and Federal system doesn't allow  
35 them to do it legally, then we need to sit here and make  
36 sure that that system allows it.

37

38 Okay, so, what we did is the harvest data  
39 collection. We found out that last year 24 moose were  
40 taken out of Stevens Village, six of which were cows. We  
41 testified to that. This year we did the harvest data  
42 collection, again, with all of our people -- and when I say  
43 collection, the difference is, I have a full-time staff  
44 person that works in the tribal program who literally goes  
45 out and deals with every single hunter in the village or  
46 anybody that comes in and finds out what the information  
47 is. We don't depend upon handing out a survey form in the  
48 community and hope somebody fills it out and sends it back  
49 to us, and that's where we really have had the problem with  
50 collecting adequate data and information. So our figures

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1 are as close as humanly possible we can get to every animal  
2 that's taken. All right. And then the second thing is we  
3 are not asking for authorization to take cows, what we're  
4 doing is saying that cows have been taken. They are  
5 currently being taken. They've always been taken. They've  
6 been taken for subsistence purposes, traditional,  
7 spiritual, cultural, so we're reporting a number of cows  
8 that are being taken. These have always been taken. To my  
9 knowledge we had meetings with the other two communities,  
10 they came in to tribal council meetings and we asked how  
11 many animals are being taken. So all we were doing in this  
12 proposal was reporting what's going on.

13

14 Now, let's get to the heart of the management. We  
15 have a few management factors out there. Number 1, we have  
16 a low density population of moose. Over the last nine  
17 years that State, Federal agencies and us have looked at  
18 that population and the population has not declined. It  
19 has remained relatively stable. It's low but stable. So  
20 our question became, if everybody's always been harvesting  
21 moose at the level of 60 to 64 animals, if they're taking  
22 cows to the level of 20 animals per year, and the  
23 population is staying relatively stable, then we didn't  
24 feel that there was an emergency conservation issue. Yes,  
25 we have to deal with cow harvest, but how do you deal with  
26 it? You don't deal with it by sticking your head in the  
27 sand and saying it doesn't exist. We have to deal with it  
28 by saying, should we start putting a limit on the number of  
29 cows harvested? And that's what the tribal council in  
30 these three villages really had to deal with. They had to  
31 say, now, is the time to put a limit.

32

33 So we explained this at the Board of Game meeting  
34 and said, all we're suggesting is that some level of cow  
35 harvest needs to be recognized, made legal or all of our  
36 hunters out there are going to be illegally hunting. So we  
37 suggested lowering the Tier II's, lowering the outside  
38 number of people coming in, using our harvest data at 20  
39 animals for the three villages for cows, call that the  
40 starting point for a legal harvest and then monitor the  
41 population of animals to see if we have to adjust that.  
42 Now, what that's going to do if it becomes legalized is it  
43 will allow the tribal council to go back and consider codes  
44 and ordinances for regulation of its tribal members in the  
45 harvest of cows. And that's what our strategy has been all  
46 along, to get everything recognized and not to immediately  
47 impose a burden of eliminating all cows in one year for  
48 people that have customarily, traditionally used them but  
49 we just feel that the cow harvest has to be recognized.

50





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1 what the cows were harvested for but that's also why we're  
2 saying that we think that the tribal council should be the  
3 one that would be solely responsible for those cow permits  
4 so that they would make the determination.

5

6 As an example, in one instance there was three cows  
7 harvested for a funerary potlatch. Now, the question  
8 becomes.....

9

10 CHAIRMAN DEMIENTIEFF: Well, no, I was just  
11 -- I was just asking the question because I know that  
12 that's very common in cow harvest except for where you have  
13 a cow hunt. Around Nenana, we have one down river and one  
14 up river, already on the books, cow hunts that are there  
15 every year so they harvest -- people in Nenana harvest a  
16 few more cows than other people normally do.

17

18 MR. SCHWALENBERG: Right.

19

20 CHAIRMAN DEMIENTIEFF: But I do know it's  
21 common practice, depending on what time of year, and  
22 there's a potlatch coming up, I do know that we do target  
23 does, you know, when the bulls are down. You know, if you  
24 got a respected elder passed away, you know, you want to  
25 put something good out there if you got a chance.

26

27 MR. SCHWALENBERG: Yeah, that was our  
28 findings also.

29

30 CHAIRMAN DEMIENTIEFF: So it's probably  
31 over half then.

32

33 MR. SCHWALENBERG: And most of them are.  
34 And the other thing was the cows being taken during the  
35 rut, the bull rut, I mean you know the edible meat at that  
36 particular time. So, yeah, we've differentiated. But in  
37 our case, last year we came in for a cultural harvest which  
38 includes all of the funerary and cultural, traditional  
39 reasons for harvesting these animals.

40

41 That's one other thing, the State has contended to  
42 us that the State does have allowable funerary and mortuary  
43 potlatch harvest but again we think with no numbers  
44 associated with this, we're not going to be able to get as  
45 good a management system as we want. So that's why we're  
46 willing to say, in Stevens Village case, if we can put a  
47 number of seven cows per year as a maximum number, the  
48 Council will then have to decide when those cows are going  
49 to be taken through the entire year, not just during this  
50 hunting season. So all the elements in the last couple of

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1 years, we've put everything in place and now it's just up  
2 to the tribe to -- it can exercise authority, it could do  
3 that but Randy and the council wants a comanagement  
4 agreement here between the State and Federal agencies about  
5 that issue, not just go out and make its own tribal  
6 regulation to allow cows to be harvested in opposition to  
7 what the State and Federal regulations are. That's not  
8 what our intention is. But that's a possibility of  
9 something that could happen if we don't deal with the  
10 issue.

11

12 CHAIRMAN DEMIENTIEFF: Thank you. Chuck,  
13 Regional Council recommendation.

14

15 MR. MILLER: Yes, Mr. Chair. We support  
16 this proposal with the modification to delete reference to  
17 the State Tier II hunt. And if I remember right, I think  
18 the reasoning behind that was since we're not a State  
19 agency, you know, to keep it separate, we don't have no say  
20 so about that anyway.

21

22 CHAIRMAN DEMIENTIEFF: Thank you. You guys  
23 can go back to your chairs now, public testimony is over,  
24 thank you. Staff Committee.

25

26 MR. BOS: Mr. Chair, the Staff Committee  
27 recommendation is to adopt the proposal with modifications.  
28 First to modify the harvest quota to specify a combined  
29 Federal and State harvest quota of 60 bull moose. This is  
30 inconsistent with the Council's recommendation to allow up  
31 to 20 cows to be taken within the overall quota of 60.  
32 Secondly, to modify the recommendations of the Council to  
33 specify the numbers of permits to be issued and to defer a  
34 determination of the tribal role in moose management until  
35 a moose management plan is developed jointly by the Fish  
36 and Wildlife Service, the Department of Fish and Game, the  
37 Regional Advisory Council, local advisory committees and  
38 the tribes. Third, we support the Regional Council's  
39 recommendation to delete the reference to the State Tier II  
40 permits.

41

42 There is consensus between the Yukon Flats National  
43 Wildlife Refuge staff and the Alaska Department of Fish and  
44 Game that the current population could sustain an increase  
45 in bull harvest. An analysis of recent moose population  
46 estimates and composition data indicate that while the  
47 harvest of bulls can safely be increased about the current  
48 quota of 30 bulls, even a limited harvest of cows will  
49 affect the potential growth of the herd and may increase  
50 the likelihood of a population decline.

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1           The Staff Committee recommends the Board authorize  
2 a total of 60 Federal permits to be issued between the  
3 three communities. The permits would be allocated as 25  
4 permits to Stevens Village, 25 permits to Beaver and 10  
5 permits to Birch Creek. The 60 Federal permits reflects  
6 the needs stated by these communities. The total number  
7 and allocation were determined by the Yukon Flats National  
8 Wildlife Refuge in consultation with the villages.

9

10           Regarding the Tier II permit system administered by  
11 the State of Alaska, it is not within the jurisdiction of  
12 the Federal Subsistence Board to reduce Tier II permits.

13

14                   CHAIRMAN DEMIENTIEFF: Okay, we're ready to  
15 go to Board or more Regional Council discussion.

16

17                   MR. THOMAS: Mr. Chair.

18

19                   CHAIRMAN DEMIENTIEFF: Yes.

20

21                   MR. THOMAS: I keep hearing a reference  
22 made to sex of these various animals and their use and  
23 restrictions of their harvest. And that being the case, I  
24 think that some of those should be quantified a little  
25 better. Because .801 uses culture as a pretty big blanket.  
26 And all of these other restrictions as we go farther down  
27 into Title VIII build a conflict into the provisions of  
28 .801. I'm wondering if the people that are putting these  
29 together are considering that. Because if they don't feel  
30 like Title I is a stand-alone provision, I think I would  
31 like to hear what can supersede that.

32

33                   Thank you, Mr. Chairman.

34

35                   CHAIRMAN DEMIENTIEFF: Thank you.

36

37                   MS. GOTTLIEB: Mr. Chairman.

38

39                   CHAIRMAN DEMIENTIEFF: Yes.

40

41                   MS. GOTTLIEB: I'm just wondering if I  
42 could ask the Chairman for Eastern Interior if you recall  
43 some of the discussions at your meeting then about the  
44 health of the herd and the taking of cows and the possible  
45 risks involved, if that does cause future problems?

46

47                   MR. MILLER: I think Dewey pretty much  
48 covered it. It's going on now. You know, it's been going  
49 on so it's nothing really different they're just trying to  
50 make it legal now. They got a pretty accurate count of how

00093

1 many moose that's been taken so you know it's nothing  
2 that's really new.

3

4 MR. EDWARDS: Mr. Chairman.

5

6 CHAIRMAN DEMIENTIEFF: Yes.

7

8 MR. EDWARDS: I think I, in listening to  
9 the presentation that was made, I think I'm trying to walk  
10 through and understand the rationale as to why they reached  
11 the conclusions that have been reached, and after listening  
12 to it I think that, in fact, I do understand that as why it  
13 got to it. I do know that the Service still remains to  
14 have concerns from a conservation standpoint with the  
15 population. That, in fact, it appears, as was indicated  
16 that at best the population has stayed a fairly level. I  
17 do understand that surveys have showed that the cow/bull  
18 ratio is spreading. The potential implications of that  
19 could be -- certainly don't bode well for the population to  
20 increase.

21

22 Saying all that, as was indicated, I think there is  
23 an interest on the part of the Refuge to sit down and work  
24 with all the parties involved. Kind of using the model of  
25 the Koyukuk River Moose Management Plan to develop this  
26 plan and then out of that, and utilizing the rationale that  
27 maybe just has been presented to come out with an approach  
28 that, in fact, would accomplish what everybody is hoping to  
29 accomplish.

30

31 CHAIRMAN DEMIENTIEFF: Thank you. Any  
32 further discussion. Yes.

33

34 MR. REXFORD: Yeah, Fenton Rexford, North  
35 Slope. I just wanted to appreciate what Stevens Village  
36 people has asked for, to have the tribal government issue  
37 the permits. I think it's one way of showing that our  
38 people in the field or tribal governments can handle those  
39 management schemes or plans. So I hope it works out --  
40 looking at every way of issuing or drawing permits is sort  
41 of what we're into on the North Slope. So really  
42 appreciate the work done for the proposal being written for  
43 tribes to issue the permits and get us involved.

44

45 CHAIRMAN DEMIENTIEFF: Further discussion.  
46 Ready for a motion.

47

48 MR. EDWARDS: Mr. Chairman.

49

50 CHAIRMAN DEMIENTIEFF: Yes.

00094

1 MR. EDWARDS: I move that we adopt Proposal  
2 60 with the modifications that have been recommended by the  
3 Staff Committee.

4  
5 CHAIRMAN DEMIENTIEFF: I do have a motion,  
6 is there a second.

7  
8 MR. CESAR: Second.

9  
10 CHAIRMAN DEMIENTIEFF: Discussion on the  
11 motion. Hearing none, all those in favor signify by saying  
12 aye.

13  
14 IN UNISON: Aye.

15  
16 CHAIRMAN DEMIENTIEFF: Those opposed, same  
17 sign.

18  
19 (No opposing votes)

20  
21 CHAIRMAN DEMIENTIEFF: Motion carries.  
22 That completes our work in Eastern Interior. The Yukon-  
23 Kuskokwim Delta has Proposal 41 and that's on the consent  
24 agenda. The next region would be Bristol Bay. It would be  
25 34, 35 and 38 as the first one up. Which one was pulled  
26 off the consent agenda?

27  
28 MS. FOX: 36.

29  
30 CHAIRMAN DEMIENTIEFF: Okay.

31  
32 MR. HAYNES: Mr. Chairman.

33  
34 CHAIRMAN DEMIENTIEFF: Yes.

35  
36 MR. HAYNES: I don't know if you have a  
37 procedure to do this but Proposal 39, we would perfectly  
38 content to see that added to the consent agenda. We didn't  
39 recommend that previously because the area biologist wasn't  
40 available so that we could confirm that the recommendation  
41 to add a couple of the subunits in the Staff Committee  
42 recommendation. So we've since gotten information that we  
43 feel comfortable in supporting the Staff Committee and that  
44 being the case, I believe that proposal could be added to  
45 the consent agenda.

46  
47 CHAIRMAN DEMIENTIEFF: Yeah, you were the  
48 only dissenter or still working on it. Okay, we're going  
49 to add Proposal 39 unless there's objection to the consent  
50 agenda. So the order for Bristol Bay will be 34, 35, and

00095

1 38. They're going to be done together. And then Proposal  
2 36 which has been removed from the consent agenda. And  
3 then Proposal 40 and then 61. That's the order we'll be  
4 going here. Are we ready for the Staff analysis? Maybe  
5 we'll just go ahead and take a short break while they're  
6 finishing get set up here.

7

8 (Off record)

9 (On record)

10

11 CHAIRMAN DEMIENTIEFF: While we're getting  
12 set up here, we'll kind of let you know what we think is  
13 going to be the schedule for the next couple of days. It  
14 looks like we're pretty well on track. We have Bristol Bay  
15 to do, we've got what, four proposals in Bristol Bay to do  
16 and that will complete our work today. We will recess when  
17 we complete Bristol Bay. Tomorrow morning at 9:00 we will  
18 deliberate Kodiak and the Aleutian's proposals. It should  
19 take less than an hour. Della's working on smoothing that  
20 out for us right now, I guess she's got some other  
21 information coming in from the Chain and whatnot. So that  
22 should be pretty smooth. And we've got about two hours  
23 worth of Southeast stuff tomorrow. And then we'll recess  
24 probably about noon tomorrow and we should be all done with  
25 proposals or our regulatory work will be all done. And  
26 then we have four more fish proposals -- or projects that  
27 we need to look at. We're going to look at those at 11:00  
28 o'clock on Thursday morning. So we will have a late start  
29 Thursday morning. And then when we get into Kenai stuff on  
30 1:00 o'clock on Thursday, we might be glad that we did it a  
31 little bit -- because we may go into Thursday evening.  
32 They're going to check with the hotel right now in in  
33 effort to get all of our work done on Thursday including  
34 Kenai.

35

36 So that's kind of the schedule as we have it right  
37 now. And that's it. So with that, I guess we'll go into  
38 34, 35 and 38.

39

40 MS. ARMSTRONG: That's correct, Mr. Chair.  
41 Proposal 34, 35 and 38 have been joined because of the  
42 similarity of the analysis that went into it.

43

44 Proposal 34 was deferred from '98 as well as from  
45 '99. It was submitted by the Akiak and Akiachak IRA  
46 Councils and would expand the existing C&T determination  
47 for caribou in Unit 17 and it would include residents of  
48 Akiachak and Akiak.

49

50 Proposal 35 which was deferred from '98 and '99 as

00096

1 well was submitted by AVCP and would expand the existing  
2 C&T for caribou in all of Unit 17(A) and (B) to include all  
3 rural resident of Unit 18.

4

5 Proposal 38 was deferred from '98 and was also from  
6 the Akiak and Akiachak IRA Council and would expand the  
7 existing C&T determination for moose into 17(B) and would  
8 include residents of Akiak and Akiachak.

9

10 The one that AVCP submitted that was dealt with  
11 last year for Unit 18 caribou, they did make a  
12 determination for Goodnews Bay, Platinum, Quinhagak, Eek,  
13 Tuntutuliak and Napakiak. But there were two communities  
14 that were left out last year, inadvertently, and those were  
15 Napaskiak and Tuluksak. So that portion of that proposal  
16 that was from last year has been included in this analysis  
17 because of the closeness between Napaskiak and Tuluksak to  
18 Akiak and Akiachak. Those communities are all within about  
19 40 miles of each other.

20

21 I'm not going to go through all of the eight  
22 factors because I think the real issue here is not whether  
23 or not people have hunted caribou or moose or whether they  
24 should have C&T for caribou and moose, generally, but  
25 specifically, if they should have it in Unit 17(A) and (B).  
26 So to focus the analysis we'll just be worrying about that  
27 portion that deals with the question of where.

28

29 I have a series of maps, one of the reasons why  
30 this was deferred last year was ADF&G Subsistence Division  
31 was doing a study in Akiachak on their subsistence uses and  
32 the Board decided last year to wait until that study was  
33 done to determine whether or not -- where Akiachak's uses  
34 are today. And the first map is actually just a general  
35 use area map and it's a little bit dark but you can see  
36 that the area we're talking about is almost exclusively  
37 Togiak National Wildlife Refuge. There is some BLM land in  
38 there.

39

40 In 1985, there was some data collected by a staff  
41 person from Fish and Wildlife Service, and that data we had  
42 last year, that was for Akiachak caribou. The maps were  
43 taken back to the people and the elders confirmed that they  
44 thought that the map was accurate. That showed some use in  
45 17(A) and (B), this is for caribou down in Akiachak down  
46 here in the corner where there is some Federal public land.  
47 Then they also -- that same time period they did some work  
48 in Akiak and there was also caribou use in this area down  
49 here.

50



00097

1 For moose, Akiachak also had some use in 17(A) and  
2 (B), just in this little corner in here and the same for  
3 moose in 1985, it was actually not -- in 17 it wasn't on  
4 Federal public lands it was up here where there wasn't any  
5 Federal land up in 17(B).

6  
7 And then from the study that was just done, the  
8 Akiachak caribou use area, 1988 to 1997, didn't show people  
9 coming down right into 17(A) and (B), they came right up to  
10 the very edge of 17(B) there and into 17(B) just on this  
11 little corner, so there was a little bit of use in 17(B) in  
12 the past 10 years. And the same for moose for Akiachak in  
13 that same time period. There's -- they were coming right  
14 up close to the border of 17(B) and right to the border  
15 there.

16  
17 There was also some interviewing that was done by  
18 our Regional Coordinator for the Y-K Delta, who went out to  
19 Tuluksak to interview people and he found that people were  
20 still using 17(A) and (B). There were people here and  
21 there who had said that they go up there. The problem has  
22 been that people have not needed to travel as far. There's  
23 been adequate caribou close to home so there hasn't been a  
24 compelling reason to go as far. There aren't very many  
25 moose in 17 right now so there hasn't been any compelling  
26 reason to go in there. So there may have been some shift  
27 from 1985 when people were going in there more. There also  
28 has not been as much use of -- in the '80s there had been  
29 people who were actually chartering planes to go up in that  
30 area. So it does appear that people are still using just --  
31 not all of 17(A) and (B), but just the very corner up  
32 there on the -- in this area.

33  
34 I do have a map when the Bristol Bay Chair, Dan  
35 O'Hara, finishes his recommendation to show you what we  
36 came up with. That concludes my analysis, Mr. Chair.

37  
38 CHAIRMAN DEMIENTIEFF: Written comments.

39  
40 MR. EDENSHAW: Thank you, Mr. Chair. The  
41 Lake Clark SRC recommends accepting the Staff conclusion to  
42 fine the customary and traditional use within Unit 17(B) to  
43 the Togiak National Wildlife Refuge. Lake Clark National  
44 Park lands is within the extreme eastern portion of Unit  
45 17(B), far from the community's addressed in this proposal.

46  
47 That concluded written comments.

48  
49 CHAIRMAN DEMIENTIEFF: Thank you.  
50 Department comments.

00098

1 MR. HAYNES: Mr. Chairman, the Department  
2 supports Proposals 34, 35 and 38 as modified by the Bristol  
3 Bay Regional Advisory Council.

4  
5 CHAIRMAN DEMIENTIEFF: Thank you, very  
6 much. We have no request for additional public testimony  
7 at this time. Regional Council recommendation.

8  
9 MR. O'HARA: Mr. Chair.

10  
11 CHAIRMAN DEMIENTIEFF: Mr. O'Hara.

12  
13 MR. O'HARA: Dan O'Hara, Bristol Bay  
14 Council. These are fairly straight ahead proposals. We  
15 appreciate those who did the research to give us -- the  
16 people who participated in these areas to be able to let  
17 them use these areas, so 34, 35 and 38 we don't have a  
18 problem with and they're pretty straight ahead.

19  
20 Thank you.

21  
22 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
23 Committee recommendation.

24  
25 MR. WILDE: Mr. Chairman.

26  
27 CHAIRMAN DEMIENTIEFF: Oh, I'm sorry.

28  
29 MR. WILDE: Yukon-Kuskokwim.

30  
31 CHAIRMAN DEMIENTIEFF: Go ahead, Harry.

32  
33 MR. WILDE: The Yukon-Kuskokwim Regional  
34 Council supports 34, 35 and 38 without modification. The  
35 Yukon-Kuskokwim Regional Council met prior to the Bristol  
36 Bay Regional Council meeting and did not have any  
37 opportunity to respond to their recommendation  
38 modification.

39  
40 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
41 Committee.

42  
43 MR. BOS: Mr. Chair, the Staff Committee  
44 recommendation is to adopt Proposals 34, 35 and 38 with the  
45 modifications recommended by the Bristol Bay Regional  
46 Council.

47  
48 One of the modifications, principal modification is  
49 to exclude Napaskiak from the customary and traditional use  
50 determination for caribou in Unit 17. This is inconsistent

00099

1 with the recommendation of the Yukon-Kuskokwim Delta  
2 Regional Council.

3

4 CHAIRMAN DEMIENTIEFF: Thank you.

5

6 MR. BOS: I maybe then could follow-up with  
7 the justification for our recommendation.

8

9 CHAIRMAN DEMIENTIEFF: Go ahead, yeah.

10

11 MR. BOS: Information is available from the  
12 literature and from mapped information and interviews  
13 obtained from local residents in Unit 18 communities as  
14 documented in the Staff analysis to substantiate the use of  
15 moose and caribou in Unit 17(A) and 17(B) by Akiak and  
16 Akiachak. And use of caribou in Unit 17(A) and (B) by  
17 Tuluksak. There is not, at this time, substantial evidence  
18 to support a positive customary and traditional use  
19 determination for Napaskiak for caribou in Unit 17.

20

21 Communities other than Akiak, Akiachak, Tuluksak  
22 and Napaskiak in Unit 18 were not considered in the Staff  
23 analysis because those other communities have been  
24 previously analyzed in 1998 and 1999.

25

26 CHAIRMAN DEMIENTIEFF: Okay. We're ready  
27 to go to Board deliberations. Any additional Regional  
28 Council comment. We're ready for an action.

29

30 MR. EDWARDS: Mr. Chairman, I'm ready to  
31 make a motion that we adopt Proposals 24, 35 and 38 with  
32 the modifications that have been recommended by the Bristol  
33 Bay Regional Advisory Council.

34

35 CHAIRMAN DEMIENTIEFF: Is there a second.

36

37 MS. GOTTLIEB: Second.

38

39 MR. WILSON: Second.

40

41 CHAIRMAN DEMIENTIEFF: Any additional  
42 discussion. Hearing none, all those in favor signify by  
43 saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN DEMIENTIEFF: Those opposed, same  
48 sign.

49

50 (No opposing votes)

00100

1 CHAIRMAN DEMIENTIEFF: Motion carries.  
2 Proposal 36, Dan, was I to understand that you just had  
3 some clarifying you wanted done on there or do we need to  
4 go through the whole process?

5  
6 MR. O'HARA: No, Mr. Chairman. The -- our  
7 Advisory Council felt that they -- Togiak should go back  
8 and go through the proper channels to bring this proposal  
9 up and that would be going back to the Nushagak planning  
10 herd, the caribou planning herd in Dillingham there and  
11 bring this through those channels and then come to us with  
12 it. So if they want to follow-up on it then they can come  
13 back next year through the proper channels, we feel and  
14 then we'll address it at that time.

15  
16 CHAIRMAN DEMIENTIEFF: So my understanding,  
17 I guess, it was Ida that wanted to have this one pulled?

18  
19 MR. CESAR: Yes, Mr. Chairman, that's  
20 correct.

21  
22 CHAIRMAN DEMIENTIEFF: Do we need to go  
23 through the process, is that.....

24  
25 MR. CESAR: I don't think we need to go  
26 through the process. I think Ida's comments were -- she  
27 left me a note, she was concerned that we should adopt the  
28 proposal as written. She felt there was no biological  
29 reason to deny subsistence use and that the Regional  
30 Advisory Council denial of subsistence opportunity, she  
31 felt, was an unnecessary restriction. But having listened  
32 and read the material here and how it's played out and how  
33 the process is there for them to go back through the  
34 process and do it in a better manner is satisfactory. And  
35 so I think that we would withdraw our suggestion to have it  
36 removed from the consent agenda.

37  
38 CHAIRMAN DEMIENTIEFF: Okay, that puts it  
39 back on the consent calendar because that was the only  
40 objection we had to it. So Proposal 36, with those  
41 clarifications, will go back on the consent calendar. 39  
42 is noted earlier by Mr. Haynes from the State has been  
43 added to the consent calendar. So Proposal; 40 is the next  
44 one.

45  
46 MR. FISHER: Thank you, Mr. Chairman.  
47 Proposal 40 was submitted by the Togiak Traditional  
48 Council. There's actually two parts to Proposal 40. One  
49 deals with 17(A) and the other one deals with Unit 18. The  
50 first part would extend the trapping season in Unit 17(A)

00101

1 from November 10th to February 28th to November 10th to  
2 March 31st. In other words, they would expand and lengthen  
3 the trapping season there for 17(A). The second part of  
4 the proposal would shorten the trapping season in Unit 18  
5 from November 1st to June 10th to November 1st to March  
6 31st.

7

8 I believe the trapping extension and so on for Unit  
9 17(A) was discussed in statewide Proposal No. 2. And as  
10 far as the beaver population goes in both those units, the  
11 beaver population is expanding and this proposal would not  
12 impact the population, there's no biological impact.  
13 That's currently all I have right now, Mr. Chairman.

14

15 CHAIRMAN DEMIENTIEFF: Thank you. Written  
16 public comments.

17

18 MR. EDENSHAW: Mr. Chair, there weren't any  
19 written public comments.

20

21 CHAIRMAN DEMIENTIEFF: Thank you.  
22 Department.

23

24 MR. HAYNES: Thank you, Mr. Chairman. The  
25 Department supports this proposal with modification. I was  
26 just looking to see if adoption of Proposal 2 actually  
27 covers every piece of the regulation for 17(A) to make the  
28 Federal -- State and Federal regulations consistent. In  
29 any event, the current State trapping season in 17(A) is  
30 November 10-March 31 up to two beaver per day may be taken  
31 with firearms during the period April 15th to May 3rd.  
32 That's the piece that I don't know if that's included in  
33 the intent of adoption of Proposal 2, whether that -- if  
34 that provision, to allow this taking of beaver with  
35 firearms, April 15 to May 3rd is part of Proposal 2, then  
36 that would make the State and Federal regulation consistent  
37 for 17(A).

38

39 We also recommend that the July 1-June 30th beaver  
40 trapping and hunting seasons be established in Unit 18  
41 consistent with Board of Game actions taken earlier this  
42 regulatory year.

43

44 CHAIRMAN DEMIENTIEFF: Thank you. We have  
45 no request for additional public testimony at this time.  
46 Regional Council recommendation.

47

48 MR. O'HARA: Mr. Chairman.

49

50 CHAIRMAN DEMIENTIEFF: Yes.

00102

1 MR. O'HARA: Dan O'Hara, Chair of Bristol  
2 Bay. Our Council supports the Togiak Traditional Council's  
3 recommendation on 40.

4  
5 CHAIRMAN DEMIENTIEFF: Thank you.  
6 Additional Regional Council, Harry.

7  
8 MR. WILDE: Mr. Chairman, Yukon Kuskokwim  
9 Regional Council recommends support. The Council  
10 unanimously approved revised trapping season for beavers in  
11 Unit 17(A) and Unit 18 as presented in overlap Proposal 40.

12  
13 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
14 Committee.

15  
16 MR. BOS: Mr. Chair, the Staff Committee  
17 recommends adoption of the Unit 18 portion of Proposal 40  
18 consistent with the recommendation of the Yukon-Kuskokwim  
19 Delta Regional Advisory Council. The opportunity for --  
20 well, let me add to that that no action needs to be taken  
21 on the portion of Proposal 40 relating to Unit 17 beaver.

22  
23 The opportunity for the subsistence trapper and  
24 hunter to harvest beaver under Federal regulations on  
25 Federal public lands in Unit 18 would be expanded by the  
26 recommended modification of this proposal. In Unit 18,  
27 alignment of Federal and State beaver trapping and hunting  
28 regulations will reduce confusion by local subsistence  
29 hunters and trappers.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you. Okay,  
32 we're ready to go to Board or Regional Council discussion.  
33 If not, we're ready for an action. I'm sorry, Terry.

34  
35 MR. HAYNES: Mr. Chairman, I just wondered  
36 if I could get clarification on the question I raised about  
37 whether -- it doesn't appear to me that in Proposal 2,  
38 language was adopted that allows the use of firearms to  
39 take beaver during this part of the season in 17(A) and I  
40 don't see a provision made for that elsewhere in the  
41 current Federal regulations. If I'm mistaken I'd just like  
42 to -- maybe somebody could clarify that for me if you adopt  
43 this proposal so that we know that there is consistency  
44 between the two regulations.

45  
46 CHAIRMAN DEMIENTIEFF: Who might be able to  
47 respond to that

48  
49 MS. FOX: Bill.

50

00103

1 CHAIRMAN DEMIENTIEFF: Bill. Are there any  
2 other discussion points.

3  
4 MR. THOMAS: Is there a motion on the  
5 table?

6  
7 CHAIRMAN DEMIENTIEFF: No, we didn't get a  
8 motion on the table.

9  
10 MR. THOMAS: A question, Mr. Chair.

11  
12 CHAIRMAN DEMIENTIEFF: Sure.

13  
14 MR. THOMAS: Thank you, Mr. Chairman. Just  
15 out of curiosity, I'm getting nightmares and flashbacks of  
16 when we first started there was concern about  
17 indiscriminate shooting of beavers in these particular  
18 areas. Has that remained a concern and is it a concern  
19 now, just out of curiosity? Thank you, Mr. Chairman.

20  
21 CHAIRMAN DEMIENTIEFF: I guess not,  
22 nobody's responded.

23  
24 MR. THOMAS: Thank you.

25  
26 CHAIRMAN DEMIENTIEFF: Greg.

27  
28 MR. BOS: Yes, Mr. Chair. I think the  
29 intent in this proposal for Unit 17 was to align the season  
30 dates not necessarily align the regulations for taking  
31 beaver with firearms.

32  
33 CHAIRMAN DEMIENTIEFF: Okay. And that was  
34 the motivation, to align the season dates as opposed to the  
35 methods and means.

36  
37 MR. O'HARA: It was a housekeeping item is  
38 what it was.

39  
40 CHAIRMAN DEMIENTIEFF: Okay, good. Does  
41 that answer you Terry?

42  
43 MR. HAYNES: Yes, Mr. Chairman. That does  
44 mean under the -- let's see if that would be a problem.  
45 The regulations would not quite be consistent concerning  
46 use of firearms during the part of the season to take  
47 beaver.

48  
49 CHAIRMAN DEMIENTIEFF: How did you just  
50 phrase this, fine-tuning -- housekeeping.

00104

1 MR. O'HARA: Yeah, housekeeping. Just an  
2 editorial housekeeping type thing.

3  
4 CHAIRMAN DEMIENTIEFF: I mean we've already  
5 advanced through both Councils, it's already here, if we  
6 call this housecleaning -- if we have to do another  
7 consideration next year it will be fine-tuning.

8  
9 MR. EDWARDS: Mr. Chairman, I'm confused,  
10 now, do we need a motion or do we not need a motion?

11  
12 CHAIRMAN DEMIENTIEFF: Yeah, we do need a  
13 motion.

14  
15 MR. EDWARDS: Let me make sure it's the  
16 right one, correct me if I'm wrong. Then I guess my motion  
17 would be that we adopt Proposal 40 as recommended by the  
18 Yukon-Kuskokwim Regional Advisory Council.

19  
20 CHAIRMAN DEMIENTIEFF: Are they consistent,  
21 they're both the same?

22  
23 MS. FOX: Uh-huh. (Affirmative)

24  
25 CHAIRMAN DEMIENTIEFF: Okay, is there a  
26 second?

27  
28 MS. GOTTLIEB: Second.

29  
30 CHAIRMAN DEMIENTIEFF: It's been moved and  
31 seconded. Any further discussion. Hearing none, all those  
32 in favor signify by saying aye.

33  
34 IN UNISON: Aye.

35  
36 CHAIRMAN DEMIENTIEFF: Those opposed, same  
37 sign.

38  
39 (No opposing votes)

40  
41 CHAIRMAN DEMIENTIEFF: Motion carries.  
42 Proposal 61, this is the last one we'll be doing today  
43 providing we can get it done.

44  
45 MR. FISHER: Thank you, Mr. Chairman.  
46 Proposal 61 was submitted by Mr. Gary Carlos from Togiak,  
47 Alaska.

48  
49 This proposal would establish a winter moose  
50 hunting season in Unit 17(A) from December 1st through



00105

1 December 31st, one antlered bull. C&T for this area  
2 consists of the residents of Unit 17, residents of Goodnews  
3 Bay, Platinum and Kewthluk. The map there on the screen  
4 shows the land status for 17(A).

5  
6 17(A) was closed to moose hunting back in January  
7 of 1981. It remained closed until August 20th, 1997 due to  
8 low moose populations. Moose surveys were started in 1971  
9 by the Department of Fish and Game, very few animals were  
10 observed. It remained that way until real early '90s when  
11 the population started to increase. As an example in 1994  
12 there was an estimated 84 animals, '97 there was 234, last  
13 year there was an estimate of 511 and we -- the Refuge and  
14 Fish and Game people there in Dillingham just recently  
15 completed a survey and the population is down just a little  
16 bit, they're estimating around 475 animals.

17  
18 Prior to 1996 there was several special actions and  
19 proposals submitted to establish a season due to the fact  
20 that the population was starting to increase. The Federal  
21 Subsistence Board did deny any season at that time still  
22 due to the low moose populations. However, the Board of  
23 Game in March of 1997 established a season of August 20th  
24 through September 15th, one bull by State registration  
25 permit. A special action was submitted and the Federal  
26 Subsistence Board acted on that special action to match the  
27 State season. However, the Bristol Bay Regional Council,  
28 at that time, approved the special action with the  
29 understanding that no additional seasons would be allowed,  
30 authorized until a minimum population of 600 animals was  
31 achieved.

32  
33 Togiak National Wildlife Refuge staff and the  
34 Department of Fish and Game started moose management  
35 planning in 1996. The Special action expired after that  
36 year and there's been no Federal season since, however,  
37 there has been a State season every year. And the harvest  
38 over the last three years has been around 12 animals per  
39 year and that's by State registration permit. The Wildlife  
40 Refuge sent in two proposals to establish a fall season.  
41 One proposal was rejected and one proposal was deferred by  
42 the Federal Subsistence Board pending completion of a moose  
43 management plan.

44  
45 At our last Council meeting the Wildlife Refuge and  
46 Department of Fish and Game did present a draft management  
47 plan to the Regional Council and the plan contains just  
48 about everything that's really needed to manage that herd.  
49 There was one modification to the plan that the Council  
50 recommended and that was, if you look on Page 101 of your --

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1 in your book, Attachment 1, lays out the hunting structure  
2 based on what the moose population is. And that was what  
3 was felt by the Council that's what was needed all along so  
4 we've got this amended to the plan. The Refuge staff and  
5 the Department of Fish and Game personnel are in the  
6 process of taking the plan around to the interested parties  
7 there in the Bristol Bay area to get completion on it.

8

9 That concludes my testimony, Mr. Chairman. Thank  
10 you very much.

11

12 CHAIRMAN DEMIENTIEFF: Thank you. Summary  
13 of written comments.

14

15 MR. EDENSHAW: Mr. Chair, there weren't any  
16 written public comments.

17

18 CHAIRMAN DEMIENTIEFF: Thank you.  
19 Department comments.

20

21 MR. HAYNES: Mr. Chairman, we support the  
22 Bristol Bay Regional Advisory Council recommendation to  
23 oppose this proposal.

24

25 CHAIRMAN DEMIENTIEFF: Thank you, very  
26 much. Public testimony, Gary Carlos. No Gary Carlos.  
27 Last call for Gary Carlos. Ever since I bought that bar,  
28 I've been last call this, last call that. Go ahead.

29

30 MR. CESAR: I just was kind of interested  
31 to see Mr. Carlos, I haven't heard his name since we were  
32 dealing with the Hagemeister reindeer so it's been a while.

33

34 CHAIRMAN DEMIENTIEFF: No Gary Carlos,  
35 we'll move on. If he does come in or anybody sees him  
36 we'll stop if the bus hasn't left the station anymore than  
37 it already has.

38

39 MR. THOMAS: Mr. Chairman.

40

41 CHAIRMAN DEMIENTIEFF: Yes.

42

43 MR. THOMAS: My aka is Gary Carlos.

44

45 CHAIRMAN DEMIENTIEFF: Okay. Regional  
46 Council recommendations.

47

48 MR. O'HARA: Mr. Chairman.

49

50 CHAIRMAN DEMIENTIEFF: Yes.

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1 MR. O'HARA: O'Hara, Bristol Bay. This is  
2 nothing new to this Board and to our Advisory Council, we  
3 have wrestled with this for a long time. And we're just  
4 going to continue until we get the proper number of  
5 animals. There's been a great deal of success with the  
6 moose population coming up, I'm surprised to hear they're  
7 down a little bit but they've done very well. And it's  
8 been a combined effort of Alaska Department of Fish and  
9 Game and the Federal people and the people in the villages,  
10 and Dillingham, not even having an opportunity to hunt and  
11 that's in 17(A), too, they just have not gone over there.  
12 So the animals are growing and the population is coming up  
13 and you see we have a management plan in place there that  
14 we asked for a long time ago and finally got it, and we're  
15 just going to stick with that plan.

16  
17 I think a number of years ago the Federal Staff may  
18 have recommended a hunt against the wishes of the Advisory  
19 Council and we had a good knockdown, dragout, and no one  
20 was asleep at that one I guarantee you, and we recommended  
21 then that they not do that again without coming to the  
22 Council. You take the little caribou herd out on the  
23 Nushagak Peninsula and there, again, is a success story of  
24 cooperation between all the entities and that's really the  
25 way it should be.

26  
27 And I do feel sorry for, and I have compassion for  
28 the people who want to have that December hunt but we're  
29 going to have to hold the line and get those animals up  
30 there. A lot of good browse in the area at this point,  
31 there has not come any -- as far as I understand, Dave, no  
32 predators have really even been bothering the animals to  
33 any extent like they do in some places. And so we kind of  
34 felt like this is the direction we had to go.

35  
36 Thank you, Mr. Chairman.

37  
38 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
39 Committee recommendation.

40  
41 MR. BOS: Mr. Chair, the Staff Committee  
42 recommendation is to reject the proposal consistent with  
43 the recommendation of the Bristol Bay Regional Council.

44  
45 Establishing a winter moose harvest season is  
46 premature at this time. The current moose population in  
47 Unit 17(A) is below the estimated minimum of 600 moose  
48 needed to provide for both a limited fall and winter hunt,  
49 yet maintain the reproductive capacity for a growing  
50 population. The Staff Committee noted, however, that the

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1 Bristol Bay Council had made a recommendation on deferred  
2 Proposal 98-59, however, since that deferred proposal was  
3 not published in the proposal book, eligible communities  
4 having positive customary and traditional use determination  
5 for moose in Unit 17(A) were not provided a meaningful  
6 opportunity to comment and we would suggest that the  
7 Council may wish to consider a special action request or  
8 submit a proposal for the next regulatory cycle to  
9 establish the fall season.

10

11 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
12 Any Board or Regional Council discussion. Yes, Dan.

13

14 MR. O'HARA: Yes. I'm glad you mentioned  
15 that, Greg. Cliff Edenshaw, our coordinator, again,  
16 reminded me this afternoon, we got this proposal and I  
17 should have written it down then, that action would be  
18 taken -- that special action would be taken if need be so  
19 they will be covered under that hunt. And I do appreciate,  
20 very much, our coordinator getting all the information,  
21 marking up the book and additional information, he's done a  
22 good job.

23

24 CHAIRMAN DEMIENTIEFF: Good.

25

26 MR. THOMAS: Mr. Chairman.

27

28 CHAIRMAN DEMIENTIEFF: Yes.

29

30 MR. THOMAS: I have a question regarding the  
31 threshold of 600 moose. I've seen this number for several  
32 years, and I was wondering how long that number would  
33 remain adequate and is there a fluctuation of population of  
34 people in that unit? In other words, are they consistent  
35 with each other? The potential hunters and that threshold,  
36 are they compatible?

37

38 MR. FISHER: I can try and address that Mr.  
39 Chairman. I believe all those factors were taken into  
40 consideration when the plan was put together. There was  
41 quite a bit of habitat mapping and coordination with other --  
42 with traditional councils and so on. So the plan probably  
43 will be modified as conditions change. I think there's --  
44 and that is written into the plan.

45

46 CHAIRMAN DEMIENTIEFF: Thank you.

47

48 MR. THOMAS: That answers my question,  
49 thank you.

50

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1 CHAIRMAN DEMIENTIEFF: Any other comments,  
2 questions.

3  
4 MR. O'HARA: Mr. Chairman.

5  
6 CHAIRMAN DEMIENTIEFF: Yes. Go ahead, Dan.

7  
8 MR. O'HARA: That's an interesting question  
9 that Bill proposes. However, you can go east of the  
10 Dillingham area in those villages and with snowmachines and  
11 good snow you can go a long ways, and there's some pretty  
12 good healthy moose populations in the Nushagak and Tikchiks  
13 and all those other areas so it's not like you don't have  
14 access -- Togiak is not going to be able to do that,  
15 they're just too far away. So it's kind of a Catch-22,  
16 because on to the east you've got a good healthy population  
17 of animals, in fact, I just was flying up the river, the  
18 Kvichak the other day and across from Levelock, a hundred  
19 cows standing on the bank, you know, and another 10 miles  
20 up another hundred cows and so I think we're on our way to  
21 getting some animals that -- Togiak probably has a thousand  
22 people, that's a lot of people. So we've got to work on  
23 that population.

24  
25 Thank you.

26  
27 CHAIRMAN DEMIENTIEFF: Yes, Bill.

28  
29 MR. THOMAS: Is Bristol Bay taking issue  
30 with my question?

31  
32 CHAIRMAN DEMIENTIEFF: Gary.

33  
34 MR. EDWARDS: Mr. Chairman, I propose a  
35 motion that we reject Proposal 61 as recommended by the  
36 Bristol Bay Regional Advisory Council.

37  
38 CHAIRMAN DEMIENTIEFF: We have a motion to  
39 reject, is there a second?

40  
41 MR. CAPLAN: Second.

42  
43 CHAIRMAN DEMIENTIEFF: Okay, seconded.  
44 Discussion. Hearing none, all those in favor signify by  
45 saying aye.

46  
47 IN UNISON: Aye.

48  
49 CHAIRMAN DEMIENTIEFF: Those opposed, same  
50 sign.

00110

1 (No opposing votes)

2

3 CHAIRMAN DEMIENTIEFF: Motion carries.

4 Okay, we will be recessing here shortly. We're going to  
5 reconvene at 9:00 a.m., with Region 3 and probably around  
6 10:00 a.m., we'll start doing Region 1. Yes, sir.

7

8 MR. CESAR: Am I free to assume that you  
9 may leave your books here?

10

11 CHAIRMAN DEMIENTIEFF: That's my  
12 understanding, yeah.

13

14 MR. WILSON: Mr. Chair.

15

16 CHAIRMAN DEMIENTIEFF: Yes.

17

18 MR. WILSON: I don't think it's a violation  
19 of the Hatch Act to remind everybody who lives in Anchorage  
20 that they should vote on the way home.

21

22 CHAIRMAN DEMIENTIEFF: Oh, are we electing  
23 a Mayor down here today?

24

25 MR. WILSON: Yeah, we're electing a Mayor.

26

27 CHAIRMAN DEMIENTIEFF: Okay, good enough  
28 then. We shall recess until 9:00 a.m., thank you.

29

30 (PROCEEDINGS TO BE CONTINUED)