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FEDERAL SUBSISTENCE BOARD  
PUBLIC REGULATORY MEETING

VOLUME I

EGAN CONVENTION CENTER  
ANCHORAGE, ALASKA

MAY 3, 2005  
8:30 o'clock a.m.

BOARD MEMBERS:

- Mitch Demientieff, Chairman
- Judy Gottlieb, National Park Service
- Paul Roehl, BIA
- George Oviatt, Bureau of Land Management
- Wini Kessler, Forest Service
- Todd Logan, U.S. Fish and Wildlife Service
- Wayne Regelin, Alaska Department of Fish and Game
- Keith Goltz, Solicitor

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P R O C E E D I N G S

(Anchorage, Alaska - 5/3/2005)

(On record)

CHAIRMAN DEMIENTIEFF: If we could make our way to our chairs, we're going to make introductions here.

(Pause)

CHAIRMAN DEMIENTIEFF: Okay, my name is Mitch Demientieff and I happen to have been sentenced, it seems like for life, to Chair this Board. No, actually it's one of the funniest things I really get to do, I really enjoy it. But we're going to go around the table here and introduce ourselves, and we'll start with Judy and just go around.

MS. GOTTLIEB: Judy Gottlieb, National Park Service.

MR. ROEHL: Paul Roehl, BIA.

MR. OVIATT: George Oviatt, Bureau of Land Management.

MS. KESSLER: Wini Kessler, Forest Service.

CHAIRMAN DEMIENTIEFF: Sue.

MS. ENTSMINGER: Thank you. My name is Sue Entsminger, I'm with the Eastern Interior Regional Advisory Council.

MR. LOHSE: Ralph Lohse, Chair of the Southcentral Advisory Council.

MR. REAKOFF: Jack Reakoff, Vice Chair of the Western Interior Council.

MS. CROSS: Grace Cross, Chair of Seward Penn.

CHAIRMAN DEMIENTIEFF: Terry.

MR. HAYNES: Terry Haynes, Wildlife Conservation Division, Department of Fish and Game.

1 MS. SEE: Marianne See, Department of  
2 Fish and Game.  
3  
4 MR. NELSON: Lance Nelson with the State  
5 Attorney's General Office. And with me is assistant  
6 attorney general, Steven Dougherty who's recently  
7 rejoined our office.  
8  
9 MR. LITTLEFIELD: Thank you, Mr. Chair.  
10 Good morning. John Littlefield, Chair of Southeast  
11 Alaska Regional Advisory Committee.  
12  
13 MR. WILDE: Harry Wilde, Yukon-Kuskokwim  
14 Delta Subsistence Regional Council Chair.  
15  
16 MR. STONEY: Raymond Stoney from  
17 Northwest RAC committee member.  
18  
19 MR. O'HARA: Dan O'Hara, Chair of Bristol  
20 Bay.  
21  
22 MR. TUTIAKOFF: Vince Tutiakoff,  
23 Kodiak/Aleutians Chair.  
24  
25 MR. REGELIN: Wayne Regelin, Alaska  
26 Department of Fish and Game.  
27  
28 MR. LOGAN: Todd Logan with the U.S. Fish  
29 and Wildlife Service.  
30  
31 MR. GOLTZ: Keith Goltz, Solicitor's  
32 Office.  
33  
34 MR. BOYD: Tom Boyd, Office of  
35 Subsistence Management, Fish and Wildlife Service.  
36  
37 CHAIRMAN DEMIENTIEFF: As usual, par for  
38 the course, I forgot to call the meeting to order, so we  
39 will do that. Sometimes as we get started we're a little  
40 sluggish getting started. We're here deliberating  
41 proposals for the game regulations for the upcoming  
42 seasons. As time goes on we often discuss some of the  
43 things that have happened. You'll notice that even  
44 though like in a lot of functions I wear full regalia, I  
45 don't normally wear anything like this but we lost, at  
46 home, we lost a very prominent skinsewer, and my wife  
47 made this beaded necklace for me, actually just last  
48 night, and I chose to wear it today, so we will have a  
49 fast gavel so I can get back to her funeral. No, I'm  
50 just joking about that, we will do diligence. I'll

1 actually be on time for that.

2

3 We want to express our deep appreciation,  
4 and Grace, having a had a personal loss in the Gambell  
5 incident. So there's so many people that we lose, people  
6 think that subsistence is easy but we lose so many people  
7 involved in that, in the practice, just so many people  
8 through the years I know that we have lost that were  
9 engaged in subsistence activities and it's a real tragedy  
10 out there. And we understand the loss that they have.

11

12 Also many of you have heard of John  
13 Hanson being in the hospital. I talked with Harry this  
14 morning and got a little bit of an update on that and  
15 he's been so active through the years in so many  
16 different forums and I was reminding Harry that it seems  
17 like I've worked with him just about as long as I've  
18 worked with Harry, which is longer than any of us care to  
19 admit, but we're also very mindful of him.

20

21 Bill Thomas, of course, from Southeast,  
22 he's home recovering right now. And so we're very glad  
23 that he's home and the place where he wants to be in and  
24 also want to wish him a speedy recovery.

25

26 We will be, as I said, addressing the --  
27 they always prepare me a speech and I can never work well  
28 from a speech, I just use the notes and kind of make up  
29 my own words. It's kind of like when I go out hunting,  
30 I always make up the regulations as I need them.

31

(Laughter)

32

Depending on what -- that's a joke.

33

(Laughter)

34

35  
36  
37  
38 CHAIRMAN DEMIENTIEFF: We will be doing  
39 subsistence hunting regulations and we will have an  
40 update on Unit 2 deer. And then we will be discussing in  
41 public issues that maybe Regional Council Chairs might  
42 want advanced.

43

44 The proposals that we have received, we  
45 actually have nine proposals, but I understand the State  
46 has a statement that we will allow to be made with regard  
47 to Proposal 20, and it may be actually only eight  
48 proposals that we have to deliberate that are not on the  
49 consent agenda.

50

1                   And, of course, the consent agenda, and  
2 Tom will go over those, those can be pulled by any Board  
3 member at any time. We do the consent agenda at the end  
4 of the meeting so if there are concerns that anybody  
5 might have, basically it's reserved for Board members  
6 only that can pull those items off of there. But, again,  
7 it shows the spirit of cooperation, the hard work that  
8 the RACs have put in, the Staff, the State to get these  
9 items on the consent agenda. So I just want to  
10 compliment everybody for doing that diligence to get  
11 these -- the bulk of our proposals on the consent agenda.

12  
13                   We have, as I made the comment in our  
14 January meeting, all of us Board members have the  
15 criteria for going against a Regional Council  
16 recommendation, and so I've asked everybody to prepare  
17 your arguments framed around those issues. We can adopt,  
18 reject or modify Council recommendations and I know the  
19 Board will do diligence as far as making clear what  
20 direction that you want to go.

21  
22                   Tomorrow we have a couple of our  
23 employees that are up for some pretty strong Federal  
24 employee awards, including this one right here, and Helen  
25 Armstrong in the back who have been long time employees  
26 so we may leave a little bit early for lunch tomorrow  
27 because I know my wife and I plan on being there and have  
28 planned and we actually made Carl buy us tickets to get  
29 in there.

30  
31                   We will be receiving comments at the  
32 start every day on non-agenda items. Those of you who  
33 wish to testify on specific proposals, the cards are  
34 available out at the front table and you need to fill  
35 them out and they will make sure that we get them in  
36 here. So that's at the table right outside the door.

37  
38                   The other thing that has been brought to  
39 my attention and I did talk with several of the Council  
40 Chairs who have expressed some concern about the change  
41 in the seating arrangement with the State representative  
42 being at the front table. I just want to assure people  
43 that the roles have not changed. It's not like the State  
44 is going to have a vote on this. If we had the room at  
45 the front table, we'd have all of the RAC Chairs sitting  
46 up here. But I just want to assure everybody that the  
47 State role has not changed one bit, and that's not a  
48 belittling thing, and I talked to Wayne about that. I  
49 just want to assure the RAC Chairs that the strength of  
50 our program is with you, you are the ones that we depend

1 upon to bring us the issues and your opinions on them.  
2 And that has not changed one little bit. You are the  
3 strength of our program and we will continue to rely on  
4 you. So those of you who may feel uncomfortable with the  
5 seating arrangement, don't worry about it, we have not  
6 changed anything. And thanks to you, each and every one  
7 of you and your RACs and all the hard the work that you  
8 do, that's still where we get our guidance.

9  
10 And we do have before us, we have all the  
11 criteria that we need that will let you know that we are  
12 very, very mindful of that.

13  
14 But the fact of the matter is, is we  
15 have, in addition to the strength of the RACs and all  
16 your hard work, we have worked very hard with the State  
17 and just everybody involved in the complicated life of  
18 fish and game management in Alaska. And so that's  
19 basically it. I don't understand why the change was made  
20 but please feel comfortable with it, it doesn't worry me  
21 one little bit to tell you the truth because I know where  
22 the power of this program is and it's right there, right  
23 there. That's the power of the program and the hard work  
24 that you do. So I just want to remind people of that,  
25 don't think that anything has changed. So keep up that  
26 good work.

27  
28 With that, you have the agenda in front  
29 of you, are there any changes or additions to the agenda?

30  
31 (No comments)

32  
33 CHAIRMAN DEMIENTIEFF: If none, we'll go  
34 ahead and move on. Keeping in mind that all somebody has  
35 to do, if they need to be accommodated or whatever, we  
36 always try to be flexible in terms of trying to  
37 accommodate people.

38  
39 We have no requests for public comment on  
40 non-agenda items. But we will have that opportunity open  
41 at the beginning of each day of our meeting so if there  
42 are people that want to comment they can.

43  
44 Hang on a minute.

45  
46 (Pause)

47  
48 CHAIRMAN DEMIENTIEFF: Sorry about that,  
49 I just wanted to make sure, we have no request for  
50 consent agenda items at this time, public testimony. So

1 we will move on.  
2  
3 Tom will go over the consent agenda  
4 items.  
5  
6 Ralph, you have opening comments also,  
7 can I go through this first?  
8  
9 REPORTER: Ralph.  
10  
11 MR. LOHSE: I want to ask a question when  
12 you have time.  
13  
14 CHAIRMAN DEMIENTIEFF: What?  
15  
16 MR. LOHSE: I'd just like to ask a  
17 question when you have time.  
18  
19 CHAIRMAN DEMIENTIEFF: Go ahead.  
20  
21 MR. LOHSE: Is there any time period in  
22 this when we can talk on things that we can -- you said  
23 something at the start of the meeting we'd have a chance  
24 to talk on non-agenda items and I'd like to have an  
25 opportunity to talk on the BLM land transfer that's being  
26 talked about in our area sometime this morning.  
27  
28 CHAIRMAN DEMIENTIEFF: Okay, Ralph. I  
29 will call on you shortly.  
30  
31 As usual, in our effort in the last few  
32 years to become more inclusive, we will give Regional  
33 Council representatives the opportunity to speak.  
34  
35 So I'm just going to have Tom go through  
36 the consent agenda items and then I'll come right back to  
37 you, Ralph.  
38  
39 MR. LOHSE: Thank you, muchly.  
40  
41 MR. BOYD: Thank you, Mr. Chair. The  
42 following proposals are on the consent agenda.  
43  
44 For Southcentral Region, we have Wildlife  
45 Proposals 05-05.  
46  
47 I should back up, the page number is III  
48 in your books and I won't read the details, I'll just  
49 read the numbers.  
50

1                   So for Southcentral Region we have  
2 Wildlife Proposal 05-05, 05-06, 05-08, and 05-09.  
3  
4                   For Bristol Bay 05-10.  
5  
6                   For Western Interior 05-12 and 05-13.  
7  
8                   For Seward Peninsula 05-14(a), 05-15 and  
9 -5-16.  
10  
11                  For Northwest Arctic 05-17.  
12  
13                  Statewide Proposals 05-02.  
14  
15                  Southeast 05-04.  
16  
17                  Thank you, Mr. Chair.  
18  
19                  CHAIRMAN DEMIENTIEFF: Thank you, Tom.  
20 We will make one slight correction to the agenda and that  
21 is that those of you who have it in front of you, they're  
22 also available out front, too, aren't they, if you don't  
23 have it?  
24  
25                  MR. BOYD: Yes.  
26  
27                  CHAIRMAN DEMIENTIEFF: It says adoption  
28 of consent agenda items. We usually leave that to the  
29 end of the meeting where we actually do the motion to  
30 adopt. So there will not be a motion to adopt. That  
31 gives Board members the opportunity to pull off consent  
32 agenda items. So even though it says it it's just a  
33 little typo and we will do it after we deliberate the  
34 non-consent agenda items.  
35  
36                  Also I understand the State has comments  
37 with regards to Proposal 20.  
38  
39                  MR. HAYNES: Mr. Chairman, thank you.  
40 Yes, although the Department would certainly prefer to  
41 have different action taken on Proposal 20 than is being  
42 recommended, the proposal as it now stands will provide  
43 additional wolf hunting opportunity and so we're not  
44 going to oppose this proposal at this time. We just  
45 preferred that it line up with the seasons in the  
46 adjoining areas, line up with the State seasons and  
47 minimize confusion and potential problems for hunters who  
48 might be at the wrong place at the wrong time.  
49  
50                  But given that situation, we're not going

1 to stand in the way of this proposal moving forward.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. So  
4 Proposal 20 has been added to the consent agenda.

5

6 With that, Ralph, I understand you have  
7 opening comments. Please.

8

9 MR. LOHSE: Mr. Chair, I don't know if  
10 this is the time to bring it up. But I was just going to  
11 comment a little bit on the BLM's, I guess I better put  
12 my glasses on so that I can read it in the proper way,  
13 the BLM's East Alaska Resource Management Plan.

14

15 I know how much time you guys have spent  
16 discussing caribou hunting in Unit 13, and the caribou  
17 hunting that is a big part of the subsistence take in  
18 Units 11 and 13, in fact, if I remember right it's about  
19 80 percent of the game that is taken is taken on that  
20 little chunk of BLM land up along the Pipeline Corridor  
21 and up in the Tango Lakes area, that area there.

22

23 And we kind of got sideswiped a little  
24 bit at our last meeting. We got presented with the plan  
25 and find out that the comment period is over by the end  
26 of July. And so the BLM has, as one of the options, is  
27 basically to transfer all of that land that you guys have  
28 been dealing with as far as proposals is concerned over  
29 to the State, and we'd have liked to have had an  
30 opportunity to had a chance in a regular subsistence  
31 meeting put it on the agenda and addressed it and given  
32 our comments directly to the BLM.

33

34 I'm under the impression now that it is  
35 going forward as scheduled, which means that it will be  
36 done by the end of July. Our subsistence Regional  
37 Subsistence Council will not have an opportunity to  
38 officially comment on something that has the biggest  
39 affect in our whole area as far as subsistence users are  
40 concerned, and we'll probably have to try to come up with  
41 a meeting in the middle of summer but all of you know  
42 what that's like when you're dealing with subsistence  
43 users who are out commercial fishing or doing other  
44 activities that make it pretty hard to get together at  
45 that time period.

46

47 And we just would like to, at this point  
48 in time, say that if subsistence is a Federal priority,  
49 then in that land transfer the subsistence needs need to  
50 have -- need to carry a lot of weight on that transfer.

1 Because that transfer has the potential basically to  
2 change the whole subsistence activities in Unit 13 and  
3 11.

4  
5 And that will change your job, it will be  
6 a lot easier because you won't have many regulations  
7 applying to a controversial subject to deal with, but it  
8 will definitely affect the people that live up there.  
9 And I would like at this point in time to just state to  
10 the BLM that I sure wish that the comment period could be  
11 extended so that we could have an official fall meeting  
12 and let people know. Every subsistence user that I've  
13 talked to up in the area that finds out that this is  
14 going on, is basically shocked and doesn't know what to  
15 do about it, it's kind of overwhelming. I notice that  
16 there's been some hearings scheduled. Most of them are  
17 time periods that a lot of people aren't going to make,  
18 myself included.

19  
20 It would be -- I, again, would like to  
21 ask the BLM to make sure and consider the needs of the  
22 subsistence community when you start thinking of a land  
23 transfer like that.

24  
25 Thank you.

26  
27 CHAIRMAN DEMIENTIEFF: Yes, George.

28  
29 MR. OVIATT: BLM certainly recognizes the  
30 sensitivity of subsistence issues. And one of the  
31 alternatives which we were asked to have as part of our  
32 plan was a request by the Governor to look at lifting  
33 withdrawals on the Pipeline.

34  
35 Subsistence is a key issue in our East  
36 Alaska Management Plan and we're certainly going to work  
37 with the communities in order to do what we can in  
38 protecting that right.

39  
40 Our alternative, preferred alternative is  
41 not lifting the withdrawals on that Pipeline.

42  
43 Our State Director felt that we could not  
44 extend the time that you had requested, into the fall, it  
45 begins to have impacts on our analysis as we had done  
46 that, but it was taken seriously, the consideration was  
47 taken seriously. We do have, and Taylor is passing it  
48 out, our newsletter which is announcing the comment  
49 period for our draft from those comments. We will then  
50 do further analysis and prepare a final, and in the end

1 there'll be a comment period even after that before our  
2 Record of Decision is made.

3

4 CHAIRMAN DEMIENTIEFF: Thank you. Keith.

5

6 MR. GOLTZ: I'm a little disturbed by the  
7 implications of I think what you just said. Are you  
8 telling us that under the State system subsistence needs  
9 could not be met?

10

11 MR. LOHSE: Definitely I'm not telling  
12 you that it couldn't be met, I'm just telling you that  
13 the preferred alternative of the subsistence users that  
14 are up in that area is the current Federal system on that  
15 land.

16

17 The State subsistence could meet the  
18 needs except under State Constitutional law there's no  
19 way that the State can give preference to local residents  
20 that way.

21

22 Now, one of the things that's up for  
23 grabs is some of the proposals that are in front of the  
24 State right now that would actually do that. So we don't  
25 know what the final outcome on that's going to be. But  
26 I'm not saying it couldn't, I just know that from talking  
27 to local subsistence users they prefer the system as it  
28 is.

29

30 CHAIRMAN DEMIENTIEFF: Okay. Now, that  
31 everybody's had their say maybe we can go to work, uh,  
32 not that you haven't been working. Obviously just from  
33 tracking the conversations that points at all of you have  
34 brought up, it's obvious to me that people have done  
35 their homework with regard to this issue. And even  
36 though it's an Agency action we just appreciate the  
37 comments because it does, as Ralph so eloquently pointed  
38 out, have broader implications to subsistence uses, which  
39 is, of course, our concern.

40

41 So thank you, all of you, for clearing  
42 the air and thank you for also working together to try to  
43 promote more understanding with regard to the issue of  
44 the transfers.

45

46 With that, we're going to move on to the  
47 Southcentral Region. We'll just allow Staff to get up  
48 here.

49

50 We're ready for Staff analysis.

1 MR. ARDIZZONE: Good morning, Mr. Chair.  
2 My name is Chuck Ardizzone. I'll be presenting Proposal  
3 WP05-07 this morning, and it can be found on Page 32 of  
4 your Board book.  
5

6 Proposal WP05-07 was submitted by the  
7 Ninilchik Traditional Council and requests that the moose  
8 harvest season in Unit 15 be changed from August 10th  
9 through September 20th to August 20th through September  
10 30th. The proponent believes these dates are more in  
11 line with traditional subsistence activities and will  
12 relieve the spirit and tradition of the hunt. The  
13 proponent also stated, historically, hunts were postponed  
14 until later in the year following the processing of  
15 salmon. When harvesting moose later in the year there's  
16 a better opportunity for the meat to be properly cared  
17 for and preserved so there will be less wasting of the  
18 harvest. Through the changing climatic conditions, the  
19 late summer and early fall temperatures on the Kenai  
20 Peninsula have been increasingly hot and dry. The  
21 proponent believes this makes it difficult to locate an  
22 animal and process it efficiently enough to ensure there  
23 is no unnecessary waste.  
24

25 On Page 33 there's a map of the area and  
26 I will skip right over to regulatory history.  
27

28 This regulation has a very long  
29 regulatory history which can be found on Pages 34 and 35.  
30 The current regulation was adopted by the Board in May  
31 2001, and provides a total of 10 days priority to  
32 Federally-qualified subsistence users before the State's  
33 general season starts.  
34

35 In 2003 WP04-87 was submitted requesting  
36 that the moose season for Unit 15(A) remainder be  
37 shortened by 10 days to August 20th through September  
38 20th, from August 10th to September 20th. This proposal  
39 was not adopted by the Board at its May 2004 meeting.  
40

41 I'll go over a little bit of biological  
42 background and harvest information.  
43

44 ADF&G's population goal for moose in Unit  
45 15(A) is 3,600 animals with a sex ratio of 15 bulls to  
46 100 cows. The Kenai National Wildlife Refuge has  
47 established a minimum of 25 bulls per 100 cows for most  
48 of the Refuge lands with the exception of the Skilak Loop  
49 Wildlife Management Area where a 40 bulls per 100 cows  
50 management objective was set. The last reported aerial

1 moose survey in 2003 for this area excluding the Skilak  
2 Loop Wildlife Management Area revealed a bull/cow ratio  
3 of 24 bulls per 100 cows and a calf/cow ratio of 26  
4 calves per 100 cows. Calves composed 18 percent of the  
5 moose observed. The 2003 fall sex and age composition  
6 survey had a total of 716 moose observed.

7  
8                   The last census conducted for Unit 15(A)  
9 was in March 2001. The estimated moose population at  
10 that time was 2,069 animals. The current moose  
11 population in 15(A) is not considered stable, the  
12 population has been declining as the habitat matures.

13  
14                   In 2000 and 2002 there were no moose  
15 harvested in Unit 15(A) under the Federal Subsistence  
16 Program permits, and in 2001 and 2003 one moose were  
17 harvested in the first 10 days of the season by Federal  
18 permit. That can be seen, or at least in Table 3 there's  
19 a summary of harvest for the different units. Table 3  
20 also represents mainly harvest in the early part of the  
21 season before the State season opens.

22  
23                   The State management objectives for the  
24 Central Kenai Peninsula, Unit 15(B) west are to maintain  
25 a population of moose with a bull/cow ratio of 15 per 100  
26 and to allow a maximum opportunity to participate in  
27 hunting in Unit 15(B) west.

28  
29                   The State's management objectives for  
30 Unit 15(B) east are to maintain a population of moose  
31 with a bull/cow ratio of 40 bulls per 100 cows and to  
32 provide an opportunity to harvest a large antlered bull.  
33 In 2001 a census of 650 square miles of suitable moose  
34 habitat estimated a moose population of approximately 958  
35 animals. Because the consensus was conducted in February  
36 after most bulls shed their antlers, composition by sex  
37 was not determined. However it was estimated that calves  
38 4 comprised 20 percent of the population. This estimated  
39 population is a slight decrease from 1990 when there was  
40 an estimate of 1,042 animals.

41  
42                   Reported harvest by Federal registration  
43 permits in Unit 15 has averaged approximately one moose  
44 per year between 1996 and 2003. A total of 13 moose were  
45 harvested with 10 of them being taken in the first 10  
46 days of the season.

47  
48                   The State's management objectives for  
49 Unit 15(C) are to maintain a population of 3,000 moose  
50 and to maintain a minimum post-hunting sex ratio of 15

1 bulls per 100 cows. A census was conducted during late  
2 winter in 1992 under optimal snow conditions, the census  
3 of the low land portion of Unit 15(C) produced a  
4 population estimate of 2,079 moose. A composition survey  
5 was completed for Unit 15(C) for 1999 and in 2000. In  
6 1999 578 moose were classified with a ratio of 18 calves  
7 per 100 cows and 27 bulls per 100 cows. Federal harvest  
8 in 15(C) has averaged approximately two moose per year.  
9 Between 1996 and 2003 a total of 18 moose were harvested  
10 with 12 of them being taken within the first 10 days of  
11 the season.

12  
13 Some current events involving the  
14 species. At the March 2005 Southcentral Regional Council  
15 meeting there was testimony that individuals do not  
16 believe that there would be any immediate conservation  
17 concerns to the Unit 15 moose population if a longer  
18 subsistence harvest season were allowed because the  
19 Federal harvest has been relatively small.

20  
21 There was also testimony that the State  
22 already allows a drawing permit hunt for moose in Unit  
23 15(B) from September 26th through October 15th and that  
24 Federally-qualified subsistence users should be provided  
25 the same opportunity to harvest moose later in the  
26 season.

27  
28 As expressed by several individuals who  
29 live in Unit 15 that there should be a minimal increase  
30 in the harvest if the seasons are extended as most  
31 individuals have already harvested a moose by that time  
32 of year. They also felt that the road accessibility to  
33 good moose habitat was minimal which should help minimize  
34 any increase in moose harvest.

35  
36 The effects of this proposal. If this  
37 proposal were adopted, it would align the starting dates  
38 for the Federal subsistence season with the State's  
39 general moose season for Unit 15. This could cause  
40 conflicts between different user groups.

41  
42 The proposal would eliminate the early  
43 season priority granted to Federal subsistence users in  
44 Unit 15, thus eliminating the early season advantage that  
45 subsistence users have over those participating in the  
46 general moose season managed by the State. However, the  
47 early season Federal priority would be replaced by a 10  
48 day extension of the season for Federally-qualified  
49 hunters.

50

1                   According to the Ninth Circuit guidance  
2 in the Ninilchik Decision would be necessary for the  
3 Board before adopting this proposal to determine on the  
4 record whether or not this 10 day extension would provide  
5 a meaningful use preference for subsistence hunters.  
6

7                   Another important consideration is that  
8 if this proposal is adopted, the hunt would be extended  
9 into the moose rutting period and the normal rutting  
10 behavior may be disrupted because large amounts of the  
11 hunt area are road accessible, a hunt that extends during  
12 the rut when it is easier to harvest bull moose could  
13 attract a large number of hunters. This large number of  
14 hunters in the field could disrupt the rutting behavior  
15 of large number of bulls which could have adverse effects  
16 of the overall moose population.  
17

18                   A late September season which the  
19 proposal calls for would make bulls extremely vulnerable  
20 to calling and the subsequent harvest could reduce the  
21 number of breeding bulls compromising the success and  
22 increasing bull/cow ratios realized under the spike-fork  
23 50 three or more brow tine regulations.  
24

25                   That concludes my presentation. Are  
26 there any questions.  
27

28                   CHAIRMAN DEMIENTIEFF: Thank you, very  
29 much. Written public comments.  
30

31                   MR. MIKE: Thank you, Mr. Chair. Donald  
32 Mike, Southcentral Regional Council coordinator. You'll  
33 find your public comments on Page 31. We received three  
34 public comments in support of the proposal.  
35

36                   Teague Vanek of Ninilchik supports the  
37 proposal stating that moose hunting before August 20 is  
38 definitely not in keeping with our Alaskan lifestyle.  
39 Not only are most of us busy fishing or working at other  
40 summertime endeavors, but the weather is not right.  
41 Extending the season later instead of starting early  
42 makes sense. In mid August, moose antlers are still in  
43 velvet and are far from their full size, making it harder  
44 to find legal size moose. State regulations provides for  
45 late season hunts in many areas covered by this proposal.  
46 The Subsistence Board should adopt Proposal WP05-07 to  
47 allow for a late hunting season instead of the current  
48 early season.  
49

50                   Norbert Miller of Ninilchik supports the

1 proposal stating I would like to let you know that I  
2 support Proposition WP05-07 regarding the change in  
3 subsistence hunting dates, taking 10 days off the  
4 beginning of the season and adding them to the end. From  
5 perspectives of personal available time and "huntability"  
6 this is an improvement over the existing season.

7  
8 Steve Vanek of Ninilchik supports the  
9 proposal stating that WP05-07 by the Ninilchik Tribal  
10 Council. I have subsistence hunted in August for moose  
11 on Federal lands in Unit 15 since the Feds took over  
12 management on Federal lands. The August 10th to August  
13 20th period does not work well at all. It is too hot and  
14 sometimes too dry, like this past year. It is not a good  
15 time of the year to hunt on Federal lands where no  
16 transportation other than horses is allowed. To pack  
17 meat out on foot takes several days. That makes it  
18 difficult to keep meat from spoiling. I strongly urge  
19 you to change the subsistence dates as to what Ninilchik  
20 Tribal Council proposes.

21  
22 And we also received one late comment  
23 from an individual from the Kenai Peninsula that did not  
24 make the book and I'll submit it as part of the record,  
25 but he opposes Proposal 05-07.

26  
27 To: Statewide Federal Subsistence  
28 Council.

29  
30 I am writing this letter to be accepted  
31 as testimony for the upcoming Federal Subsistence Meeting  
32 to be held in Anchorage on May 3-5. I am voicing  
33 opposition to a subsistence proposal approve by the  
34 Southcentral RAC to provide an extended subsistence moose  
35 hunt in GMU Units 15(A), 15(B) and 15(C). The proposed  
36 season would run August 10 through August 20 and  
37 September 26 through October 15 on all Federal land of  
38 the Kenai Peninsula except the Skilak Loop area. As a  
39 local moose hunter from the Kenai/Soldotna area I oppose  
40 this hunt for the following reasons:

41  
42 This hunt would be provided for residents  
43 of the subsistence areas of Ninilchik,  
44 Seldovia, Port Graham and Nanwalek.  
45 These areas either reside in or are  
46 adjacent to GMU 15(C), which already has  
47 the highest density of moose on the  
48 Peninsula. By virtue of their proximity  
49 to this moose population they already  
50 have an advantage of harvest success.

1 Under this proposal they would be able,  
2 and most likely, want to hunt the road  
3 accessible area near Kenai and Soldotna  
4 on the Kenai National Wildlife Refuge.  
5 Those of us that live in the kenai area  
6 and depend on our local moose population,  
7 would greatly resent others from hunting  
8 our area with these types of priority  
9 advantages.

10  
11 The late season of September 26 through  
12 October 15 would catch the animals when  
13 they are most vulnerable during their  
14 fall rutting period. It doesn't make any  
15 sense to harvest these animals when they  
16 are the least edible and desirable. This  
17 is the biggest single reason why the  
18 established season currently ends  
19 September 20th.

20  
21 I am not against subsistence hunts for  
22 people with needs, however, this does not seem to be the  
23 case in this instance. This is simply another  
24 encroachment by governing subsistence agencies to create  
25 and establish a hunt for the sake of having one. It can,  
26 however, have lasting detrimental effects on our local  
27 Kenai/Soldotna moose populations while leaving  
28 populations in the mostly non-Federal areas of 15(C)  
29 protected. This does not make any sense for anyone  
30 involved and will create hard feelings amongst  
31 neighboring Peninsula communities. I would strongly urge  
32 you to reject this proposal.

33  
34 Thank you for the opportunity to provide  
35 testimony on this issue.

36  
37 Sincerely,

38  
39 Dwight Kramer  
40 47083 Belmont Ct.  
41 Kenai, AK 99611  
42 (907) 283-1054

43  
44 Thank you, Mr. Chair.

45  
46 CHAIRMAN DEMIENTIEFF: Thank you. At  
47 this time we have three requests for public testimony.  
48 Darrel Williams.

49  
50 MR. WILLIAMS: Good morning. My name is

1 Darrel Williams, I'm with the Ninilchik Traditional  
2 Council. We're the State and Federally-recognized tribe  
3 in Ninilchik.

4  
5 We would like to see this proposal go  
6 through and we would not like to see it deferred until  
7 later. After reading over some of the comments and stuff  
8 that was presented here, some information that might be  
9 useful to kind of help the Board make some decisions on  
10 this.

11  
12 Specifically what we're looking at is  
13 Unit 15(C) that's within the tribal boundaries. We have  
14 600 tribal members. And when you look at the harvest  
15 ratios from 2003, there was one moose harvested for 42  
16 hunters and that makes it really tough for us to meet our  
17 subsistence needs. Part of that problem, and I think why  
18 the ratios are so low is that there's other subsistence  
19 priorities that are going on during this subsistence  
20 moose season and that's fishing. And the village of  
21 Ninilchik and a lot of the folks there, they depend on  
22 the fish to help get them through the winter and be able  
23 to meet their needs. We have an educational fishery, the  
24 Federal halibut fishery, all of those things apply.

25  
26 We would like to see the season, the  
27 Federal subsistence season be available early and late,  
28 after the season. It would provide a better opportunity  
29 for people to be able to hunt and try to harvest meat for  
30 subsistence needs.

31  
32 There was another issue I'd read about  
33 access into different areas, field access to Federal land  
34 to exercise the Federal permit. In Ninilchik where we  
35 live in 15(C), the corporation lands border the Federal  
36 lands on the east side. So essentially for the folks who  
37 are working with the tribe and trying to meet their  
38 subsistence needs, they can essentially drive to Federal  
39 lands to be able to actually go and hunt, which is a very  
40 good option for them to be able to exercise.

41  
42 Another issue that's been a problem and I  
43 think that another reason why the ratio of hunters has  
44 been so low, actually getting Federal permits, is that,  
45 it's very difficult for a lot of the people who truly  
46 need to use a subsistence permit to try to provide for  
47 themselves, it's not always easy for them to make a trip  
48 from Soldotna -- or from Ninilchik to Soldotna, obtain a  
49 permit and be able to go and exercise it. We've tried in  
50 the past, we even have contacted the Refuge and suggested

1 that maybe we could help them issue permits for some of  
2 the elderly folks who would like to do that and it wasn't  
3 an option, it wasn't something that they were willing to  
4 -- willing or could help us with.  
5

6                   So we would not like to see this  
7 deferred, we'd like to see it go through. We would like  
8 to see the early subsistence season and the late  
9 subsistence season be implemented so people can utilize  
10 this the best they can. I believe from the information  
11 that's provided here, essentially the moose populations  
12 have been stable since the 1980s. There is natural  
13 succession of the forests and stuff down there. And in  
14 the event that there's been fires every year down there,  
15 I think that there is going to be adequate habitat in  
16 those areas to support the population for this hunt. And  
17 I think that would also sustain the bull/cow ratios that  
18 seems to be a point of concern to help the management  
19 folks be able to meet their needs.  
20

21                   That's about it.

22  
23                   CHAIRMAN DEMIENTIEFF: Thank you. Any  
24 questions.

25  
26                   (No comments)

27  
28                   CHAIRMAN DEMIENTIEFF: Thank you very  
29 much.

30  
31                   MR. WILLIAMS: Okay.

32  
33                   CHAIRMAN DEMIENTIEFF: Ivan Encelewski. I  
34 hope I did that justice. I'm blessed with the name of  
35 Demientieff which looks a lot tougher when you look at it  
36 on paper.  
37

38                   MR. ENCELEWSKI: Thank you. My name is  
39 Ivan Encelewski, Executive Director of the Ninilchik  
40 Village Tribe and lifelong resident of Ninilchik. I  
41 testify today in support of Wildlife Proposal 05-07.  
42 Furthermore, I strongly oppose the Interagency Staff  
43 Committee recommendation to defer this proposal.  
44

45                   As an adamant supporter of subsistence  
46 hunting and fishing, I believe it is incumbent upon the  
47 Federal Subsistence Board to adopt this proposal, which  
48 was approved by the Southcentral Alaska Regional Council  
49 with modification.  
50

1                   As you know, Title VIII of the Alaska  
2 National Interest Land Conservation Act requires that the  
3 Secretary of Interior and the Secretary of Agriculture  
4 implement a joint program to grant preference for  
5 subsistence use of fish and wildlife resources on public  
6 lands in Alaska unless the state of Alaska enacts and  
7 implements laws of general applicability that are  
8 consistent with ANILCA. Clearly the State has failed to  
9 meet these requirements under Title VIII of ANILCA,  
10 henceforth the Federal takeover on the Federal lands  
11 years ago.

12  
13                   The Interagency Staff Committee to defer  
14 this proposal seems contrary to ANILCA by suggestion that  
15 they have conservation concerns for a legitimate proposal  
16 that was approved with modification by the Regional  
17 Council. It appears that the subsistence preference may  
18 not be the priority. If conservation concerns were an  
19 issue, it would make the most sense to limit non-  
20 subsistence hunts in order to live up to the obligation  
21 of Section .804 of ANILCA.

22  
23                   Moose hunting season as currently  
24 provided from August 10th to 20th also does not even come  
25 close to adequately addressing the subsistence needs.  
26 Due to the time of year, the lack of access to Federal  
27 lands and the current conflict with other customary and  
28 traditional activities. With a membership of over 600 in  
29 the Ninilchik Tribe and the resource management of over  
30 64,000 acres of our aboriginal land, I've only heard of  
31 one moose taken on this -- in our area on this Federal  
32 subsistence hunt as currently provided from August 10th  
33 to 20th. We have very little access to Federal lands and  
34 contrary to some people's belief, we do not generally  
35 travel to Soldotna and other further areas to subsistence  
36 hunt. The traveling to other areas for hunting is  
37 primarily done by sportsmen not by subsistence users.

38  
39                   The assertion that Unit 15(A) and (B) may  
40 be inundated with a super influx of hunters would simply  
41 not be true.

42  
43                   In addition, the Regional Council has  
44 already addressed the issues of conservation and  
45 concluded that these concerns were not a problem due to  
46 the very limited Federal harvest and a State moose season  
47 that is already in place for the proposed hunting dates.

48  
49                   I'd also like to touch on a few other  
50 mistruths that seem to be swelling around our proposal.

1                   Moose taken from September 26th to  
2 October 16th are just as edible any time. The assertion  
3 that animals taken during this time are least edible and  
4 desirable is not factual. The State season which  
5 currently runs through September 20th already includes  
6 much of the time when bulls are in rut. The fall rutting  
7 period does not taint or hamper the meat as some may  
8 indicate. State and Federal governments do not outlaw  
9 all hunting of animals when they may be in the rut. As  
10 an example with caribou hunting, many bulls are taken  
11 during this time and some believe that the meat is just  
12 fine with others complaining about the taste. It should  
13 be up to the hunter. And as an example, in the taking of  
14 moose or caribou, the meat is required to be salvaged.  
15 Unlike caribou or other animals, moose do not have this  
16 tendency towards a stronger tasting meat during rutting  
17 times. I believe the issue of desirable meat should also  
18 be left up to the user and should leave the Board out of  
19 regulating the taste of subsistence meat as Alaska  
20 Natives, some find our consumption of moose, heart,  
21 kidneys, headcheese, whale blubber, et cetera repugnant.  
22 However, I, would, again, stress the Federal Subsistence  
23 Board to stray from the regulation of the taste of  
24 subsistence meat.

25  
26                   I would also like to broach the subject  
27 of resentment of hunters. Ninilchik is one of the most  
28 viable resources in the world for hunting and fishing.  
29 The Kenai Peninsula sees thousands of tourists and  
30 visitors who come for halibut, salmon, clams, and game.  
31 In addition hundreds of hunters from around the state  
32 come to our area to hunt for moose. To those who reside  
33 in Ninilchik resent Anchorage, Kenai residents who hunt  
34 in Ninilchik, some may, although resentment is not an  
35 issue that this Board should be addressing as well. What  
36 I feel the Board needs to address is the subsistence  
37 needs of the rural communities and the application of  
38 Federal law, as outlined in ANILCA.

39  
40                   In closing, the Federal Subsistence Board  
41 should trust the Regional Councils and should be rest  
42 assured that the review of conservation concerns is  
43 adequate. I conclude that the proponent of this  
44 proposal, Ninilchik Traditional Council, only requested a  
45 shift in the season and not an additional season.  
46 Because simply requesting additional time may have seemed  
47 out of the realm of possibilities and may have hurt all  
48 the rural needs by not getting the necessary change that  
49 we desperately need. The Traditional Council strongly  
50 supports the Regional Council's modification of this

1 proposal as well.

2

3                   The Staff analysis and recommendation to  
4 defer this proposal, I believe, fails in certain  
5 respects. They conclude that the State, which the  
6 Regional Council matched in their modification is only an  
7 inaccessible portion of subunit 15(B). The majority of  
8 the subsistence hunt for moose from August 10th to 20th  
9 has currently provided is conducted in inaccessible areas  
10 and as noted previously we don't subsistence -- users  
11 don't have a tendency to travel further distances to  
12 Soldotna and other areas to hunt for our game.

13

14                   The Staff Committee also did not provide  
15 actual numbers of the moose harvested under the current  
16 program because they're insufficient to the moose  
17 population and maybe hinder the decision. Hundreds of  
18 moose are killed each year by automobile accidents and  
19 yet subsistence hunters cannot obtain adequate hunting  
20 rights that the Federal has mandated.

21

22                   I respectfully call on this Board to  
23 approve WP05-07, and I thank you for this opportunity to  
24 testify.

25

26                   CHAIRMAN DEMIENTIEFF: Thank you. Any  
27 questions. Keith.

28

29                   MR. GOLTZ: Yes. I'd like to clarify the  
30 record on the issue of travel. When you say that the  
31 Ninilchik hunters don't travel, do you mean they don't  
32 travel to 15(A)?

33

34                   MR. ENCELEWSKI: We don't -- I mean it's  
35 not that we don't have transportation, but predominately  
36 users in Ninilchik and our people don't, you know, drive,  
37 you know, 50 miles or 60 miles, you know, to other areas  
38 that they're unfamiliar with and haven't or subsistence  
39 hunted in their life. We have had some individuals, you  
40 know, that have tried to hunt but, you know, it's very  
41 difficult for subsistence users. Subsistence users are  
42 generally the users that know, are familiar with the  
43 land, familiar with the animals and it's difficult to go  
44 to an area, you know, that you're not familiar with or  
45 don't understand where all the Federal lands are that you  
46 haven't, you know, grown up and, you know, as part of the  
47 tribe we have a resource management agreement with our  
48 corporation and we have a program, GIS information and  
49 it's made very clear to the user on, you know, where the  
50 lands are, where Federal lands are, State lands and that

1 kind of stuff. But it's not that they can't travel or  
2 don't have transportation to travel but it's the majority  
3 of them aren't going to take the opportunity and some  
4 have tried but it's been very, very difficult to go  
5 somewhere that you're not familiar with of a longer  
6 distance to subsistence hunt for moose. And so I guess  
7 that's kind of where the majority of the people feel is  
8 that it's not that they can't travel, it's just that  
9 they, you know, it makes it difficult to hunt in an area  
10 that they're unfamiliar with and further away from their  
11 home.

12

13 MR. GOLTZ: So is it fair to say that the  
14 pattern of use is concentrated on 15(C)?

15

16 MR. ENCELEWSKI: Predominately, I think  
17 the pattern of use definitely because the preference is  
18 for only the rural communities like Seldovia, Port  
19 Graham, Ninilchik and our users are predominately  
20 familiar with our area and it makes it very, very  
21 difficult, like I say, to have our users who have lived  
22 there, a majority of the people have lived there a long  
23 time in Ninilchik to go hunt in other areas. And so,  
24 yeah, I would say that there's definitely a pattern of  
25 generally only, you know, hunting in familiar terms, I  
26 guess, or familiar areas. And, you know, it's not to say  
27 that they're aren't somebody or a few people or some  
28 people that may. But I just believe and feel  
29 wholeheartedly that there's not going to be a huge influx  
30 of people, you know, using that, or moving to -- or going  
31 up to areas, such as 15(A) and (B) from 15(C) where they  
32 have to reside.

33

34 MR. GOLTZ: So the familiar area is  
35 15(C)?

36

37 MR. ENCELEWSKI: Yeah.

38

39 CHAIRMAN DEMIENTIEFF: Any other  
40 questions.

41

42 (No comments)

43

44 CHAIRMAN DEMIENTIEFF: Thank you very,  
45 very much.

46

47 MR. ENCELEWSKI: Thank you.

48

49 CHAIRMAN DEMIENTIEFF: Richard  
50 Encelewski. Am I getting better? No, oh, okay.

1 MR. ENCELEWSKI: Chairman Demientieff and  
2 Federal Subsistence Board, my name is Richard Encelewski.  
3 I'm also associated with the Ninilchik Tribal Council. I  
4 am the president and the chairman. Also, for your  
5 information, I am on the Southcentral Regional Advisory  
6 Council. So I was in on the deliberations of this  
7 proposal. And I have no written or planned testimony,  
8 but I wanted mainly to be here to answer questions, and I  
9 wanted to make just a few statements that the Regional  
10 Advisory Committee, we debated this and very thoroughly  
11 what I thought.

12  
13 And big the issue was, you know, getting  
14 inundated with too many hunters, especially the 15(A)  
15 area. As Ivan had stated, you know, this hunt is for  
16 subsistence, it's limited to Seldovia, Port Graham and  
17 Ninilchik residents, predominately we hunt the 15(C)  
18 area. Even if we were to hunt 15(A) and (B), which I'm  
19 sure there will be some hunting, we feel strongly that it  
20 would not impact the overall harvest tremendously. And  
21 looking at all the conservation issues, we feel very  
22 strong that there's not a problem. And if it was to  
23 become a problem, I mean, we're reasonable people, we  
24 have our own moose program that we manage for Ninilchik  
25 Native Association. We run a program for the profit  
26 board and we manage all the land in Ninilchik for their  
27 resource management. We issue the permits for hunting,  
28 we control access, we monitor it, we ensure -- we try to  
29 enforce good game practices, et cetera. So we want this  
30 to continue for generations to generations and we don't  
31 want to just exploit it.

32  
33 I'm not going to go on about anything  
34 else but I adamantly feel that there's not a problem with  
35 this proposal and overharvest of the resource. And I  
36 would encourage you to support and pass this proposal.

37  
38 Thank you.

39  
40 CHAIRMAN DEMIENTIEFF: Thank you. Any  
41 questions. Keith.

42  
43 MR. GOLTZ: Under your management  
44 program, do you keep track of the numbers of moose taken?  
45

46 MR. ENCELEWSKI: Yes, Keith, we not only  
47 keep track of them but we have everyone fill in where  
48 they got the moose, location, the age. We've even got  
49 into, Darrel Williams is our resource manager who  
50 testified earlier, he actually takes jaws and hoofs and

1 tests the condition of the moose, which I found pretty  
2 interesting. You could tell where they live, et cetera,  
3 and so we're trying to build some databases to try and  
4 substantiate the moose population, the health in our  
5 area.

6  
7 MR. GOLTZ: Can you give us some idea,  
8 the extent of the harvest and where it's located?

9  
10 MR. ENCELEWSKI: On the Federal  
11 subsistence harvest, as stated earlier, is very minimal.  
12 The land is very hard to access. In fact, I'm glad you  
13 brought that up because Darrel stated that you could  
14 drive to it, well, that's -- you can get close to it, you  
15 cannot drive to the Federal area in 15(C), you get fairly  
16 close and then you got to hike in, and that's the way it  
17 should be, it's a subsistence hunt. We don't have a  
18 problem, there's no other Federal land.

19  
20 The harvest in the Ninilchik area, I  
21 believe, a few years ago was, on the Native land was  
22 right in the neighborhood of 30 or 40 moose and it has  
23 dropped since then considerably.

24  
25 I'd have to check with Darrel actually on  
26 our lands what it was, but last year it's been down quite  
27 a bit.

28  
29 Thank you.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you. Any  
32 other questions.

33  
34 (No comments)

35  
36 CHAIRMAN DEMIENTIEFF: As we begin  
37 deliberations, and since you are a RAC member, your  
38 Chairman can call upon you. We try to be inclusive in  
39 terms of when we get to the point of deliberations. So  
40 if there are thing that come up, you can speak to your  
41 Chairman and, you know, if he chooses to, we will allow  
42 you to come back and answer questions, so thank you very  
43 much for your testimony.

44  
45 MR. ENCELEWSKI: Okay, thank you very  
46 much.

47  
48 CHAIRMAN DEMIENTIEFF: Michelle Steik.  
49 You can correct me if I mispronounce your name, everybody  
50 else does.

1 MS. STEIK: My name is Michelle Steik.

2

3 (Laughter)

4

5 MS. STEIK: That's all right, we all get  
6 that in Ninilchik. Most people can't even pronounce  
7 Ninilchik, so.....

8

9 (Laughter)

10

11 MS. STEIK: I am here to support Proposal  
12 05-07. I am a member of the Board of Directors for the  
13 Ninilchik Traditional Council. I am also a member of the  
14 Ninilchik Village Tribe and I was born and raised in  
15 Ninilchik. My father, my grandmother, we go back many,  
16 many generations in the area.

17

18 First of all, I'd like to speak to the  
19 Interagency deferral recommendation. I believe that the  
20 Interagency group not having time is not our problem,  
21 that's the Interagency's, you know, issue. Their  
22 proposal to defer, you know, made me think, you know, if  
23 i went to my boss and said, oh, well, you can't make a  
24 decision because I can't get all the facts together,  
25 well, that's not valid.

26

27 Second of all, the idea that there would  
28 be significant additional harvest, I don't feel is valid  
29 either, as has been spoken to before by the previous  
30 testimony.

31

32 This later season hunt is much more in  
33 line with our subsistence traditions in our area. As  
34 stated in written testimony hunting earlier is not as  
35 smart as hunting later. You need cooler weather for  
36 hunts. You know since I was a little girl and have gone  
37 out hunting with my father, we don't go hunting until it  
38 starts to frost. It's not cool enough for the meat to  
39 keep. There's less waste because the meat doesn't have  
40 to be cut quite so much off because it's getting warm and  
41 you have to go out and cut and cut and cut off of it. If  
42 it's cool it stays well and is -- you don't have to waste  
43 quite so much meat. We always have traditionally hunted  
44 later, even in the regular harvest season. We hunt later  
45 in the season. Which is why we wanted to submit this  
46 proposal to have the hunt later in the season it's more  
47 in line with subsistence traditional use.

48

49 The argument that meat would be less  
50 palatable is not valid. The idea that a moose in rut

1 doesn't taste good. I don't know who decided that, but  
2 apparently they didn't learn to hunt the way we learned  
3 to hunt. Often times moose are in rut before the end of  
4 the regular season and they're taken and it's how you  
5 prepare your meat, it's how you make your kill. It has  
6 everything to do with the way your kill is done and  
7 prepared. We've taken moose in rut before and never had  
8 a problem with them being less palatable. So I have no  
9 idea where that came from. Apparently they don't know  
10 how to hunt.

11  
12 Other things that I'd like to speak to.  
13 The disruption of the rut I don't feel is valid. Many  
14 bulls, as I said, are already in rut before the regular  
15 season ends and there doesn't seem to be a problem with  
16 that.

17  
18 I also don't think it's a valid argument  
19 that other hunters would be upset about encroachment on  
20 their area or user conflict argument. Ninilchik endures,  
21 as was stated before, thousands of world-wide hunters and  
22 fishers in our area all summer long. They're already in  
23 our area. Come Memorial Day weekend, Ninilchik grows to  
24 be the fourth largest city in the state because of the  
25 influx of people down there fishing. Do you see us, you  
26 know, blocking the road and screaming and carrying on,  
27 no, you know, I don't understand how other people would  
28 be upset about, you know, what four or five people going  
29 to a different area, there's not going to be that many as  
30 was spoken to earlier.

31  
32 I also wanted to talk about my feeling  
33 that we must be given the opportunity to hunt. And as  
34 was asked before, how many hunters will be going up to  
35 that area, I'm sure there will be a few. I don't think  
36 there'll be many. However, the fact remains that we  
37 should be given this opportunity to hunt, whether or not  
38 we have to travel or not, because it is in line with  
39 ANILCA, the Federal law and it's what's most in line with  
40 our subsistence and traditional use.

41  
42 Any questions.

43  
44 CHAIRMAN DEMIENTIEFF: Keith.

45  
46 MR. GOLTZ: Under ANILCA, need is not the  
47 standard, the standard is customary and traditional use.  
48 Can you sum up briefly for the record what the customary  
49 and traditionally moose is of Ninilchik?

50

1 MS. STEIK: The traditional and customary  
2 use of moose, eating. We would be eating them.

3  
4 MR. GOLTZ: Thank you.

5  
6 MS. STEIK: Thank you. Actually there is  
7 subsistence use of other parts of the moose as well. I  
8 know of several tribal members who use the skins. We did  
9 an educational hunt last year with a group of our tribal  
10 children and I believe -- Darrel managed the hunt but I  
11 believe they -- didn't you guys use pretty much  
12 everything?

13  
14 MR. WILLIAMS: Yeah.

15  
16 MS. STEIK: They found a use for  
17 everything. Hides, skin, everything, intestines were  
18 washed and used for sausage preparation. I mean it  
19 varies, you know, family to family. Some families -- I  
20 know my father doesn't care for liver, heart or brain,  
21 but he has relatives who do and so they go to them.

22  
23 MR. GOLTZ: Well, that was an inartful  
24 question. I'm concerned about the seasonality of use.  
25 When is it customary and traditional to go moose hunting?

26  
27 MS. STEIK: The way I have been brought  
28 up and taught from my family is that we go after the  
29 frost. We don't have big coolers to store our meat in.  
30 The meat has to be kept cool while it's hanging so that  
31 the meat can cool off and you can process it. And if the  
32 temperatures are very warm the meat begins to rot and you  
33 end up wasting a lot of the meat which is why we go after  
34 the frost.

35  
36 Am I answering your question at all here?

37  
38 MR. GOLTZ: Yes, you are.

39  
40 MS. STEIK: Okay, thank you.

41  
42 MR. GOLTZ: But I'm going to have to  
43 impose a bureaucratic question. Since we're probably not  
44 going to frame our regulation in terms of frost and I  
45 know the frost date is variable, but can you, for the  
46 record, give us some indication of when, in what month  
47 you would customary and traditionally go moose hunting?

48  
49 MS. STEIK: Towards the -- generally,  
50 just not picking a date it would be probably the last 10

1 days of the regular hunt is when my family goes.  
2  
3 MR. GOLTZ: So you're talking  
4 September.....  
5  
6 MS. STEIK: 10th to the 20th.  
7  
8 MR. GOLTZ: Okay.  
9  
10 MS. STEIK: And that's why we, you know,  
11 really recommend that this priority or whatever,  
12 subsistence hunt, or whatever, we don't see the point of  
13 it being early in the year, earlier than the regular  
14 hunt, it should be later. Or as the advisory council  
15 recommended, both. My family will be going later.  
16  
17 MS. GOTTLIEB: Mr. Chair.  
18  
19 CHAIRMAN DEMIENTIEFF: Yes.  
20  
21 MS. GOTTLIEB: I was just going to ask,  
22 and thanks everybody for your testimony, would the people  
23 from Ninilchik also participate in the State hunt seasons  
24 and is that land more accessible?  
25  
26 MS. STEIK: Yeah. I would say, yeah, we  
27 all participate in the State hunt as well. And, again,  
28 you know, in my family, even on the State hunt we don't  
29 go until late in the season.  
30  
31 CHAIRMAN DEMIENTIEFF: Any other  
32 questions. Ralph.  
33  
34 MR. LOHSE: Mr. Chair. In response to  
35 Keith's questions from the speaker, I'd like to ask a  
36 question myself. Currently, you say that your preferred  
37 time for hunting is from the 10th of September until the  
38 20th of September, that's currently under regulations.  
39 If you -- I think what Keith was actually asking is if  
40 you had your choice when you would hunt or if you were  
41 hunting traditionally, when would you hunt?  
42  
43 MS. STEIK: Oh, if we were hunting  
44 traditionally we wouldn't be going by the White man's day  
45 calendar, we'd be going by the frost first of all.  
46 Second of all, so, picking a date is difficult. We would  
47 prefer a hunt that's later, you know, later, just later,  
48 you know, when it's freezing, when the ground's frozen.  
49 You know, as for what date, there's all kinds of Staff  
50 here, I'm sure they could give you a recommendation on

1 when the ground is frozen in Ninilchik.

2

3 MR. LOHSE: Thank you. I think you  
4 brought out what Keith was asking and what I wanted to  
5 get on the record. From a subsistence standpoint, where  
6 you don't have walk-in coolers or you don't have access  
7 to the lockers in town and everything else, you'd prefer  
8 to get your meat when it's cold enough that you can hang  
9 your meat and you're not having to worry about it  
10 spoiling so the later the better.

11

12 MS. STEIK: Excellent. Exactly.

13

14 MR. LOHSE: Thank you.

15

16 MS. STEIK: Thank you.

17

18 CHAIRMAN DEMIENTIEFF: Yeah, I think  
19 Keith's point in his discussion was also well taken in  
20 understanding that that frost date is variable from year  
21 to year and I know I heard Keith mention that.

22

23 MS. STEIK: And it is variable, however,  
24 you know, to have it 10 days early makes absolutely no  
25 sense. There is no way it's going to freeze that early.  
26 And if it does, great, but it's -- I don't think that  
27 that's going to happen.

28

29 CHAIRMAN DEMIENTIEFF: Okay, thank you.  
30 Any more questions.

31

32 (No comments)

33

34 CHAIRMAN DEMIENTIEFF: If you could  
35 please shut off your mike because that completes the  
36 public testimony. Thank you very much.

37

38 MS. STEIK: Thank you.

39

40 CHAIRMAN DEMIENTIEFF: Appreciate all of  
41 your comments. If style points counted, which of course  
42 they don't, they'd win the argument just based on their  
43 beautiful tribal coats. I had to compliment them earlier  
44 before the meeting started, I just noticed them. I think  
45 it's part of my wife's training of me finally getting  
46 housebroken, and she gets me to notice things that I  
47 don't normally pay attention to.

48

49 Regional Council recommendation.

50

1 MR. LOHSE: Thank you, Mr. Chair. As you  
2 noticed our Regional Council supported unanimously the  
3 proposal as modified to extend the season at the end.  
4 And for those that wish to continue the season that they  
5 had to begin with.

6  
7 We, like it was stated before, we went  
8 over and over and over this proposal. Some of the issues  
9 that were brought up and some of the issues that I would  
10 like to speak to real quick, we'll look at the Staff  
11 thing on the effects of the proposal.

12  
13 One of the things that keeps coming up is  
14 the road accessibility. It says in one statement, it  
15 says, large amounts of the hunt area is road accessible,  
16 at the same time when we did our studying and looking at  
17 it we found out that very little of it was road  
18 accessible. There are no ATVs allowed off the road, so  
19 there's limited road access.

20  
21 We looked at moose cow -- bull/cow ratios  
22 and in one of the areas they're looking at, 25 to 100 but  
23 they come up with 24 to 100. I don't know I can't count  
24 that close when I start counting wild animals. I can't  
25 count the legs fast enough to divide by four to come out  
26 with that ratio, it just doesn't work very good.

27  
28 Conflict between other hunters. It's  
29 really interesting that we worry about the fact that they  
30 might take an extra moose or two and at the same time we  
31 have moose hunting season going on during the same time  
32 period. So we couldn't see where that was a problem.

33  
34 The fact that you need to, like it says  
35 here, in accordance with the Ninth Circuit guidance of  
36 the Ninilchik Decision, it's necessary for the Board,  
37 before adopting this proposal, to determine on the  
38 record, whether or not this 10 day extension would  
39 provide a meaningful use preference for subsistence  
40 hunters, and yet time after time after time after time  
41 the subsistence hunters say that this is what their  
42 preference is. So I don't see how you have to determine  
43 whether there is a preference when they state that that's  
44 their preference.

45  
46 The other one that I'm going to speak to,  
47 I was really surprised to see it on here, we went through  
48 it in our meeting, the idea that the meat is non-  
49 palatable during the rut. I hope I never see that on  
50 another analysis because there's been testimony to that.

1 That is a, for lack of anything better, I'll say that  
2 could possibly be a cultural bias, it could be any kind  
3 of bias. Like was pointed out today, an awful lot of the  
4 sport hunts are actually planned during the rut, and, in  
5 fact, if you go down in the Lower 48 many of them are  
6 planned during the rut because it makes the animal more  
7 accessible. If I never see that one again I'll be real  
8 happy because that one's been thrown up time and time  
9 again.

10

11 I think that this hunt is -- the big  
12 problem is the what if factor again. What if. What  
13 happens if they take too many. What if. You know, it  
14 only takes one year, they're not going to wipe the moose  
15 out in one year and if there is a problem bring it back.  
16 I don't think, from all of the testimony we had that  
17 there's a lot of accessibility, and I don't think there's  
18 going to be a fear of a large number of animals being  
19 taken. It was talked about, you know, how many have been  
20 taken under the Federal hunt so far, and we look at it  
21 and we see with 33 moose -- 34 moose have been taken, and  
22 in the area that they worry about, the Federal hunters  
23 have taken two in eight years. If they would double  
24 their take it's not going to have much impact.

25

26 So with that I'm going to say that our  
27 Council supported the recommendation unanimously and I  
28 could not see anybody on our Council supporting deferring  
29 it.

30

31 Thank you.

32

33 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
34 Committee.

35

36 MR. PROBASCO: For the record my name is  
37 Pete Probasco. I serve as the Chair for the Staff  
38 Committee. A little difference in procedures here. The  
39 Staff Committee felt that it would be more expedient if I  
40 were to read each Staff Committee comment into the record  
41 and then if I can't answer the questions my colleagues  
42 will save the day and provide the right answers.

43

44 As stated by some of the public as well  
45 as Mr. Lohse, the Staff Committee is recommending  
46 deferring action on the proposal and the Southcentral  
47 Regional Advisory Council's recommendations.

48

49 Our very detailed comments are on Page  
50 30. Staff Committee has conservation concerns with the

1 Southcentral Regional Advisory Council's recommendation.  
2 The number of Ninilchik hunters expected to hunt during  
3 the additional three week season recommended by the  
4 Council likely will reduce bull/cow ratios in some areas  
5 below levels necessary to ensure the first estrus  
6 breeding of the cows.

7  
8                   The areas with good road access,  
9 particularly in Unit 15(A) could experience significant  
10 additional harvest.

11  
12                   First estrus breeding is important for  
13 good over winter survival, the following years calves and  
14 recruitment to the population. The information on  
15 expected hunter numbers was not available to the Council  
16 when it developed its recommendation.

17  
18                   Additionally, although, the proponent had  
19 not requested additional hunting time, only a shift in  
20 the season dates, the Council recommended an additional  
21 three week season. The Council did not provide any  
22 information to indicate that the existing Federal season  
23 length is insufficient to provide for Ninilchik's needs  
24 for moose. The primary basis for the Council's  
25 recommendation was to match the season dates of an  
26 existing State late season limited drawing hunt in Unit  
27 15(B). The State hunt occurs in only an inaccessible  
28 portion of Subunit of 15(B). Applying those dates to all  
29 Federal lands in Unit 15 would have much greater  
30 potential effects than if the recommendation were limited  
31 to the same area as the State hunt.

32  
33                   The season dates recommended by the  
34 Council were not evaluated in a proposal analysis and  
35 were not available for public review. Rather than  
36 recommend rejection, the Staff Committee recommends  
37 deferral of the proposal in order that the Council can  
38 consider more complete information on the potential  
39 affects of its recommendation and the public can have an  
40 opportunity to comment on the season recommended by the  
41 Council as well as other alternatives, which with less  
42 adverse impacts that may be identified. This proposal,  
43 the season dates recommended by the Council and other  
44 alternatives could be discussed at the Council's fall  
45 meeting and the proposal or some modification of proposal  
46 could be considered in next year's regulatory cycle with  
47 full public involvement.

48  
49                   Mr. Chair.  
50

1 CHAIRMAN DEMIENTIEFF: Thank you. Of  
2 course, you'll be available if there are questions that  
3 come up.

4  
5 Department comments.

6  
7 MR. HAYNES: Mr. Chairman, I'd like to  
8 ask Jeff Sellinger, who is our area biologist from  
9 Soldotna to come up and present the Department's  
10 comments.

11  
12 CHAIRMAN DEMIENTIEFF: I'm sorry, wait,  
13 Todd, you had a question of Pete, you get up there to the  
14 table.

15  
16 (Laughter)

17  
18 MR. LOGAN: Thank you. I certainly am  
19 sympathetic to the testimony that's been given so far,  
20 particularly by the residents of Ninilchik but we do have  
21 a number of concerns about the proposal. I am a little  
22 confused about the harvest data from Ninilchik overall,  
23 and I guess the question I have for you Pete, or other  
24 Staff, is what indications are there that Ninilchik  
25 hunters are having difficulty harvesting moose? Has the  
26 overall harvest over time gone down or what's the  
27 situation with that.

28  
29 MR. PROBASCO: Mr. Chair. Mr. Logan. I  
30 will ask Greg here to assist with the answer to that.

31  
32 Mr. Chair.

33  
34 MR. BOS: Thank you, Mr. Chair. My name  
35 is Greg Bos with the Staff Committee. The information  
36 that we had available at the Staff Committee discussion  
37 was based on harvest reports by Ninilchik hunters for the  
38 years 1999 through 2002 which was the most recent years  
39 where we had complete harvest information. That  
40 indicated an average of about 40 moose taken by about 180  
41 moose hunters from Ninilchik. Most of those moose were  
42 reported on the State harvest ticket, relatively few  
43 under Federal harvest permits, subsistence permits.

44  
45 The Staff recommendation, I think, would  
46 give us an opportunity to obtain more recent harvest  
47 information as it becomes available, as well as to look  
48 back in time a little further to see how the  
49 opportunities to continue subsistence uses may have been  
50 affected for Ninilchik hunters. And also to look at

1 alternatives that would have less adverse impacts on the  
2 moose population, particularly the bull/cow ratios which  
3 are at the present time right at the management objective  
4 for the Kenai National Wildlife Refuge.

5  
6 CHAIRMAN DEMIENTIEFF: Thank you. Does  
7 that answer your question?

8  
9 MR. LOGAN: Yeah, thank you.

10  
11 CHAIRMAN DEMIENTIEFF: Okay. Jeff, I'm  
12 sorry I didn't catch your last name, I'm terrible at  
13 names.

14  
15 MR. SELLINGER: That would be Sellinger,  
16 Mr. Chairman. Mr. Chairman. Members of the Board.  
17 Thank you for the opportunity to testify in front of you  
18 today. This is my first experience in front of your  
19 Board here so please bear with me. I'll probably read  
20 comments just to expedite things a little bit and then  
21 we'll show a few slides after I finish reading some  
22 comments into the record. Some of this information has  
23 been covered already but we would just like to reiterate  
24 some of the points that have already been made.

25  
26 We do not -- the Department of Fish and  
27 Game does not support the proposal or the proposal as  
28 modified by the Southcentral Regional Advisory Council.  
29 The original proposal would shift hunting effort into the  
30 period that moose are in the rut which could have  
31 unintended but adverse impacts on the moose populations  
32 in Unit 15. The proposal, as modified by the  
33 Southcentral Regional Advisory Council would also provide  
34 additional hunting opportunity not requested in the  
35 original proposal, and, if adopted, could magnify the  
36 types of adverse impacts and conservation issues and  
37 concerns to the Department that are described in our  
38 comments.

39  
40 Moose in Unit 15 begin rutting in mid- to  
41 late September getting into the major breeding portion  
42 and peaks out in the first week of October. And as  
43 adopted or as proposed, the proposal would be potentially  
44 impacting the rutting behavior and disrupted if the hunt  
45 extends into this period. Additional hunting pressure  
46 during the rut would potentially impact future  
47 subsistence and recreational hunters in this unit if it  
48 had negative consequences on breeding. Most of the Unit  
49 15(B) is currently closed to a general season, is only  
50 limited participation to hunt with antler restrictions is

1 allowed. Bulls utilize the greatest portion of their  
2 body reserved in fat and protein during the rut, which  
3 leaves them more vulnerable to overwinter mortality and  
4 if they are subjected to additional hunting pressure  
5 while in the rut this could be magnified.

6  
7                   The Department has other biological  
8 concerns for GMU 15 moose populations if the modified  
9 proposal were adopted.

10  
11                   The State currently holds five limited  
12 drawing hunts that have been mentioned earlier and issues  
13 a total of 50 permits for these late season hunts. These  
14 are restricted to a relatively remote area in Unit 15(B)  
15 east. During the past five years, 1999 through 2003 an  
16 average of 36 hunters participated annually in these  
17 hunts and harvested an average of 10 bulls per year.

18  
19                   Hunters are restricted to harvesting a  
20 bull with a 50-inch antler spread or three or more brow  
21 tines on at least one side. Spike or fork antler bulls  
22 are not legal under conditions of the permit and there is  
23 no general season for moose in the permit area as there  
24 is in the remainder of Unit 15.

25  
26                   As modified by the Southcentral Regional  
27 Council, this proposal would allow moose hunting on all  
28 Federal public lands in Unit 15 and allow for the hunting  
29 of spike-forked 50-inch or three brow tine moose during  
30 the peak of rut. The potential for a relatively large  
31 number of hunters to be pursuing moose at this critical  
32 time is not recommended. Large areas of Federal public  
33 land in Unit 15(A) are accessible by highway vehicle and  
34 already receive high hunting pressure during the general  
35 season. The spiked-fork 50-inch or three brow tine  
36 regulation has been successful on the Kenai Peninsula  
37 primarily because some of the legal bulls actually do  
38 make it through the hunting season. Exposing these  
39 animals to additional hunting pressure especially during  
40 the peak of rut when they are the most vulnerable would  
41 likely depress bull/cow ratios to a point where all  
42 hunting opportunities would have to be reduced.

43  
44                   Another concern for hunting over large  
45 areas during the peak of rut is the potential for  
46 disrupting the mating process. Cows are only receptive  
47 to mating for a short period of time. If disturbed  
48 during this critical period, cows may not breed during  
49 their first estrus cycle. And it has been documented  
50 that survival of calves conceived during the late estrus

1 breeding is very low compared to those conceived during  
2 first estrus breeding.

3  
4 The moose populations in 15(A) is  
5 declining and should not be open to additional harvest  
6 opportunities at this time. The latest available data  
7 from November of 2003 revealed that a bull/cow ratio of  
8 23 per 100 cows, however, the composition surveys are  
9 conducted in the best available habitat and the bull/cow  
10 ratio for the entire unit is probably lower.

11  
12 Current management objectives for 15(A),  
13 (B) and (C) are for post-hunt bull/cow ratios of at least  
14 20 per 100. In the past, prior, I've been on the Kenai  
15 Peninsula now since 2002 as the area biologists and the  
16 numbers stated earlier of the 15 as a general rule, for  
17 15(A), (B), and (C) were the previous objectives as the  
18 new moose reports become available, we will put those up  
19 to 20 which is pretty much the standard for most of the  
20 state. So thus the bull/cow ratio in Unit 15(A) is near  
21 the minimum objective, and an additional bull harvest is  
22 not recommended at this time.

23  
24 The moose population in Unit 15(B)  
25 currently is believed to be relatively stable, maybe  
26 declining slightly. The most recent composition surveys  
27 were conducted in November of '96 and revealed a bull/cow  
28 ratio of 33 bulls to 100 cows. Incidental flights  
29 throughout the area since then suggests that current  
30 bull/cow ratios are adequate, at least, in the more  
31 remote portion of the unit identified as 15(B) east.

32  
33 The current moose population in Unit  
34 15(C) is estimated at 2,500 to 3,450 moose and that's  
35 from a 2002 census and is believed to be stable to  
36 slightly increasing, however, the latest bull/cow ratios  
37 which was obtained in 2001 showed a bull/cow ratio of  
38 only 19 per 100 which would be below the minimum of 20  
39 per 100. An additional harvest pressure on bulls would  
40 likely drive this ratio down even further.

41  
42 For all these reasons, the Department,  
43 again, recommends that the Federal Subsistence Board does  
44 not adopt this proposal or the proposal as modified by  
45 the Southcentral Regional Advisory Council.

46  
47 And if I could get a few slides real  
48 quick, I only have a -- I have a couple that I'll show  
49 very quickly. This pretty much outlines the area we're  
50 talking about. The big border on the left in red is Unit

1 15, to the right of that is Unit 7. The yellow indicates  
2 the approximate border of the Kenai National Wildlife  
3 Refuge, which is the Federal lands that are under  
4 consideration here. The black outlined area now  
5 highlighted in green is the current area where the late  
6 season permit hunts occur known as 15(B) east. You also  
7 notice up in 15(A) the dark black lines that are  
8 highlighted there are pretty much the road accessible  
9 portions of the unit. One road is known as Mystery Creek  
10 Road and it hits the Sterling Highway and heads pretty  
11 much along the western bank of the mountain range there  
12 and goes all the way up to Chickaloon Flats. The other  
13 one in the central portion of the unit is the Swanson  
14 River and Swan Lake Roads on the Kenai National Wildlife  
15 Refuge. And then in the Northeastern, or excuse me, the  
16 Northwestern portion, the road ends but there's a really  
17 well utilized four-wheeler trail that runs right up along  
18 most of the Refuge lands there.

19  
20 In addition to that, just east, and it's  
21 not indicated on the map because they're four-wheeler  
22 trails and it's pretty much a spider web of trails that  
23 lead out of Ninilchik, which is down at the central  
24 portion -- just about midway down the map and they go  
25 into the Caribou Hills and there's -- I'd say there's an  
26 extensive trail system there and a lot of those trails do  
27 run right up to the edge of the Refuge there.

28  
29 This is just, again, the population data  
30 I was telling you about, just showing graphically,  
31 bull/cow ratios, 23, 33, and 19 respectfully for 15(A),  
32 (B), and (C). The most recent census data.

33  
34 And then the permit hunt information for  
35 the five permits that occur in the area known as 15(B)  
36 east.

37  
38 Thank you.

39  
40 CHAIRMAN DEMIENTIEFF: Thank you. Keith.

41  
42 MR. GOLTZ: I have a couple of questions  
43 but I'd like to start with a point that may seem minor to  
44 you but is major to us. I notice that your comments are  
45 directed to the proposal. The Board doesn't react to the  
46 proposal, it reacts to the Regional Advisory Councils.  
47 And it's important to understand that those Councils are  
48 the engine that drives the system. If you're going to  
49 understand why the Federal Board does what it does, you  
50 have to understand the Council. And I know it's your

1 first time here but I just wanted to make that point.  
2  
3 You talk in your comments about high  
4 hunting pressure especially in 15(A), what's the cause of  
5 that pressure?  
6  
7 MR. SELLINGER: Through the Chairman.  
8 Is it Goltz?  
9  
10 MR. GOLTZ: Goltz.  
11  
12 MR. SELLINGER: Goltz, I'm sorry.  
13  
14 MR. GOLTZ: It's all right.  
15  
16 MR. SELLINGER: I apologize.  
17  
18 MR. GOLTZ: It's not the first time.  
19  
20 MR. SELLINGER: Okay. I think it's just  
21 the road -- the relative accessibility of the area being  
22 able to access it, a lot of that country by highway  
23 vehicle.  
24  
25 MR. GOLTZ: Have you had a chance to look  
26 at -- I assume you have had a chance to look at the Staff  
27 analysis?  
28  
29 In there we have a couple charts, on Page  
30 37 we have the subsistence harvest and on the next page,  
31 38, we have the recreational harvest. We've only had two  
32 subsistence moose in the last eight years so I'm  
33 wondering where this pressure, this hunting pressure is  
34 coming from? What kind of hunters?  
35  
36 MR. SELLINGER: Through the Chairman.  
37 Yes, I mean I think it's coming from a couple of places.  
38 I think a lot or some of the people who are eligible to  
39 hunt under the Federal subsistence season currently are  
40 harvesting moose under the general State seasons  
41 currently in place to some extent. And I believe there  
42 also is just an influx of hunters from, you know, the  
43 Anchorage bowl, from the local -- there's approximately  
44 50,000 residents on the Kenai Peninsula as a whole.  
45 15(A) without getting into too much detail, the last  
46 significant habitat event on the Kenai Peninsula as far  
47 as producing moose habitat occurred in 1969 and the burn  
48 is kind of centralized right around 15(A), so that was a  
49 very productive area for moose populations for a number  
50 of years. It has since outlived that and the habitat has

1 matured and it is not as productive anymore as it once  
2 was.

3

4 MR. GOLTZ: So given this situation is  
5 the State doing anything to limit the number of hunters  
6 to take this pressure off?

7

8 MR. SELLINGER: Through the Chairman  
9 again. As I -- if I go back even a little further, prior  
10 to that '69 burn, before that really took off, moose  
11 populations and bull/cow ratios were depressed  
12 significantly, they were down into the single digits  
13 throughout most of Unit 15. Since spiked-fork 50 was put  
14 into place in the mid-1980s we have seen those bull/cow  
15 ratios increase.

16

17 Currently we are at that, we believe  
18 right around the 23 per 100 in Unit 15(A), that's in most  
19 of the best habitat and we think that that is adequate  
20 but we do not want to see that decline further.

21

22 MR. GOLTZ: Well, that's interesting.  
23 Now, my question is is the State doing anything to limit  
24 the number of hunters to take the pressure off this  
25 population?

26

27 MR. SELLINGER: What we have in place  
28 currently is our seasons ending on September 20th, that  
29 way we believe that the moose population can proceed with  
30 the rut and produce enough animals to allow the hunting  
31 under the current conditions.

32

33 We do not think that hunting is the major  
34 force in driving the population throughout most of the  
35 Peninsula. There's habitat concerns.

36

37 If the direct question is, is the State  
38 doing anything currently to limit the current hunting  
39 that's occurring on the Kenai, the answer would be no, we  
40 think that it can sustain the current pressure that we  
41 are experiencing at this time, but we do not want to see  
42 pressure increase significantly. And by having an antler  
43 restricted hunt, we limit the number of animals that are  
44 available to harvest.

45

46 MR. GOLTZ: So you're not limiting the  
47 number of hunters, but you're opposing a subsistence  
48 hunt; is that the position of the State?

49

50 MR. HAYNES: Mr. Chairman, if I might?

1 CHAIRMAN DEMIENTIEFF: Terry.  
2  
3 MR. HAYNES: The State regulations do, in  
4 fact, provide some restrictions on hunters because we do  
5 have drawing permit hunts in some areas. We have the  
6 antler restrictions and those have worked well. And in  
7 conjunction with having the season dates close at a  
8 particular time, that helps to protect the moose  
9 population.  
10  
11 I would also like to respond to your  
12 question, Mr. Goltz, our comments do address both the  
13 proposal and the Regional Council position because both  
14 have the effect of providing hunting opportunity in the  
15 rut. The original proposal, during the short part of the  
16 rut, the Regional Council recommendation farther into the  
17 rut, so I believe our comments to address both the  
18 original proposal and the Regional Council position.  
19  
20 MS. GOTTLIEB: Mr. Chair.  
21  
22 MR. GOLTZ: Well, your.....  
23  
24 MS. GOTTLIEB: Go ahead.  
25  
26 CHAIRMAN DEMIENTIEFF: Keith.  
27  
28 MR. GOLTZ: .....comments do, in fact,  
29 address the RAC's recommendation but they start out with  
30 do not support the proposal. And what I'm trying to say  
31 is the reaction of the Board is to the recommendation,  
32 not to the proposal.  
33  
34 But I'd like to continue this line of  
35 questioning if I can? I'm not sure, unless somebody.....  
36  
37 CHAIRMAN DEMIENTIEFF: I'm sorry?  
38  
39 MR. GOLTZ: I can come back to it.  
40  
41 CHAIRMAN DEMIENTIEFF: Yeah, with that, I  
42 think we will.....  
43  
44 MS. GOTTLIEB: One more question.  
45  
46 CHAIRMAN DEMIENTIEFF: .....invite -- or  
47 move on to Board discussion, basically that's where we're  
48 heading anyway. Jeff, I'd like you to invite you to stay  
49 there in case there are questions that come up. And I  
50 also want to thank you to point out that I'm not the only

1 one that abuses name, it makes me feel better.

2

3 (Laughter)

4

5 CHAIRMAN DEMIENTIEFF: Okay, with that I  
6 think Judy and then Paul.

7

8 MS. GOTTLIEB: Thank you, Mr. Chair. And  
9 maybe Terry or Jeff, I'm looking at the State hunting  
10 regs and maybe I'm not quite reading them right on Page  
11 78, but it does look like some of the hunts do extend  
12 further into the fall than we've been talking about. So  
13 maybe you can explain that please.

14

15 MR. SELLINGER: Yes, through the Chairman.  
16 Member Gottlieb. Which hunts in particular were you  
17 considering, we do have a number of permit hunts in the  
18 15(B) east and then there is another permit hunt known as  
19 DM-522, which occurs as -- the regulations you are  
20 looking at it should be October 20th through November  
21 20th, that has been changed at the last Board meeting  
22 though to November 10th through -- or October 10th  
23 through November 10th.

24

25 We do have a limited number of hunts.  
26 Those are under a drawing permit system, where we limit,  
27 again, for the late season portion, we limit that to 50  
28 permittees and that's what one of the charts I was  
29 showing you was, that of those 50 permittees on an  
30 average, over the last five years, 36 people per year  
31 have participated in that hunt but there is no general  
32 season in that area. So the only moose hunting that  
33 occurs is either through the Federal Subsistence Program  
34 or the late season -- or the permit hunt system. And  
35 under the permit system, it's only the 50-inch bulls or  
36 three brow tine bulls and the spiked-forks are not  
37 included in that hunt.

38

39 MS. GOTTLIEB: Thanks. But it does go  
40 into the late fall or into October?

41

42 MR. SELLINGER: Correct. Five hunts in  
43 that area. The hunt -- the season dates are September  
44 26th through October 15th.

45

46 CHAIRMAN DEMIENTIEFF: Paul.

47

48 MR. ROEHL: Thank you, Mitch. And that  
49 brings up my question. You mentioned a few times that  
50 the State is really concerned about the impact of the

1 breeding stock on the recruitment ratios, if you will,  
2 yet, you allow these late hunts which are in the rutting  
3 season and that borders on hypocrisy.

4  
5 MR. SELLINGER: Yes, through the Chairman.  
6 Is it Mr. Roehl -- Member Roehl.

7  
8 MR. ROEHL: (Nods affirmatively)

9  
10 MR. SELLINGER: Okay, thank you. Those  
11 hunts have been occurring, I believe they were generated  
12 in the early or mid-70s is when that hunt -- mid to late  
13 '70s is when those hunts were initiated. They have been  
14 occurring since that time, it seems to be working as far  
15 as overall moose management on the Kenai.

16  
17 The reason that, I believe, it has  
18 continued to work is there's a couple factors. One, is  
19 there's no general season there and there's a very  
20 limited regulated hunt for a limited number of people to  
21 access that area, which large portions of it are  
22 difficult to access. Most people who go in there and get  
23 into that unit where those hunts do occur, go in by  
24 horseback. There's very limited lake areas to land in  
25 there with aircraft. There are a few lakes that kind of  
26 hit the periphery of that hunt area. You have the coast  
27 of Tustamena Lake and Skilak Lake that touch on the edges  
28 of a couple of the hunt areas. Most of the good hunting  
29 is up on the bench land, so you have to access that by  
30 horseback. Again, only about 10 animals are being taken  
31 out of there.

32  
33 You know, I'll stop there.

34  
35 CHAIRMAN DEMIENTIEFF: Okay. Todd, and  
36 then Wayne.

37  
38 MR. LOGAN: Thank you, Mr. Chairman.  
39 This proposal almost exclusively affects the Kenai  
40 National Wildlife Refuge and we do have Refuge Manager  
41 Robin West here today, and I have several questions for  
42 him, if I may.

43  
44 CHAIRMAN DEMIENTIEFF: Go ahead.

45  
46 MR. LOGAN: Robin, I guess the first  
47 question I have for you, is, can you explain a little  
48 more clearly the Refuge goals for bull and cow ratios and  
49 where they stand today?

50

1 MR. WEST: The Refuge, I think it was  
2 stated earlier in the Staff comments has a general goal  
3 of 25 bulls per 100 cows and 40 bulls per 100 cows in  
4 some special areas. Overall, we're generally at or below  
5 those numbers. And overall on the Kenai National  
6 Wildlife Refuge we have a stable to declining moose  
7 population.

8  
9 MR. LOGAN: Then, I guess, as a second  
10 question for you, Robin, is so what effects then do you  
11 see that this proposal having on the moose population and  
12 also on both subsistence and non-subsistence users if  
13 this recommendation is adopted?

14  
15 MR. WEST: Well, I guess I'd like to step  
16 back just for a second and I'll answer the question.  
17 First, I'm very sympathetic to the desire to hunt later  
18 in the year. And I think that trying to understand the  
19 Staff Committee recommendation for deferral to -- I need  
20 to personally apologize for not being more active with  
21 the RAC on this particular recommendation. We saw the  
22 proposal in question come in that had for a, you know, no  
23 additional hunting time was proposed, it was taking 10  
24 days off the early part of the season to hunt a little  
25 later instead of starting August 10th, to go ahead and  
26 start August 20th, and then instead of ending on  
27 September 20th, end September 30th, I believe that the  
28 Department's recommendation and the Refuge recommendation  
29 and the Staff Committee's recommendation on the proposal  
30 was oppose because of overall concern on conservation and  
31 interfering with the rut.

32  
33 And so I was a little perplexed when we  
34 saw the recommendation from the RAC come forward that  
35 actually has a three week peak rut season in addition to  
36 that, clearly in my mind, the recommendation should have  
37 been opposed for conservation reasons.

38  
39 However, you know, my apology is because  
40 we were not involved in that process and we should have  
41 been there, we saw the original proposal, and I kind of  
42 equate it to a flashing yellow light, you know, with  
43 meeting our conservation objectives where the  
44 recommendation that came out is more of a red light.  
45 Indeed there's some uncertainty on how much participation  
46 there might be but in principle, looking at hunting  
47 during the rut, even a relatively few number of hunters  
48 can disrupt quite a bit of hunting activity or rutting  
49 activity and I believe as was spoken to earlier cows are  
50 only receptive for perhaps 24 hours and if the bulls that

1 have those harems formed are taken or disrupted and the  
2 cows aren't bred then it's approximately a month before  
3 they're receptive again and when they're bred at that  
4 point in time then the cows are born late -- or the  
5 calves are born late, excuse me, and go into the winter  
6 in weak condition and it can be very, very measurable  
7 effects on calf survival.

8  
9                   And just as a matter of management over  
10 time, we can look at our own Federal subsistence  
11 regulations and see that these kinds of hunts are  
12 extremely rare. I don't believe they occur anywhere else  
13 in the Federal subsistence scheme in Southcentral or  
14 Interior Alaska. I did notice a few in Southeast and I  
15 don't know their history. But we have real concerns  
16 about hunting during the rut. And so I guess the  
17 proposal or the recommendation for deferment recognizes  
18 that Staff didn't participate in the process as much as  
19 we should have and that's our fault, and I certainly  
20 would recommend that that's what we do is that we do  
21 defer and work with the Regional Advisory Council on  
22 looking at what the need is for additional opportunity or  
23 preference. And if it's determined there is additional  
24 need for opportunity or preference then look and see how  
25 that might be offered. And in a condition where we have  
26 a very heavily hunted moose population that's generally  
27 in decline.

28  
29                   And in fact, again, looking at what we  
30 see elsewhere around the state, there are late seasons,  
31 post-rut that are, you know, split seasons that have been  
32 entertained and successfully implemented elsewhere, and  
33 so perhaps something like that would make more sense here  
34 too, is an early season and then a post-rut season. But  
35 I don't want to go there, necessarily, but, you know,  
36 certainly there's other options and that's what I would  
37 invite the Board to entertain now, is that we take a  
38 longer look at this.

39  
40                   Thank you, very much.

41  
42                   CHAIRMAN DEMIENTIEFF: Mr. Regelin, and  
43 then Keith.

44  
45                   MR. REGELIN: Thank you, Mr. Chairman.  
46 I'd like to make a few comments.

47  
48                   I think that we shouldn't get hung up on  
49 the late seasons that the State has in 15(B) east. You  
50 have to realize that they've been in existence for 40

1 years and we have those seasons or that special hunt up  
2 there to provide a quality hunting experience with high  
3 expectation of taking a large bull. It's limited to 50  
4 hunters a year, about 40 go in a huge area and we harvest  
5 about 10 moose a year. And nobody can get in there  
6 without going in by horses. There might be an aerial  
7 access, but it's primarily going in either with a very  
8 long walk or with horses. And I don't think that that  
9 has anything to do with areas that accessible by road and  
10 they shouldn't be, you know, considered the same thing.

11  
12 I think you have to realize that under  
13 State rules and regulations, most of the Kenai is a non-  
14 subsistence area, so our Board doesn't go to extreme  
15 lengths or does not provide opportunities for subsistence  
16 hunts in this area. But, in fact, in the Ninilchik area  
17 the data show that the vast, vast majority of moose that  
18 are harvested are taken in the State season and  
19 everybody's eligible to take them there. But I guess I  
20 took exception to the idea that expressing a conservation  
21 concern about hunting during the peak of the rut on a  
22 highly accessible road area, you know, we're being  
23 hypocrites because we're concerned about that.

24  
25 That's just -- you know, I'm not going to  
26 be afraid to express conservation concerns because  
27 somebody makes a false accusation.

28  
29 CHAIRMAN DEMIENTIEFF: Thank you. Any  
30 other discussion, go ahead.

31  
32 MR. ROEHL: Yeah, I didn't actually call  
33 you a hypocrite Mr., I didn't get your last name, I said  
34 the allegations of allowing late hunts border on  
35 hypocrisy.

36  
37 You know, anybody that's hunted moose  
38 knows that moose aren't sedentary, unlike some of us,  
39 they actually migrate from place to place and so the  
40 moose that you harvest in these special access areas  
41 where people who are well to do enough can afford a horse  
42 or an airplane can hunt these special moose -- this moose  
43 in this area. So that's my rebuttal.

44  
45 Thank you.

46  
47 CHAIRMAN DEMIENTIEFF: Thank you. Keith.

48  
49 MR. GOLTZ: I'd like to clarify your  
50 testimony concerning just the conservation concerns. As

1 I listen to you you seem to be assuming that everything  
2 else would stay in place. Would you have the same  
3 conservation concerns if we took off all these other  
4 hunts and just stuck with the subsistence hunt?

5  
6 MR. WEST: I think that, you know,  
7 there's a diversity of options you could manage moose by  
8 on the Kenai and the basic principles right now of  
9 managing for spiked-fork bulls and not hunting any  
10 significant way during the rut allow maximum opportunity.

11  
12 Clearly in the past there have been  
13 opportunities to take antlerless moose that are no longer  
14 there primarily because of changes in habitat and road  
15 kills, several hundred moose are killed on the roads each  
16 year. There's all kinds of models you could put  
17 together.

18  
19 But with that said, hunting during the  
20 rut and disrupting the rut and causing additional second  
21 estrus calves to be produced is just basically bad  
22 conservation and ends up in wasted moose.

23  
24 MS. GOTTLIEB: Mr. Chair.

25  
26 CHAIRMAN DEMIENTIEFF: Judy.

27  
28 MS. GOTTLIEB: Thank you. Thanks, Robin,  
29 for coming here today. Maybe a little bit of a follow up  
30 to Keith. I mean you said that this is a heavily hunted  
31 moose population and in decline and yet the subsistence  
32 take has not been that high. I guess maybe one thing  
33 we'll grapple with later is that people from , you know,  
34 are no doubt are hunting under State system now, if we  
35 were to change the Federal system, it may not make any  
36 difference in the number of moose taken.

37  
38 But my other question had to do with a  
39 comment that was also made earlier about the difficulty  
40 of people in obtaining the permit from the Soldotna  
41 office, and I wondered whether it might be possible to  
42 explore other options or other locations. I mean you  
43 have offices in Homer, perhaps, which would be a little  
44 bit closer to Ninilchik that people might be able to get  
45 permits.

46  
47 MR. WEST: Yeah, to my knowledge we also  
48 issue permits in Homer so, you know, it's a 45 minute  
49 drive one way or the other to Soldotna or Homer to get a  
50 permit.

1 CHAIRMAN DEMIENTIEFF: Ralph.

2

3 MR. LOHSE: Thank you, Mr. Chair. Well,  
4 this is the same kind of things we ran into when we were  
5 doing it at the RAC meeting and I've just got a couple  
6 comments or a couple questions.

7

8 One of the things we've heard right now  
9 is that hunting isn't the major force driving the moose  
10 populations down on the Kenai Peninsula. That we don't  
11 need to limit the amount of hunters hunting because the  
12 antler restrictions are sufficient to provide for the  
13 moose. Now, it's been added to that, as long as it's  
14 closed during the breeding season. My question would be,  
15 do moose under 50-inches breed with much success or not  
16 or do we have to have the few that are left over 50-  
17 inches? And the other question is how long does it take  
18 for the bulls that are on the edge of the harem to take  
19 over if the boss bull is shot? And I don't think it  
20 takes very long from what I've seen.

21

22 The other one that's gotten me that we've  
23 gone back and forth and we say it doesn't really apply  
24 here but it applied in our discussion when we did it as a  
25 RAC. Because of, and I'll use the word, appearances, but  
26 because of also the way we viewed hunter opportunity, if  
27 there's other hunter opportunity going on, now we heard  
28 today that a relatively few number of hunters can disrupt  
29 the breeding operation if they take place during the  
30 breeding season, yet, we've heard that for 40 years we've  
31 had a hunt that takes place during the breeding season  
32 and hasn't had any disruption. That to me, and we can  
33 say it relatively few numbers, 35 hunters, 37 hunters, 38  
34 hunters, well-heeled enough to get in there, be able to  
35 cover the country and everything else but they don't  
36 disrupt the breeding, but a relatively few number of  
37 hunters can disrupt the breeding in other places. And we  
38 have no idea how many hunters we're even -- you know, how  
39 many hunters are going to take place in this. We have  
40 our usual assumption that if something like this happens,  
41 we're going to have a disastrous number of hunters taking  
42 part in this Federal hunt. And yet my biggest objection  
43 to a lot of the Federal hunts that we've ended up working  
44 to set up is nobody participates.

45

46 I can remember some other hunts in Unit  
47 -- in Southcentral that we worked to get because it was  
48 important to people to have and then in the end the  
49 amount of people that took part in it and the amount of  
50 animals taken in it were negligible, but we always sit

1 there with the what if factor, the fear of what could  
2 happen and we look at the worst case scenario. Like I've  
3 said before and like the members of the Ninilchik Council  
4 said, if it turns out there is a worst case scenario and  
5 more people go than it can handle, number 1, they're not  
6 going to take that many in one year, we can always  
7 revisit, we can always rewrite a regulation.

8  
9 But in the meantime, all of these kind of  
10 conflicts is what came before us. Just like the conflict  
11 on the road, today, I've just now heard that it's really  
12 road accessible but when we had our meeting and we talked  
13 to people that were there, we found out that the road  
14 accessibility really isn't that accessible.

15  
16 How do you deal with that? Where do you  
17 find, you know, is this going to have a conservation  
18 impact of great enough magnitude that we can't try it?  
19 And if we do try it, what's the worst case scenario, that  
20 we have to come back and revisit it and change our minds?

21  
22 Thank you.

23  
24 CHAIRMAN DEMIENTIEFF: Thank you. Any  
25 other discussion. Todd.

26  
27 MR. LOGAN: Well, Mr. Chairman, I think  
28 this discussion has been very helpful to me and others  
29 and I, in no way want to, in any way try to cut off  
30 discussions, but I am prepared to make a motion when you  
31 feel it's appropriate.

32  
33 CHAIRMAN DEMIENTIEFF: I think  
34 everybody's basically had their comments. But before you  
35 make a motion, let me just point out the fact that once  
36 we get to the motion it's the Board members that are the  
37 ones that are going to discuss, however, Board members  
38 are free to call upon other people as discussion  
39 progresses, but it must be a Board member that does call  
40 upon somebody if they want additional information.

41  
42 Go ahead, Todd, we're ready for a motion.

43  
44 MR. REAKOFF: Mr. Chairman.

45  
46 CHAIRMAN DEMIENTIEFF: Yes, go ahead,  
47 Jack.

48  
49 MR. REAKOFF: I'd like to make a couple  
50 comments before you go into deliberation.

1 CHAIRMAN DEMIENTIEFF: Go ahead.

2

3 MR. REAKOFF: I've listened to this  
4 deliberation and the State's stated that a post-hunt, or  
5 a post-rut hunt would be palatable for subsistence, I  
6 distinctly disagree with that. The post-October bull  
7 moose hunt, those moose are no good to eat, and so we've  
8 had this discussion in our region for December moose  
9 they're not palatable, they're beat up, bruised, protein  
10 deficient, and so I don't agree with that as an  
11 alternative to this proposal.

12

13 I begin hunting moose when the flies quit  
14 laying eggs on the meat and that's usually on the 10th or  
15 the 15th of September, I don't know about this country.  
16 That's a huge consideration is cool weather as to keeping  
17 meat and so forth.

18

19 I felt that I should interject those into  
20 this deliberation because those have bearing on this  
21 proposal and I appreciate your work here.

22

23 CHAIRMAN DEMIENTIEFF: Thank you. Todd.

24

25 MR. LOGAN: Thank you, Mr. Chairman. I  
26 would like to move to defer action on Proposal 07, which  
27 is contrary to the recommendation of the Southcentral  
28 Regional Advisory Council.

29

30 I'll say that what I think I've heard  
31 today is a lot of sympathy and interest in the original  
32 proposal which was to move hunting to a later period, but  
33 I think that the Council's recommendation is a major  
34 expansion and change from the original proposal and I  
35 think there's probably been as many questions raised as  
36 there has been issues answered. I heard the Kenai Refuge  
37 and others be prepared to work closely with the Council  
38 to try to fine tune this proposal.

39

40 And for that reason I will say that I  
41 will move to do a deferral of this.

42

43 CHAIRMAN DEMIENTIEFF: Is there a second  
44 to the motion.

45

46 MR. OVIATT: I'll second.

47

48 CHAIRMAN DEMIENTIEFF: Yeah, as far as my  
49 comments go. I speak against the motion to defer. I  
50 support the Regional Council recommendation. While I

1 recognize that it is a work in progress, but the comments  
2 by Ralph, the comments by the representatives from  
3 Ninilchik, I know to be a fact, I mean I've lived it,  
4 when I can think, you know, very many people who don't  
5 have freezer resources or space depending on how  
6 successful the salmon season was. 1967 during the flood,  
7 it was mid-August, it was the end of September before  
8 people got their homes ready for the winter and could go  
9 hunting and nobody had freezers or very few people did  
10 because we lost them in the flood. We hunt moose  
11 whenever a funeral comes up and I do know that some  
12 people just don't -- that's not everybody. I don't think  
13 the impact on the resource is going to be that  
14 significant because many people are going to go hunting  
15 early that have the resources and the capabilities to  
16 keep their meat. It's labor intensive when you have to  
17 hunt early.

18  
19                   And also I do know that hunting moose in  
20 the rut, I think, as Chairman Ralph pointed out, there  
21 are lots of bulls, why do you think they're fighting,  
22 that are, you know, they lose one, there's lots of bulls  
23 that are ready to move in and do the job that's  
24 necessary. That's been my, somewhat more than casual  
25 observation.

26  
27                   So the caring for meat in the rut, we  
28 call it the run at home, you know, the rut, I'm just  
29 trying to keep with the lingo that we're using with  
30 regard to this issue, it's a special kind of caring that  
31 you have to give to keep that meat but people know how to  
32 do that that have done it, they know how to care for the  
33 meat. Simple little things like you keep the skin away  
34 from the meat as you're skinning it out. There's just  
35 ways to do it, and it's perfectly good meat in the time  
36 period that they're talking about in the proposal and  
37 consistent with the RAC recommendation.

38  
39                   So even though I understand that it's a  
40 work in progress, I don't intend to vote for the motion  
41 for deferral, I'm ready to go with the RAC  
42 recommendation. I appreciate all of the input that  
43 people have had in this and I think it, again,  
44 demonstrates the fact that we do, do diligence as far as  
45 working these issues.

46  
47                   MR. ROEHL: Thank you, Mr. Chairman. The  
48 continuity of the species seems to be a key part of the  
49 testimony of several testimonies we've heard this  
50 morning. I also liked Ms. Steik's testimony saying that

1 August 10th is too early, it's too hot, you lose a lot of  
2 meat to spoilage. The hunt in the Bristol Bay region  
3 which is where I'm from begins on August 20th and that  
4 seems to be the opportune time to begin a hunt.  
5

6 So I'm highly in favor of the shift of  
7 the hunting season from August 20th to ending September  
8 30th. I don't like the idea of having these late hunts  
9 or special hunts so that's where I'll be voting today,  
10 Mr. Chairman.

11  
12 CHAIRMAN DEMIENTIEFF: Thank you. Todd.  
13

14 MR. LOGAN: Yeah, if I just may add that,  
15 you know, the recommendation on the table is a major  
16 expansion of the current -- what's currently permitted  
17 and to do a major expansion and say, well, let's just see  
18 what happens and maybe fix it a year later, I guess I'm  
19 just very uncomfortable with.  
20

21 I have heard significant conservation  
22 concerns with the recommendations expressed by both State  
23 and Federal biologists. At the same time I have not  
24 heard an absolute unwillingness from a biological  
25 standpoint to look for opportunities to shift hunting  
26 later in the season. But I don't think this current  
27 recommendation on the table represents much more than  
28 that. I think the benefit of deferring of this is,  
29 indeed, to allow the additional dialogue and fine-tune  
30 and work towards and see what sort of acceptable later  
31 hunting opportunity might be able to be created.  
32

33 This is not to avoid the issue, I think  
34 it's to fine-tune it and make it more appropriate and I'm  
35 sure we will work as quickly as possible to see if we can  
36 accommodate those primary interests that were identified  
37 in the original proposal.  
38

39 MS. KESSLER: Mr. Chair.  
40

41 CHAIRMAN DEMIENTIEFF: Yes.  
42

43 MS. KESSLER: I'm entirely sympathetic to  
44 the desire to want to move the season back, I mean it  
45 makes perfect sense to want to hunt when it's cool, and  
46 for a lot of reasons. But what's also come clear here is  
47 it's not that simple to change one thing, there are a lot  
48 of different factors discussed.  
49

50 My take on it is that probably if what

1 I've read and heard about, the climate trend is going,  
2 we're going to be seeing more and more of this type of  
3 need come up and request. And seeing as that one of the  
4 concerns was a conservation concern is important as well  
5 in this discussion.

6  
7 So I think the prudent thing to do is to  
8 defer so that all of the factors can be looked at more  
9 carefully, and there are probably a lot more  
10 opportunities. This is one option to, quote, solve the  
11 problem, but there's probably a lot more options and  
12 adjustments that would be worthy of looking at. And at  
13 the cost of one more year I think that's the prudent  
14 thing to do.

15  
16 CHAIRMAN DEMIENTIEFF: Yes. And I just  
17 want to remind the Board that we do have in-season  
18 managers if there is, again, it's speaking against the  
19 motion to defer, we do have in-season management  
20 capabilities. That, you know, managers can close  
21 seasons, so that is a tool that's not necessarily for a  
22 year, it can be done in the season, and, you know, it's  
23 something that we use. So, again, I'm just speaking  
24 against the motion, that's all.

25  
26 Go ahead, Judy.

27  
28 MS. GOTTLIEB: Thank you, Mr. Chair. I  
29 guess while the motion is to defer the action on the  
30 proposal, the Regional Council's recommendation was not  
31 to move back the early start of the season and so that's  
32 what I thought we were talking about, deferring, and  
33 while very few people seem to use that early part of the  
34 season for all the reasons mentioned, some people did, in  
35 fact, take moose during that early time and I think  
36 because of our past legal history it would be important  
37 for us to maintain that early open season as a meaningful  
38 preference.

39  
40 I guess my second question or observation  
41 might be because of the Ninilchik testimony and the RAC  
42 comments, the difficulty of access, it would seem and it  
43 seems from the charts that most likely people from  
44 Ninilchik and the other eligible communities would be  
45 using 15(C) the most, and so maybe there's some  
46 compromise language that might just address that part of  
47 the Refuge and maybe Robin can review the numbers for us  
48 again on how the ratios work in that part of the Refuge,  
49 please.

50

1 MR. WEST: Well, if I can, Judy, I'll  
2 pass out a map for the Board just to look at.

3  
4 Thank you.

5  
6 (Pause)

7  
8 MR. WEST: The map that the Board is  
9 receiving generally shows the Kenai Peninsula, the Kenai  
10 National Wildlife Refuge, also has highlighted that  
11 permit hunt area that was discussed earlier and even  
12 though it's fine and difficult to look at, shows the  
13 roads and trails and so forth around the Refuge. And,  
14 indeed, the northern part of the Refuge 15(A) where our  
15 biggest conservation concern is for moose and declining  
16 habitat and population, is the most heavily used by  
17 hunters because of its accessibility. And we have the  
18 Sterling Highway, Mystery Creek Road, Swanson River Road,  
19 Funny River Road, Swan Lake Road, all that bisect (ph)  
20 most of 15(A) and parts of 15(B).

21  
22 So really to answer your question, Judy,  
23 the 15(C) is really not road accessible at all. And it  
24 also is where the moose population is doing the best,  
25 it's stable to increasing in that part of the Refuge.

26  
27 CHAIRMAN DEMIENTIEFF: Thank you.  
28 Further discussion on the motion.

29  
30 (No comments)

31  
32 CHAIRMAN DEMIENTIEFF: Hearing none, then  
33 all those in favor of the motion to defer signify by  
34 saying aye.

35  
36 IN UNISON: Aye.

37  
38 CHAIRMAN DEMIENTIEFF: Those opposed,  
39 same sign.

40  
41 MR. ROEHL: Aye.

42  
43 CHAIRMAN DEMIENTIEFF: Aye. The motion  
44 to defer carries.

45  
46 Anyway, and I think it was amply pointed  
47 out by some of the Board members in discussion that this  
48 is a work in progress and we will revisit this again.

49  
50 Well, I spoke my peace, where I wanted to

1 go, I wanted it to go but we're -- we shall defer and we  
2 will continue to work on this.

3  
4 That completes our work in Southcentral.  
5 There were a couple of little things that I wanted to  
6 mention. We are going to take a break here. There are a  
7 couple of little things I wanted to mention that I forgot  
8 to in my opening remarks, and, that is, to compliment the  
9 Staff for all their hard work in getting us set up and  
10 getting our material to us in time for us to prepare and  
11 actually even before the material got to us we were in  
12 touch with different Staff that were verbally making us  
13 aware, so kudos to the Staff, I really appreciate it.

14  
15 Also, Chairman Littlefield, two weeks ago  
16 my wife and I were in Sitka. I gave a keynote address --  
17 I gave actually a couple of speeches there and the hard  
18 work that the Sitka Tribe, it was a tribal leaders  
19 conference from really all of Region 10 [sic], and we so  
20 much enjoyed the trip. We had three of our children go  
21 to school at Edgecumbe and one of my daughters graduated  
22 with her bachelor's degree from SJ, so, of course we've  
23 been there many times, but they did a remarkable job in  
24 that conference, and it was just a lot of fun for us to  
25 go and I didn't want to be amiss in pointing that out  
26 because they gave me half hour to speak and I jokingly  
27 told them, in the keynote address, I said, hey, I'm not  
28 Tlingit, I can't talk for a half hour.

29  
30 (Laughter)

31  
32 CHAIRMAN DEMIENTIEFF: And we timed the  
33 speech at the end, I actually talked for 45 minutes.  
34 Okay, anyway with that, we'll just take a break. I just  
35 wanted to point those things out, I was amiss.

36  
37 (Off record)

38  
39 (On record)

40  
41 CHAIRMAN DEMIENTIEFF: Procedurally  
42 sometimes we make mistakes, we get -- I know I was  
43 involved in the discussion and busy preparing my remarks,  
44 it's not something that stops the process but we do have  
45 two new members on the Board first time serving here.  
46 Procedurally, we should have moved the Regional Council  
47 recommendation to get that on the table, and then a  
48 subsequent motion to defer after that would have been in  
49 order. Like I said, it's not going to stop the process,  
50 but it will -- that's how we will do it, we'll make sure

1 we do diligence, that we get the Regional Council  
2 recommendation on the table and take subsequent action  
3 after we address the concerns on why we're not going with  
4 the RAC recommendation.

5  
6 So it's just something, I was too  
7 involved and sometimes when we're starting out these  
8 meetings, it takes us a little while to get going with  
9 our normal procedures, but that is the procedure, that's  
10 how we will be doing it from here on out, we will go with  
11 the -- get a RAC recommendation on the table and then  
12 we'll go from there.

13  
14 So I just wanted to point that out.

15  
16 Let me see, that, again, completes our  
17 work in Southcentral.

18  
19 Bristol Bay is -- and anyway, I wanted to  
20 follow up and Keith pointed that out to me that we've  
21 been working on Unit 2 deer and we've got it on the  
22 consent agenda from Southeast, you know, after working on  
23 it for a couple of years, two or three, or I don't know  
24 how many years.

25  
26 MS. GOTTLIEB: It's been more than that.

27  
28 CHAIRMAN DEMIENTIEFF: Yeah. Anyway,  
29 but, you know, there it is, they worked out a compromise,  
30 so I just offer that to Chairman Ralph, that, you know,  
31 sometimes these works are in progress but the system  
32 works when people stay at it. So I'd just offer that as  
33 follow up encouragement to the other encouragement that I  
34 gave at the end of the thing, so it does work and I  
35 didn't really look at the -- I don't, sometimes, pay a  
36 lot of attention to some of these things when we're  
37 starting out but I thank Keith for pointing out the fact  
38 that Unit -- reminding me that Unit 2 deer was on the  
39 consent agenda.

40  
41 So anyway, Bristol Bay is not on --  
42 everything is on consent.

43  
44 The next one will be Proposal No. 11, YK-  
45 Delta, Unit 18 moose.

46  
47 Go ahead, Staff analysis.

48  
49 MR. DEMATTEO: Mr. Chair, Proposal WP05-  
50 11 was submitted by the Yukon-Kuskokwim Delta Regional

1 Council and this proposal would create a Federal  
2 Controlled Use Area for all moose seasons in the Lower  
3 Yukon River drainage, Unit 18.

4  
5                   The proposal was submitted due to local  
6 concerns of aerial moose spotting by lower Unit 18 moose  
7 hunters who fly from the lower drainages of Unit 18 to  
8 the lower portion of the Yukon River. Local residents  
9 have reported observations of lower Unit 18 residents  
10 spotting moose from privately owned aircraft in the Lower  
11 Yukon River with the intent to locate moose for harvest.  
12 Local residents favor additional access restrictions for  
13 Federally-qualified subsistence users who access the  
14 Lower Yukon River by privately owned aircraft during  
15 the Federal moose seasons. Residents within the proposal  
16 area feel that spotting moose from an aircraft creates an  
17 unfair advantage over rural users who do not practice  
18 this method of locating moose.

19  
20                   Mr. Chair, on Page 78 of your Board book  
21 there's a map which shows the proposal area and I am told  
22 by Council Chair Harry Wilde that that is in error. A  
23 corrected map was passed out to you just now, you should  
24 have it, it's a two-page handout and on the second page  
25 is the corrected map showing the correct proposal area in  
26 the upper left-hand corner of the map.

27  
28                   If this proposal were adopted it would  
29 affect residents of Unit 18 and also residents of Upper  
30 Kalskag. A review of the most recent population data  
31 does not reflect the need for additional regulatory  
32 restrictions. The current total moose population  
33 estimate for the proposal area is approximately 674  
34 moose. Also current harvest rates for the affected area  
35 do not reflect the need for additional regulatory  
36 restrictions. Total moose take in Unit 18 by fly-in  
37 hunters will not adversely affect the sustainable moose  
38 population or the local opportunity to harvest moose.  
39 The total reported harvest for the proposal area by Unit  
40 18 residents from the period 1996 through 2002 was a  
41 total harvest of 268 reported moose which is an annual  
42 average harvest of 38 bull moose per year.

43  
44                   Mr. Chair, if this proposal were adopted,  
45 the proposed change would restrict access for Federally-  
46 qualified subsistence users who utilize privately owned  
47 aircraft to access the proposal area for the purpose of  
48 hunting moose during the Federal seasons.

49  
50                   The proposed regulation change would

1 prevent qualified users from accessing traditional hunt  
2 areas in the Lower Yukon River drainage of Unit 18 via  
3 privately owned aircraft. Impacts from the lower Unit 18  
4 fly-in hunter are not adversely affecting the  
5 sustainability of the moose population.

6  
7 Also the proposal fails to meet the  
8 criteria for the establishment of a Controlled Use Area.  
9 The affected area lacks the moose population concerns  
10 that would warrant the need for additional access  
11 restrictions. Also the current harvest levels reflect  
12 the local residents are meeting their subsistence needs,  
13 therefore, additional access restrictions would not  
14 address their stated concerns.

15  
16 The Board has not established any Federal  
17 Controlled Use Area during the existence of the Federal  
18 Subsistence Management Program, however, Federal  
19 subsistence regulations parallel Controlled Use Area  
20 restrictions that are established by the Alaska Board of  
21 Game.

22  
23 Mr. Chair, Staff fully recognizes the  
24 importance of these issues to the Council and also the  
25 residents of the Lower Yukon River drainage, however, the  
26 establishment of a Federal Controlled Use Area would not  
27 effectively control access because of the complex land  
28 ownership within the affected area. And because of these  
29 reasons -- also because of the complex land ownership the  
30 proposed Controlled Use Area would fail to adequately  
31 address the proponent's request. Also local concerns of  
32 aerial moose spotting should be directed to the local,  
33 State and Federal land managers who can address these  
34 issues through law enforcement channels.

35  
36 And this concludes my presentation, thank  
37 you.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you, very  
40 much. Written public comments.

41  
42 MR. NICK: Mr. Chair. For the record my  
43 name is Alex Nick. I'm Regional Council Coordinator for  
44 Yukon-Kuskokwim Regional Advisory Council. We received  
45 five public comments. One in opposition of the proposal  
46 and four supporting the proposal.

47  
48 We received comment from Don Quarberg  
49 from Delta Junction, he's in opposition of the proposal.  
50 There is no biological justification for this proposal.

1 The law specifically states that you cannot hunt until  
2 3:00 o'clock a.m., on the day following your last  
3 unscheduled [sic] aircraft flight.

4  
5                   And we received comment from Azachorak  
6 Incorporated Village Corporation from Mountain Village  
7 supports the proposal to establish a Federal Controlled  
8 Use Area below Mountain Village. They do not oppose  
9 commercial airlines flying within the region but they  
10 only oppose privately owned aircraft flying in the area  
11 for moose hunting purposes. Azachorak Incorporated is  
12 the land owner within the portion of the area described  
13 in the attached map. We feel that this is an important  
14 issue for other considerations such as maintaining and  
15 protecting its land for the purpose of its shareholders  
16 and community residents use. By doing this they ensure  
17 taking their stand on the issue.

18  
19                   And we also received three additional  
20 comments from the users in Lower Yukon that did not make  
21 it to the Board book.

22  
23                   One comment which I distributed to the  
24 Board members, there's a sheet of paper that has these  
25 comments on it.

26  
27                   Support of proposal, Mike Moses supports  
28 the proposal as written that will benefit moose hunting  
29 using a skiff with an outboard motor or those using a  
30 canoe to hunt moose as opposed to the use of fixed wing  
31 aircrafts or helicopters. Mike Moses said in his written  
32 comment that in general moose moves away from the  
33 shoreline once outboard motor traffic begins during the  
34 moose hunting season. Mr. Moses indicated in his written  
35 report -- written comment, I meant to say -- written  
36 comment, that this proposal could also benefit moose  
37 hunters that choose to use a fixed wing aircraft in the  
38 future.

39  
40                   There's a comment from Ms. Joyce Brown,  
41 Mayor of Mountain Village on behalf of the residents of  
42 Mountain Village supports the proposal as written.

43  
44                   And the last comment is from Ray Aquiken  
45 (ph), Ray Aquiken wrote a letter of support to Azachorak  
46 Incorporated stating that Kotlik Traditional Council is  
47 in full support of the proposal. They do not object to  
48 any commercial airline flying within the area or within  
49 the region, they are opposing anyone flying in the area  
50 for moose hunting purposes. They feel that this is an

1 important issue affecting the community along the Lower  
2 Yukon River. They also feel that they are to maintain  
3 and protect their land holding on behalf of the ANCSA  
4 village corporation shareholders and the residents of the  
5 communities. This is one way they said that they are  
6 ensuring on taking stand on the issue.

7  
8  
9

Mr. Chair.

10 CHAIRMAN DEMIENTIEFF: Thank you, very  
11 much. We have no requests at this time for additional  
12 public testimony. Regional Council recommendation.

13

14 MR. HARRY WILDE: Mr. Chairman, when we  
15 have a meeting over in Toksook Bay there was Yukon-  
16 Kuskokwim Advisory Committee's, they vote supporting this  
17 and when they voted, there was something that I  
18 understand and we understand, some of us as Regional  
19 Board members, some of that area is controlled by State.  
20 I could not understand how it would be and, some, they  
21 say that we should at least put our proposal to State  
22 Board of Fish -- Fisheries and Game. So what I'm  
23 thinking, because those guys, that Council over there,  
24 they give me this permission that I could speak on behalf  
25 of Yukon-Kuskokwim.

26

27 I think it would be better to defer this  
28 proposal because I think we want to present it, the  
29 proposal, to Fish and Game also.

30

31 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
32 Committee.

33

34 MR. PROBASCO: Thank you, Mr. Chair. The  
35 Interagency Staff Committee opposes the proposal,  
36 contrary to the recommendation of the Yukon-Kusko Delta  
37 Regional Advisory Council, and Mr. Chair, the Staff  
38 Committee's recommendations can be found on Page 73, and  
39 I won't read all of the issues but just touch on some of  
40 the high points.

41

42 While recognizing the local residents and  
43 the Regional Council have significant concerns about the  
44 current subsistence hunting opportunity, the Interagency  
45 Committee recommends rejection of the Regional Council  
46 recommendation for biological and management reasons.

47

48 The Regional Council recommendation to  
49 establish Controlled Use Areas lacks substantial evidence  
50 of a low or declining moose population to justify such a

1 restriction. Instead, the moose population is healthy  
2 with 674 animals in 2002 and a healthy bull/cow and  
3 cow/calf ratios. These measures indicate continuing  
4 recruitment and population growth.  
5

6 The Regional Council's recommendation is  
7 not supported by established principles of fish and game  
8 management, in that, a Controlled Use Area adopted by the  
9 Federal Subsistence Board would not include the State  
10 managed lands and waters, it would not be as effective as  
11 a result. As a matter of practice, the Federal Board has  
12 only adopted Controlled Use Areas in concert with the  
13 State so that the restrictions on transportation are  
14 consistent across land status and effective in regulating  
15 all hunters.  
16

17 Local concerns of aerial moose spotting  
18 associated with same-day airborne taking of moose should  
19 be directed towards the appropriate State and Federal  
20 land managers who can address these issues through law  
21 enforcement channels.  
22

23 Mr. Chair.

24  
25 CHAIRMAN DEMIENTIEFF: Thank you.  
26 Department comments.  
27

28 MR. HAYNES: Mr. Chairman. The  
29 Department does not support this proposal consistent with  
30 the reasons stated in the Interagency Staff Committee  
31 recommendation on Page 73 of the Board meeting book.  
32

33 This proposal would establish a  
34 Controlled Use Area on Federal public lands in Unit 18  
35 below Mountain Village and prohibit the use of privately  
36 owned aircraft for hunting moose there. The concern  
37 raised in this proposal is a perceived conflict between  
38 local hunters using boats and hunters using aircraft to  
39 access moose hunting areas. In the area addressed in  
40 this proposal, only one moose has been reported taken by  
41 hunters using aircraft since the 1997/98 regulatory year.  
42

43 Current Federal subsistence regulations  
44 limit eligibility for hunting moose on Federal public  
45 lands in the proposed Controlled Use Area only to  
46 residents of Unit 18 and Upper Kalskag, consequently only  
47 Federally-qualified subsistence users would be restricted  
48 if this proposal was adopted. Landing areas on Federal  
49 public lands suitable for aircraft on wheels are very  
50 limited in the proposed Controlled Use Area. Aircraft

1 hunters choosing to hunt in this area probably would use  
2 float planes and land in navigable waters that are  
3 regulated by the State and would not be subject to the  
4 Controlled Use Area provisions when hunting on State and  
5 private lands.

6

7

Thank you.

8

9

CHAIRMAN DEMIENTIEFF: Yes, under Board  
10 discussion, if I could just -- Harry, so even though the  
11 formal Regional Council recommendation is to support the  
12 proposal, you're saying that your members have authorized  
13 you to speak for deferral because you're going to work on  
14 the issue some more? I just want to understand here.

15

16

MR. WILDE: Yeah, Mr. Chairman. When we  
17 have a meeting over there that everyone, Council support  
18 it, however, most of the people that are living in this  
19 area, also they want to present it to State Board. You  
20 could see this map here in front of you, how it drewed,  
21 in this map here there's a lot of land -- a lot of land  
22 there, also it belongs to corporations land and also land  
23 allotments. In this area, that big, and all that white  
24 that you see, that corporation land and all this and  
25 we're concerned about, in this area there, that fishing  
26 camps and fish camps and hunting camps and spring camps  
27 and all that. So when we have a meeting over there, they  
28 say that -- they said that one thing, even though we ask  
29 for something that we don't get it, sometime these Board  
30 members say that -- not openly but to themself and talk  
31 to me and others, we're just wasting our time, well, I  
32 tell them, no, we're not wasting our time.

33

34

You look at our grandchildren and our  
35 children have to go through something even though we like  
36 it or not but we have to support what our people want.  
37 Our people want this, it's very important. I think it's  
38 important enough that, like me, I've been sitting 15  
39 years on the State Advisory Council, me and Mitch there,  
40 I tried to do in the organization just for the people,  
41 why I do this, no, I don't take a paper out of my pocket  
42 and go to store and eat. From the generation how we go  
43 and how we train like I hunt, one time I go around Holy  
44 Cross, people invite me to go hunting in that area. I  
45 met Mitch daddy and all those, they told me, you go out  
46 there and if you find a moose on that land for  
47 subsistence you catch it, yeah, I went out there with two  
48 regulation, I got to have those two regulation, State and  
49 Federal, I never used to have, only used to have, earlier  
50 time I just sharpen my harpoon and go out there and hunt.

1 Today there's so much of this, can't even burn in the  
2 steamhouse.

3  
4 Yeah, Mr. Chairman, I really concerned of  
5 this, what the people want and, well, we would -- I  
6 suppose continue working on it. Like before I come over,  
7 planning to come over before John Hanson go to geese  
8 hunting, John used to go with me, well, I don't know,  
9 maybe if I go up there I'll ball them out, the way he  
10 talks, you know, he been on the State Board of Fishery  
11 and all that and I may not speak much like him but I do  
12 best as I can and try to give our people Advisory Council  
13 what they want.

14  
15 Thank you, Mr. Chairman.

16  
17 CHAIRMAN DEMIENTIEFF: Thank you, Harry.  
18 Up at home I always say when we go hunting we always tow  
19 an extra boat behind us so we can take our lawyer along  
20 with us and keep us legal.

21  
22 (Laughter)

23  
24 CHAIRMAN DEMIENTIEFF: Terry, do you know  
25 how or when this might come up in the Game Board off  
26 hand? I'm just trying to get an idea of the timing here.

27  
28 MR. HAYNES: Mr. Chairman, I'm not sure  
29 if the -- I think that region is on the cycle for next  
30 fall if I'm not mistaken.

31  
32 Mitch asked when the Unit 18, when  
33 Western Alaska would be on the Board of Game agenda and I  
34 believe next fall?

35  
36 MR. REGELIN: That's correct.

37  
38 CHAIRMAN DEMIENTIEFF: Good. Further  
39 discussion. Keith.

40  
41 MR. GOLTZ: I have some questions of  
42 Terry but when you take your lawyer with you, you take  
43 the GPS and you tend to go in September, that's the way  
44 -- yeah.

45  
46 (Laughter)

47  
48 MR. GOLTZ: Harry's raised the question  
49 about two regulations and that's come up in other context  
50 and other venues over the last couple of months. Terry,

1 can you tell us if there's a State subsistence hunt in  
2 that area?

3

4 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
5 There is a September 1 to 30 season in the remainder of  
6 Unit 18 -- the State regulations divide Unit 18 into  
7 three pieces, the Lower Kuskokwim closed area, portion  
8 south of the Eek River drainage and then the remainder of  
9 Unit 18. But there is a September 1 to 30 season and a  
10 10 day winter season to be -- that may be announced.

11

12 MR. GOLTZ: So is there a State  
13 subsistence hunt?

14

15 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
16 There is a resident hunt. Under the State regulations  
17 all residents are potentially subsistence users, so there  
18 is a resident season, there is also a non-resident season  
19 in the area.

20

21 MR. GOLTZ: Is there any accommodation  
22 for rural residents?

23

24 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
25 As you know the State cannot provide a rural preference.

26

27 MR. GOLTZ: On Unit 18, can you think of  
28 any way that we could pull these regulations together so  
29 that there would be only one hunt that would accommodate  
30 Harry?

31

32 MR. HAYNES: Mr. Chairman. I have not  
33 spent any time thinking about that and I would not want  
34 try to do that without consulting with other Staff.

35

36 MR. GOLTZ: Okay, that's fair enough.

37

38 CHAIRMAN DEMIENTIEFF: Actually it would  
39 be a Board of Game decision, it would be beyond  
40 employees, so certainly the issue can be raised, but it's  
41 a Board of Game decision.

42

43 MR. GOLTZ: I understand. I'm not asking  
44 Terry to write the rules, I'm just asking for his  
45 expertise.

46

47 MS. GOTTLIEB: Mr. Chair.

48

49 CHAIRMAN DEMIENTIEFF: Yes.

50

1 MS. GOTTLIEB: Well, I wanted to thank  
2 Harry for his comments as well as for hosting me and a  
3 variety of Staff who were in the room here today who were  
4 out at that Regional Advisory Council meeting, and there  
5 was quite a bit of discussion on this proposal because of  
6 the local or regional concerns about this issue. I did  
7 hear the Refuge manager pledge to work with your Council  
8 on trying to work with some of the State counterparts to  
9 discuss this issue further and see what might be able to  
10 be worked up as something that would be satisfactory and  
11 hopefully meet the concerns of local people.

12  
13 So I would encourage you and the Council  
14 to continue working with all of those folks.

15  
16 CHAIRMAN DEMIENTIEFF: Thank you. Terry.

17  
18 MR. HAYNES: Mr. Chairman, if I could,  
19 just one point I would add to the comments I made  
20 earlier. Federal public lands in this area are closed to  
21 non-Federally-qualified subsistence users so in the area  
22 in question, other State residents can hunt only on the  
23 State and private lands in that area.

24  
25 CHAIRMAN DEMIENTIEFF: Thank you.  
26 Further discussion.

27  
28 (No comments)

29  
30 CHAIRMAN DEMIENTIEFF: Is there a motion.

31  
32 (Pause)

33  
34 CHAIRMAN DEMIENTIEFF: Go ahead, Todd.

35  
36 MR. LOGAN: Thank you. I guess I find  
37 myself in a little bit of an awkward spot for the second  
38 time in the morning making a motion that is not to  
39 support the recommendation of the Regional Advisory  
40 Council, but at the same time I fully respect the  
41 proposal Mr. Wilde has put on the table.

42  
43 I guess I would like to move to reject  
44 Proposal 11 contrary to the recommendation of the Yukon-  
45 Kuskokwim Delta Regional Advisory Council.

46  
47 CHAIRMAN DEMIENTIEFF: I'm going to rule  
48 that motion out of order. I think I was pretty clear  
49 when we came back from break that we do want a motion to  
50 accept the Regional Council recommendation and then we

1 can do subsequent action after that. So that's the  
2 motion I'm looking for.

3

4 MR. LOGAN: Okay.

5

6 MR. ROEHL: Mr. Chairman.

7

8 CHAIRMAN DEMIENTIEFF: Yes.

9

10 MR. ROEHL: I will move to support the  
11 RAC's recommendation on this proposal.

12

13 CHAIRMAN DEMIENTIEFF: Is there a second.

14

15 MS. GOTTLIEB: Mr. Chair, I'll second for  
16 discussion purposes.

17

18 CHAIRMAN DEMIENTIEFF: Good, thank you.  
19 I did appreciate Harry enlightening about the motion to  
20 defer -- I mean to request to defer and he got clearance  
21 by his home people. I consider this a work in progress,  
22 and I do not -- I intend to, once we get to -- if we do  
23 get to a vote on deferral I would intend to support that  
24 in line with his people at home in line with the work  
25 that they still have to do.

26

27 So I just wanted to make sure I was  
28 understanding Harry correctly and he does have the  
29 guidance even though his formal Council position is to  
30 support, I understand that they're continuing to work on  
31 it at home and appreciate the fact that he got the  
32 permission for his Council members to support that  
33 concept.

34

35 (Pause)

36

37 MR. ROEHL: Mr. Chairman.

38

39 CHAIRMAN DEMIENTIEFF: Yes.

40

41 MR. ROEHL: Based information recently  
42 provided to me by people I know, I would like to amend my  
43 motion to approve this proposal to change it instead to  
44 defer it for further discussion.

45

46 CHAIRMAN DEMIENTIEFF: Okay, there is a  
47 motion to defer, is there a second to that motion?

48

49 MS. GOTTLIEB: I'll second that.

50

1 CHAIRMAN DEMIENTIEFF: Okay. Any further  
2 discussion on the motion to defer.

3  
4 (No comments)

5  
6 CHAIRMAN DEMIENTIEFF: Hearing none, all  
7 those in favor of the motion, please signify by saying  
8 aye.

9  
10 IN UNISON: Aye.

11  
12 CHAIRMAN DEMIENTIEFF: Those opposed.

13  
14 (No opposing votes)

15  
16 CHAIRMAN DEMIENTIEFF: Motion carries.

17  
18 (Pause)

19  
20 CHAIRMAN DEMIENTIEFF: I'm sorry we have  
21 to follow up on the motion to adopt the motion as  
22 amended, which is to defer and I was actually going to  
23 get to that but Tom and I were in another discussion  
24 about procedure about the motion earlier that I ruled out  
25 of order. I may have been out of order. We'll have that  
26 discussion. But, anyway, procedurally we're here once we  
27 vote on the motion as amended and that's basically to  
28 accept the deferral as recommended by the RAC Chair.

29  
30 All those in favor of the main motion,  
31 please signify by saying aye.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN DEMIENTIEFF: Those opposed,  
36 same sign.

37  
38 (No opposing votes)

39  
40 CHAIRMAN DEMIENTIEFF: Motion carries.  
41 Time flies when we're having fun. Noon time. He does  
42 help out once in awhile that Tom does, I guess, that's  
43 why he's up for his Federal employee award.

44  
45 We'll probably start as close after 1:00,  
46 we usually try to either break a little bit early for  
47 lunch or else come back a little bit later because it's  
48 sometimes real busy out there to try to get a bite to  
49 eat. So as close to 1:00 as we can.

50

1 Thank you, we'll recess.

2

3 (Off record)

4

5 (On record)

6

7 CHAIRMAN DEMIENTIEFF: I'll call the  
8 meeting back to order. We got a couple little  
9 corrections and admonition from the Chair, also, that  
10 we'll start out with. All these years I've been Chairing  
11 the Board I finally made a mistake.

12

13 (Laughter)

14

15 CHAIRMAN DEMIENTIEFF: We changed  
16 procedures and earlier I ruled Todd's motion out of order  
17 and, in fact, we can move to adopt, reject or modify a  
18 Regional Council recommendation as long as we are working  
19 off of the Regional Council recommendation which is the  
20 operative, and that was changed shortly after our Fish  
21 Board meeting in January so, yeah, well, and if you  
22 believe that's the first mistake I ever made I got a  
23 bridge I want to sell you at home and it's hardly been  
24 used, real good shape.

25

26 So anyway, and I think Wayne also has a  
27 correction.

28

29 MR. REGELIN: Yes, thank you. There was  
30 a question asked just at the end on discussion on  
31 Proposal 11, and there was a question from Mr. Goltz who  
32 asked if we had a subsistence hunt in Unit 18 for moose  
33 in this area, and the answer to that question is, yes, we  
34 do. In this area there's a general hunt and a  
35 subsistence hunt with exactly -- and it's exactly the  
36 same dates and bag limits as the Federal hunt. The only  
37 difference between the Federal hunt and the State hunt is  
38 under the State law, all residents can hunt, participate  
39 in that hunt no matter where they live. But the reality  
40 of it is that virtually all of the harvest in Unit 18 is  
41 by Unit 18 residents. The very few exceptions to that  
42 are from people that go back to visit relatives and  
43 harvest an animal there.

44

45 So I wanted to get that on -- we didn't  
46 quite understand the question and had to check into it.  
47 And what we do is almost all -- we have subsistence hunts  
48 in nearly all of the areas and the exceptions are where  
49 we have under State law, non-subsistence areas, and there  
50 we don't have State subsistence hunts.

1 Thank you.  
2  
3 CHAIRMAN DEMIENTIEFF: Keith.  
4  
5 MR. GOLTZ: Yes, Mr. Chairman. I  
6 appreciate that correction. How does somebody look at  
7 the regulation book and determine and get to that answer?  
8  
9 MR. HAYNES: Mr. Chairman. One would  
10 have to read and identify which areas are non-subsistence  
11 areas under the State regulations.  
12  
13 MR. GOLTZ: Right. Right. But take a  
14 look at Game Management Unit 18 on Page 87 of your book,  
15 of the State hunting regulations.  
16  
17 MR. HAYNES: All right.  
18  
19 MR. GOLTZ: I see hunts for residents and  
20 non-residents, for non-residents and for non-residents  
21 [sic]. Now, if I'm understanding what I was just told,  
22 every time we see a hunt only for residents, is that what  
23 you're calling a subsistence hunt?  
24  
25 MR. REGELIN: When you look at the  
26 codified language and not that, what we call the handy-  
27 dandy or that little booklet doesn't have every rural in  
28 it.  
29  
30 MR. GOLTZ: Right.  
31  
32 MR. REGELIN: But when you go to the  
33 codified, it says general hunt, and subsistence hunt and  
34 it's the same thing unless there's an exception where it  
35 says general hunt only. But the reality of it is the  
36 person that's going hunting out in the field that lives  
37 in Unit 18 can hunt under the State rules, it doesn't --  
38 you know the season is open for them and for us to put in  
39 our book that it's, you know, two seasons when they're  
40 all exactly the same, I don't see the point why we would  
41 do that because everybody out in Unit 18 is a local  
42 resident and they have a 30 day season.  
43  
44 MR. GOLTZ: All right, Mr. Chairman.  
45  
46 CHAIRMAN DEMIENTIEFF: Go ahead.  
47  
48 MR. GOLTZ: If I were to sit down and say  
49 let's pull the State and Federal regulations into one set  
50 of regulations, to the extent possible, how would I know

1 by reading the handy-dandy if there's a subsistence hunt?

2

3 MR. HAYNES: Mr. Chairman.

4

5 CHAIRMAN DEMIENTIEFF: Terry.

6

7 MR. HAYNES: Mr. Chairman. Mr. Goltz. I  
8 think even on the Federal side you would not use the  
9 handy-dandy for that exercise you would go to your  
10 codified regulations.

11

12 MR. GOLTZ: So you're saying I can't do  
13 it with this?

14

15 MR. HAYNES: I would not limit myself to  
16 the handy-dandy if I was going to do that type of  
17 project.

18

19 MR. REGELIN: The handy-dandy is for the  
20 convenience of the local hunter. It's -- or all the  
21 hunters, it's not for the legal part.

22

23 MR. GOLTZ: Well, I understand that  
24 and.....

25

26 MR. REGELIN: And I guess if we were  
27 going to have to do this exercise of trying to make our  
28 regulations compatible we would go to both laws, not  
29 something that says right in front of the book that not  
30 everything in there -- not all of the details are in  
31 there, they're in the codified.

32

33 MR. GOLTZ: Well, I fear what we're both  
34 telling Harry is that he needs two sets of lawyers to go  
35 hunting.

36

37 We can pursue this more in some of the  
38 other venues, but what I'm trying to get at is what the  
39 ordinary user can understand by reading this book. But  
40 we'll take that up later.

41

42 CHAIRMAN DEMIENTIEFF: Well, as you can  
43 tell everybody's had a good lunch. We're all apologizing  
44 for our mistakes this morning and correcting each other.  
45 So getting all that done I was commenting to several  
46 people on the way out as we were heading to lunch, it's  
47 always real slow for us to get started, but it seems like  
48 once we get the procedures and everything down  
49 everybody's on the same page and then the doggone meeting  
50 is over. But anyway we still manage to do our job.

1                   Let me see, Western Interior is on  
2 consent, so that means we go to Seward Penn, Proposal  
3 14(b).

4  
5                   MR. BOYD: That's it, yeah.

6  
7                   CHAIRMAN DEMIENTIEFF: Yeah, 14(b), Unit  
8 22(B) moose, and with that we'll go to Staff analysis.

9  
10                  MS. H. ARMSTRONG: Thank you, Mr. Chair.  
11 My name is Helen Armstrong. I'm with the Office of  
12 Subsistence Management. Proposal 14(b) was submitted by  
13 the Seward Peninsula Regional Advisory Council and it is  
14 for Federal public lands in Unit 22(B) west of the Darby  
15 Mountains. It requests closing Federal public lands to  
16 the taking of moose except by White Mountain and Golovin.

17  
18                  The proposal is related to Proposals  
19 14(a) and 15, which are on the consent agenda. We  
20 separated them out because we were fairly certain this  
21 part would not be consent. 14(a) and 15, assuming that  
22 it does get approved by the Board, which I expect it to  
23 since it's on the consent agenda had decreased the quota  
24 of moose from 42 to 23 and it's a State and Federal quota  
25 for the fall season.

26  
27                  There is a conservation concern in the  
28 region that's why they decreased the moose harvest.  
29 Conservation measures have already been implemented in  
30 the past. The Federal public lands are closed to non-  
31 Federally-qualified subsistence users and harvest  
32 restrictions. The winter hunt already has restricted the  
33 hunt to Golovin and White Mountain.

34  
35                  The extent of Federal public lands is  
36 there aren't very many in this area, if you look at your  
37 map on Page 120 there are some BLM lands that makes up  
38 six percent of the lands in Unit 22(B) west of the Darby,  
39 there are also some Bering Land Bridge National Preserve  
40 lands, about two percent of the lands in Unit 22(B), but  
41 these are north of the Darby Mountains, so we're just  
42 looking at a small proportion of the lands that are  
43 fairly scattered as well, it's not one big chunk of land.

44  
45                  Right now the existing regulation allows  
46 for all of the residents of Unit 22 to hunt moose in  
47 22(B) west. This would then limit it to only White  
48 Mountain and Golovin, those communities are Stebbins, St.  
49 Michael, Unalakleet, Shaktooklik, Koyuk, Elim, White  
50 Mountain, Golovin, Nome, Solomon, Teller, Brevig Mission,

1 Gambell, Savoonga, and Wales and Shishmaref. So there  
2 are quite a few communities.

3  
4 The harvest reporting for moose in Unit  
5 22(B) dates back to 1983 and since that time, 65 percent  
6 of the reported moose harvest was by Unit 22 residents.  
7 The moose harvest in Unit 22(B) has declined  
8 significantly, from a range of 116 to 155 in the mid-  
9 1980s to 49 to 56 taken in 2002/2003. In 1997 the Unit  
10 22(B) was divided into east and west. From '97 to 2001  
11 74 percent of the moose were taken by Unit 22 residents.  
12 Of those people in Unit 22 taking moose in Unit 22(B)  
13 west from '83 to 2003, they're mostly taken by Nome.  
14 There were 1,045 moose taken in those 20 years, 807 of  
15 those were by Nome, 128 by White Mountain, 95 by Golovin,  
16 four by Elim, eight by Savoonga and three by Gambell. I  
17 want to add that those are reported harvest and with the  
18 exception of Nome we do know that harvests that villages  
19 have reported are generally significantly under-reported.  
20 There is an example of that that in 1999 Elim had a  
21 harvest survey done there and that year they had no moose  
22 recorded as harvested in their harvest ticket data base  
23 whereas the community survey recorded 21 harvests. So it  
24 is fairly significant in those communities, the under-  
25 reporting that occurs. In Nome we know that the  
26 reporting is fairly accurate.

27  
28 Because we are looking at reducing the  
29 number of people, the communities that can harvest a  
30 resource we have to implement Section .804 of ANILCA and  
31 do an .804 analysis, and I think most of you are somewhat  
32 familiar with that by now but I think there a few people  
33 who are not as familiar so I will go through those three  
34 criteria that we have to look at it when we do an .804  
35 analysis.

36  
37 The first one is customary and direct  
38 dependence upon the populations as the mainstay of  
39 livelihood.

40  
41 The second is local residency, proximity  
42 to the resource.

43  
44 The third is the availability of  
45 alternative resources.

46  
47 So in looking at those, customary and  
48 direct dependence upon the population as a mainstay of  
49 livelihood. The harvest ticket database indicated that  
50 Golovin, White Mountain, Elim, Nome, Savoonga, and

1 Gambell have reported taking moose in the past 20 years.  
2 Of those, Golovin had a 99 percent of their harvest was  
3 in Unit 22(B) west and White Mountain's harvest was 100  
4 percent. Again, those are under-reported but we think  
5 that that's probably representative of the proportions of  
6 their harvest. Of Nome's reported harvest 26 percent  
7 comes from Unit 22(B) west. And of Elim's total reported  
8 harvest 24 percent, which was four moose in 20 years was  
9 in Unit 22(B) west. And because of that significantly  
10 higher percentage than one would really expect for Elim,  
11 I did ask at the Council meeting, from the Elim  
12 representative, I asked if he felt that Elim should be  
13 included or excluded and he said that they don't go  
14 hunting in Unit 22(B) west, that their hunting is all  
15 done on the east side of the mountains, that the  
16 mountains restrict them really from going over to Unit  
17 22(B) west, and that they go in the Kwiniuk River north  
18 of Elim on the Tubutulik and Koyuk Rivers. He was not at  
19 all concerned about being cut out from hunting over on  
20 the other side. My guess is is that the harvest that  
21 were recorded probably were when some Elim people were  
22 hunting with their Nome relatives which is sometimes the  
23 case in -- actually all over the state, I think in  
24 regional centers, you might have village people hunting  
25 with people in the regional centers.

26  
27                   Gambell and Savoonga have taken very few  
28 moose in the area. Again, they were probably hunting  
29 with relatives, three of eight moose that they've  
30 harvested in the past 20 years. The other Unit 22  
31 communities that have C&T don't have recorded harvest in  
32 Unit 22(B) west, and there wasn't any indication from the  
33 Council that any of the others of those communities  
34 should be included.

35  
36                   The second criteria, proximity to the  
37 resource or local residency.

38  
39                   Golovin, White Mountain and Nome and  
40 Solomon are all within close proximity to the resource.  
41 Elim is within proximity but as I said the mountains do  
42 restrict them from being -- to having really easy access.  
43 Gambell and Savoonga are not in close proximity. And the  
44 remaining Unit 22 communities don't have any demonstrated  
45 use or dependence and they're also not in proximity.

46  
47                   The availability of alternative  
48 resources. All of the communities of Unit 22 have a wide  
49 variety of subsistence resources to use in their areas.  
50 However, White Mountain and Golovin take all of the moose

1 that they take is within Unit 22(B) west, there really  
2 aren't any other areas that are in close proximity to  
3 them to take moose. And Elim, as I said, takes their  
4 moose in Unit 22(B) east predominately. Nome takes moose  
5 from other subunits in Unit 22. Of the moose they've  
6 taken, 55 percent were in Unit 22(D) and 26 percent in  
7 Unit 22, 18 percent in Unit 22(C) and less than one  
8 percent in Units 22(A) and (E). Nome residents also take  
9 a few moose throughout Alaska in small numbers.

10

11 One of the problems I wrestled with in  
12 this analysis was that when you look at a Section .804  
13 analysis, we have criteria we need to meet but, of  
14 course, ANILCA doesn't say what the cutoff is so if a  
15 resource is being harvested, is 26 percent enough to be  
16 considered a dependence on a resource and that's the  
17 question I think you'll have to wrestle with.

18

19 The same thing in terms of alternative  
20 resources, if there are other resources they can harvest  
21 in another area, what percentage or how much dependence  
22 does that have to be.

23

24 Solomon has had one moose harvest, but  
25 there are only three to four residents who live there now  
26 and they're fairly elderly and they're not hunting too  
27 much anymore, they haven't taken a moose since 1986. And  
28 Savoonga and Gambell do hunt moose in other units,  
29 subunits in Unit 22 but really very few moose and they  
30 mostly are dependent on marine mammals.

31

32 So to summarize the .804 White Mountain  
33 and Golovin meet all three of the criteria. Nome has  
34 other areas to hunt moose but they do take 26 percent of  
35 their moose in Unit 22(B). Elim has some evidence of  
36 taking moose in Unit 22(B) but they're not in as close  
37 proximity in the sense that they have the mountains  
38 blocking them. And the other communities don't meet all  
39 of the .804 criteria.

40

41 The effect of the proposal, I think  
42 because of the very limited number or percentage of  
43 Federal public lands in Unit 22(B), if the proposal is  
44 adopted, I think the Nome residents would hunt on State  
45 lands and take the same -- I mean I don't know for sure  
46 if they would take the same number of moose or not, but  
47 they would hunt on State lands.

48

49 There is one other thing I should have  
50 added. There was an emergency order that came out from

1 the State last week that changed their harvest season to  
2 September 1st to September 14th, and this was in response  
3 to their concerns about the conservation issue of moose,  
4 and they also have limited moose to one per household.  
5 So that will be an effect.

6  
7 So I think that if the proposal is  
8 supported there won't be a significant affect on the  
9 moose population, if it's not supported I don't think  
10 there will be much of an affect either because there are  
11 so few Federal public lands. So I think it's a difficult  
12 proposal to know which way to go on.

13  
14 With that, Mr. Chairman, concludes my  
15 analysis.

16  
17 CHAIRMAN DEMIENTIEFF: Thank you very  
18 much. Written public comments.

19  
20 Or did you have a question, hang on a  
21 second.

22  
23 MS. GOTTLIEB: Thank you. Helen, can I  
24 ask a question about what you said at the very end about  
25 the emergency order, does that apply to the fall season,  
26 is there still a winter season?

27  
28 MS. H. ARMSTRONG: Yes, there is.

29  
30 MS. GOTTLIEB: Okay.

31  
32 MS. H. ARMSTRONG: And this proposal is  
33 only for the fall season. And I just actually just  
34 happen to think the one thing I didn't say was that the  
35 White Mountain and Golovin people predominately hunt in  
36 the winter and they've been taking -- now, that they've  
37 had that moose hunt exclusively for the winter, I think  
38 they've been getting about 14 out of 17 permits so they  
39 have been hunting mostly in the winter. They have better  
40 access in the wintertime.

41  
42 MS. GOTTLIEB: Thank you.

43  
44 CHAIRMAN DEMIENTIEFF: Thank you. Are  
45 you done?

46  
47 MS. GOTTLIEB: Yes.

48  
49 CHAIRMAN DEMIENTIEFF: Okay. Written  
50 public comments.

1 MS. B. ARMSTRONG: Thank you, Mr. Chair.  
2 There are no public comments for this proposal.

3  
4 CHAIRMAN DEMIENTIEFF: Thank you. We  
5 have no additional requests for public testimony on this  
6 issue at this time.

7  
8 And with that, we'll move to the Regional  
9 Council recommendation.

10  
11 MS. CROSS: Thank you. This is kind of  
12 a, I guess, particularly troublesome proposal that the  
13 RAC had to go through because, you know, 26 percent of  
14 the moose taken from this region is by Nome.

15  
16 We had to take into consideration a  
17 number of things and one was that the number taken by  
18 White Mountain and Golovin almost 100 -- well, 100  
19 percent in one and 99 percent in the other of the moose  
20 is taken from there. And then we looked at Nome and see  
21 what other options they have in terms of hunting for  
22 moose. There's Unit 22(C), there's Unit 22(B), there's  
23 some people who go to Unit 22(E). There's American River  
24 on Unit 22(D) which has a more liberal season than Unit  
25 22(D) [sic]. All of those are on the road system. Every  
26 one that we're talking about is on the road system. So  
27 Nome hunters have easier access to those regions.

28  
29 You can travel from Nome on a very stormy  
30 day, foggy, and go to Council in your truck and wait out  
31 for the sun to come out and then you can go moose  
32 hunting, whereas in Golovin and White Mountain you don't  
33 have any road access. In fact, a number of people from  
34 Nome specifically go to Council area, we're talking about  
35 22 -- the one that we're talking about, days ahead of  
36 time to wait out for the season to open so they can get  
37 the firsthand -- so they can get their moose firsthand.  
38 If the weather does not allow White Mountain and Golovin  
39 people to go they go by terrain, which is mainly not done  
40 or by boat, then you won't be there to hunt for those  
41 moose.

42  
43 You know, 26 percent seems like a  
44 significant number, but it also means that about 74  
45 percent of Nome hunts elsewhere. And another thing that  
46 happens, too, is that in the last several years, the  
47 Alaska Department of Fish and Game has been issuing  
48 permits for cow hunts in Unit 22(C), which is Nome's  
49 backyard. I have stood and people of Nome, and I have  
50 done it myself, have slept in front of ADG&F [sic] to get

1 a cow permit and people have been getting cow, that  
2 population is healthy and the State may correct me if I'm  
3 wrong, but at least as of last year that population was  
4 healthy enough to allow cow hunts, so there's that extra  
5 opportunity for Nome. They can, like I said, they can go  
6 to Kougarok, and they can go to American River, which is  
7 in 22(D), that hunting for moose is liberal, it's  
8 accessible by boats.

9  
10 Another thing we had to take into  
11 consideration is how much does it cost for people of  
12 White Mountain and Golovin to go to Unit 22(C) or Unit  
13 22(D) to hunt for a moose, it takes an airline ticket to  
14 fly out, it takes freight, monies to transport your moose  
15 meat to those two small communities. The income level  
16 according to the U.S. Census is about 11 to 19,000 a year  
17 in White Mountain and Golovin, in Nome, it's 50,000 plus.  
18 I know we're not supposed to take those things into  
19 consideration in terms of money and I'm not saying this,  
20 I'm just trying to say that it's very expensive for  
21 subsistence hunters in White Mountain and Golovin to go  
22 to travel to Unit 22(C) or to 22(D) or 22(E) or even on  
23 the other side of the Darby Mountains by airplane to go  
24 hunt. There's not a single fare in their region that is  
25 under a hundred dollars, so it would mean for them to go  
26 hunt elsewhere they'll have to pay an airplane fare plus  
27 probably 50 cents a pound to bring their moose out and  
28 then the cost of gas even if they're going to travel by  
29 boat. But at the same time, it's not easy for those two  
30 communities, that's why we predominately hunt in the  
31 wintertime to travel to get their moose. In the  
32 summertime, given what maybe what little Federal lands  
33 there may be over there, they're given them additional  
34 opportunity to at least have a little extra to hunt in in  
35 the falltime.

36  
37 I think this, you know, I agree it seems  
38 like a large percentage of Nome but you also have to look  
39 at the population size of Nome, it's a little over 3,500  
40 people in Nome, White Mountain and Golovin, as you can  
41 see their populations are very small. In a way it kind  
42 of indicates to me that their dependency, their 100  
43 percent dependency on that moose population where it's  
44 declining and steadily declining in the region where they  
45 hunt for moose 100 percent, it seems to me -- logic tells  
46 me they're more dependent on that moose population than  
47 the 26 percent in Nome who have opportunity to drive up  
48 to the Kougarok area, 22(D), who can drive up to Teller  
49 area, who can take a boat to American River to hunt.  
50

1                   Now, I'm -- we were kind of concerned,  
2 too, about Elim, but it turns out that the Elim  
3 representative said that there was really no need for  
4 concern, that the people in Elim, they're on the other  
5 side of the mountain, they don't travel. And I think  
6 Helen has it right on the key, some of them because of  
7 declining moose populations when they're in Nome, the  
8 opportunity arises they go hunting with their relatives.  
9 And for those people from St. Lawrence Island, I have  
10 family that are inter-married into Golovin and White  
11 Mountain and I think I know who got some of that moose,  
12 they took it over to St. Lawrence Island.

13  
14                   But I'm very concerned about a number of  
15 things. One thing that concerns me is a new EO order  
16 that came out from 23 moose, it's down to 20 moose that's  
17 to be shared between three communities. And then there's  
18 a registration permit that's going to be open for the  
19 wintertime with the State which means that the seven  
20 moose that is allocated for White Mountain and Golovin,  
21 and the State can correct me if I'm wrong, is going to  
22 have to be shared with hunters from Nome.

23  
24                   Now, last year there was six moose and  
25 there were exclusively taken by White Mountain and  
26 Golovin, but with every declining moose population,  
27 knowing my region there are people who are going to go  
28 hunting, the seven moose that are going to be -- it  
29 sounds like maybe the State can correct me, it sounds  
30 like those seven moose will be shared by three  
31 communities now. On the Federal lands -- the moose  
32 killed on the Federal lands of those seven is included --  
33 I mean it's included and it's both the State and the  
34 Federal kill, the seven moose. In those two communities,  
35 you can just look at the statistics, you can see that the  
36 three small communities take a lot of their kill from  
37 that region and so taking the -- having to share the  
38 seven moose is going, to me, if Nome catches even one,  
39 even two that leaves White Mountain and Golovin, two  
40 communities, maybe five, six moose to divide among the  
41 two communities that exclusively hunt in the region  
42 because 100 percent of their catch comes from there.

43  
44                   I don't think I'm going to go on too --  
45 further. The only thing that -- Ralph said something  
46 this morning that it kind of hit my heart, he said that  
47 if I never see that one again, I'll be happy. And if I  
48 never hear anybody say that it's going to cause some  
49 confusion among the hunters because there's very little  
50 Federal lands within the region to hunt, I don't want to

1 hear that again. For centuries and centuries those  
2 people know their land, we all do. We know our  
3 traditional hunting grounds. We know the areas. If  
4 somebody tells us this part is Federal lands, those lands  
5 are marked, they've got names, they've got rivers that  
6 have names, once they're marked people know. I mean that  
7 statement is just about as ridiculous if they took all  
8 the street signs off of Anchorage, Alaska and you lived,  
9 oh, maybe Tom Boyd and here and say, you go shopping at  
10 Wal-Mart on Dimond and there's no street signs, you think  
11 he wouldn't know where to go.

12

(Laughter)

13

14

15 MS. CROSS: It is ridiculous. So Tom  
16 would -- you know, he's not going to go to Northern  
17 Lights even if there's no sign, he knows exactly where it  
18 is. And then if you really think about it, this thing  
19 about it's going to cause confusion. It may to people  
20 who just got there but isn't it kind of a rule that you  
21 should know, you know, if you're going to go out hunting,  
22 you should know where you're going, you should know where  
23 you are for a couple of things. One, for safety,  
24 otherwise Fish and Game is going to cite you something  
25 and you don't want to pay.

26

27 But anyway, I belabored that enough.

28

29

30 But I would really encourage the Board to  
31 take this very seriously. There are two small  
32 communities out there that do not have any options.  
33 There's a mountain that divides them from the other side,  
34 there's airline costs and they both exclusively have  
35 gotten their moose in the area where they now  
36 predominately live. 26 percent of Nome that do hunt  
37 there have other options. There was no objections --  
38 very rarely do I go on the radio, locally, every time we  
39 have a RAC meeting I'm asked by the radio station to  
40 comment on something or to be interviewed, I rarely do  
41 that, I think this was the second time I got interviewed  
42 for this so I'd be able to express what the RAC was doing  
43 and nobody called me and nobody stopped me in the street  
44 objecting to what the RAC had done and you see no  
45 comments from Nome objecting to this. I think people, in  
46 their own way, understand this.

46

47

48 And believe me, people of Nome are not  
49 ones to be quiet. But I thank you for listening to me.  
50 I hope you'll make a wise decision. If you have any  
51 questions please feel free to ask me. That's basically

1 it.

2

3 CHAIRMAN DEMIENTIEFF: Yes, go ahead,  
4 Todd and then Keith.

5

6 MR. LOGAN: Thank you. I do have one  
7 question, Ms. Cross, I'm trying to make sure I understand  
8 the inter-play between the two seasons and the geography.  
9 As I understand it, White Mountain and Golovin do almost  
10 all their hunting during the winter and so by precluding  
11 Nome from hunting the fall season basically there'll be  
12 very little hunting during the fall, is that basic -- is  
13 that correct?

14

15 MS. CROSS: It depends on the motive. If  
16 you have something more than a snowmachine, of example, a  
17 jet unit, in White Mountain or Golovin you will utilize  
18 that outboard motor and jet unit to go hunting. Most of  
19 the hunting is done in the wintertime because, you know,  
20 you can afford a snowmachine versus getting a jet unit,  
21 but there are people from the community that do utilize  
22 the river system to go moose hunting. It's just in the  
23 wintertime it's more accessible and plus, you know, most  
24 people have snowmachines verses large boats with jet  
25 units to go up the river. But they do get their moose in  
26 the falltime too.

27

28 MR. LOGAN: Thank you.

29

30 CHAIRMAN DEMIENTIEFF: Keith.

31

32 MR. GOLTZ: I just wanted to assure Grace  
33 and the Board that when you're talking about .804,  
34 dependency and the availability of alternative resources  
35 are relevant factors, you can consider them.

36

37 CHAIRMAN DEMIENTIEFF: Staff Committee --  
38 I'm sorry, go ahead, Dan.

39

40 MR. O'HARA: If I could ask Grace a  
41 question.

42

43 CHAIRMAN DEMIENTIEFF: Yes.

44

45 MR. O'HARA: That was Golovin, White  
46 Mountain, what was the third community?

47

48 MS. CROSS: Nome.

49

50 MR. O'HARA: Nome, okay. And do they

1 have any caribou that come through there for all three  
2 communities or just the two.

3  
4 MS. CROSS: All three in our area.

5  
6 MR. O'HARA: All have access to caribou?

7  
8 MS. CROSS: Uh-huh. (Affirmative)

9  
10 MR. O'HARA: Okay, thanks. Thank you,  
11 Mr. Chairman.

12  
13 CHAIRMAN DEMIENTIEFF: Thank you.

14  
15 MR. REAKOFF: Mr. Chairman.

16  
17 CHAIRMAN DEMIENTIEFF: Jack.

18  
19 MR. REAKOFF: I also would like to  
20 comment that and reiterate what Grace is saying there,  
21 that I really do not like to hear that the rural  
22 residents cannot find the Federal land really we  
23 shouldn't have any kind of priority on those lands  
24 because people have a hard time finding those lands.  
25 This keeps coming up as a reason to not allow a  
26 subsistence priority on Federal lands. And I'm very  
27 frustrated with that issue. I feel that that does not  
28 enter into our deliberations. We're to provide a  
29 priority for subsistence use on Federal lands and there  
30 are boundaries described and we can find them.

31  
32 And so I really don't want to hear that  
33 anymore. I'm tired of that type of argument that those  
34 boundaries are hard to find. We can find those  
35 boundaries, and if we need that resource and the Federal  
36 program can provide the use of that resource, I feel that  
37 we should be given that opportunity.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you. If  
40 there's nothing else we'll go ahead and move on to Staff  
41 Committee.

42  
43 MR. PROBASCO: Thank you, Mr. Chair. The  
44 Interagency Staff Committee recommendation can be found  
45 on Page 116.

46  
47 The Staff Committee opposes the proposal  
48 contrary to the recommendation of the Seward Peninsula  
49 Regional Advisory Council.

50

1                   Currently the moose population in Unit  
2 22(B) west is depressed and well below ADF&G's management  
3 objectives representing a conservation concern. State  
4 and Federal managers have recently adopted several  
5 regulatory restrictions to conserve moose while providing  
6 the best possible opportunity. Federal public lands are  
7 closed to non-Federally-qualified users eliminating non-  
8 local hunters from Federal lands in the unit. A joint  
9 State/Federal quota is in place with a balance in the  
10 location between fall opportunities and those available  
11 in the winter.

12  
13                   The Federal Subsistence Board has already  
14 adopted regulations restricting the limited winter hunt  
15 to the small communities of White Mountain and Golovin.

16  
17                   The Interagency Staff Committee  
18 recommends rejection of the proposal and the Regional  
19 Council recommendation would eliminate all but White  
20 Mountain and Golovin from the fall hunt on the grounds  
21 that this lacks substantial evidence to support the  
22 restriction. And particularly, Nome residents have a  
23 documented significant pattern of use in Unit 22(B) west  
24 particularly during the fall season.

25  
26                   Nome residents take the majority of their  
27 moose in Unit 22(D), however 26 percent of their harvest  
28 is in Unit 22(B) west of the Darby Mountains. Thus,  
29 eliminating Nome for Unit 22(B) to the Darby Mountains  
30 could not be justified.

31  
32                   Mr. Chair.

33  
34                   CHAIRMAN DEMIENTIEFF: Thank you.  
35 Department comments.

36  
37                   MR. GRACE: And Mr. Chair, very quickly.  
38 One of the things we didn't thoroughly discuss when we  
39 were having our meeting was the dates of the hunt that's  
40 here, but in every one of the other ones we aligned it  
41 with the State and then the few -- I didn't talk to all  
42 the Council members because there were other things that  
43 were going on but the few that I talked to, there were no  
44 objections to the few Council members that I talked to  
45 aligning the dates of the limited hunt to the same with  
46 the State.

47  
48                   Thank you.

49  
50                   CHAIRMAN DEMIENTIEFF: Thank you.

1 Department comments.

2

3

MR. HAYNES: Thank you, Mr. Chairman.

4 The Department does not support this proposal consistent  
5 with the recommendation of the Interagency Staff  
6 Committee.

7

8

This proposal would primarily impact  
9 residents of Nome by excluding them from eligibility for  
10 the fall moose hunting season on Federal public lands in  
11 western Unit 22(B), an area they have long used for moose  
12 hunting and would limit eligibility only to residents of  
13 White Mountain and Golovin.

14

The evidence presented in the Staff  
16 analysis reaffirms that Nome residents have a customary  
17 and traditional use of moose in this area. If Nome and  
18 other communities with a positive C&T finding continue to  
19 be included in this hunt, the Department does recognize  
20 that the current moose population cannot support harvest  
21 by all eligible users. Consequently and has been noted  
22 earlier, the Department, on April 28th issued an  
23 emergency order that will reduce the upcoming fall moose  
24 season to September 1 to 14, allowing the Nome road  
25 system and the adjacent areas of Units 22(D) and 22(B)  
26 west of the Darby Mountains.

27

28

Local residents historically have  
29 concentrated their moose hunting efforts along the  
30 mainstem of the Fish River, where only a small patchwork  
31 of Federal land exists. Golovin and White Mountain  
32 residents may find it difficult to identify the Federal  
33 public lands and to determine where they could legally  
34 take a moose.

35

36

The proposed Federal season also would be  
37 open for more than six weeks, three times longer than the  
38 now -- the newly implemented State season. But the  
39 permits, the State registration permits used for this  
40 hunt would have September 1 to 14 season dates printed on  
41 it and that could add further complexity for the hunters.

42

43

The Department does not support limiting  
44 eligibility for the Federal subsistence fall moose in  
45 western Unit 22(B) to residents of Golovin and White  
46 Mountain but does recommend that the Federal Subsistence  
47 Board consider amending the Federal season dates to match  
48 the State's September 1 to September 14 season for these  
49 reasons.

50

1 Residents of Nome, the community that  
2 would be primarily impacted if this proposal was adopted  
3 have a documented customary and traditional use of moose  
4 in western Unit 22(B). Reduction of the overall moose  
5 harvest in Unit 22(B) is necessary for conservation  
6 purposes. Finally, the patchwork of land ownership in  
7 the hunt area will make it difficult for Federally-  
8 qualified subsistence hunters to know where they can  
9 legally hunt if State and Federal seasons are not the  
10 same.

11  
12 The State has recently taken several  
13 steps to address moose management and conservation issues  
14 in Unit 22. The non-resident seasons in parts of Units  
15 22(B) and 22(D) were closed in 2002 as a conservation  
16 measure and to protect subsistence hunting opportunities.  
17 To provide additional opportunity for White Mountain and  
18 Golovin residents, the Board of Game also instituted a  
19 State registration permit hunt in Unit 22(B) west for the  
20 January 1 to 31 winter season with a harvest quota of  
21 seven moose. This winter hunt was created in 2001 after  
22 consultation with residents of these two communities.  
23 Since initiation of this hunt White Mountain and Golovin  
24 residents have taken 14 of 17 moose harvested in the  
25 winter season.

26  
27 And, Mr. Chairman, if I might follow up  
28 with just a couple of comments to Grace's questions. The  
29 permits for this winter hunt in Golovin and White  
30 Mountain, the permits are made available in Nome, Teller,  
31 White Mountain and Golovin beginning December 1st. So  
32 the Department does make a special effort to ensure that  
33 White Mountain and Golovin have easy opportunity to  
34 obtain permits for this winter hunt and as the evidence  
35 shows they are nearly the only beneficiaries from it.

36  
37 With reference to the antlerless hunt  
38 that Ms. Cross asked about, that is a very limited hunt  
39 with a very limited number of permits made available for  
40 that hunt in Northwest Alaska communities. So the  
41 permits are only available in Nome and the Department has  
42 up to authority. So this last season up to five permits  
43 were issued for one hunt, up to 15 for the other. I  
44 don't have in front of me how many permits were actually  
45 issued, but it's a very limited alternative opportunity  
46 for hunting out there.

47  
48 That concludes our comments.

49  
50 CHAIRMAN DEMIENTIEFF: Thank you, very

1 much. Keith you have a question -- we'll just go to  
2 Board discussion having heard that. So you have a follow  
3 up question.

4  
5 MR. GOLTZ: Yeah, I have a question for  
6 the State. If you'll pick up the handy-dandy again on  
7 Page 106, it reflects, I think the comments you just  
8 made. That the permits are available in Teller, White  
9 Mountain, and Golovin, and if I understood our last  
10 discussion when I see that word, residents, I should be  
11 reading subsistence?

12  
13 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
14 That's correct.

15  
16 MR. GOLTZ: So if I read that as  
17 subsistence and then I infer that the permits are not  
18 available in Anchorage or Fairbanks or Juneau?

19  
20 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
21 That's correct. It specifies in the regulations where  
22 these permits for these specific hunts will be issued.

23  
24 MR. GOLTZ: It says they're available  
25 there but it doesn't say only there. So what you're  
26 telling me is I should read only and infer that this is  
27 an attempt to get as close as you can to a rural  
28 subsistence priority; is that correct?

29  
30 MR. HAYNES: Mr. Regelin will respond to  
31 that.

32  
33 (Laughter)

34  
35 MR. REGELIN: That's correct.

36  
37 (Laughter)

38  
39 CHAIRMAN DEMIENTIEFF: I guess that's why  
40 they bring their bosses to meetings.

41  
42 Helen, you had additional information you  
43 wanted to bring up.

44  
45 MS. H. ARMSTRONG: I just wanted to add a  
46 little clarification as to why we didn't have the  
47 shortened season in our proposal. We didn't find out  
48 that the State was planning on doing that emergency order  
49 until after our proposal books had already gone to the  
50 public. And we did discuss it. But we felt it was too

1 late to make that kind of change, it was very significant  
2 and it should be something that was open to the public  
3 process. So therefore we didn't modify the proposal to  
4 mirror what the State had done, although they did ask us  
5 to do it.

6  
7 If we were to do that, we could do it  
8 next year, it could become a proposal next year, we could  
9 do a special action as well.

10  
11 MS. GOTTLIEB: Mr. Chair.

12  
13 CHAIRMAN DEMIENTIEFF: Judy.

14  
15 MS. GOTTLIEB: Thank you, Mr. Chair. I  
16 guess along those lines, too, I'm hearing that the quota  
17 number declined also, but that's not reflected in the  
18 Regional Council recommendation.

19  
20 CHAIRMAN DEMIENTIEFF: Go ahead.

21  
22 MR. ARDIZZONE: That's reflected in 14(a)  
23 and 15, the proposals that are on the consent agenda.

24  
25 MS. GOTTLIEB: Okay, thank you.

26  
27 CHAIRMAN DEMIENTIEFF: Additional  
28 discussion. Judy.

29  
30 MS. GOTTLIEB: Could I just ask, so how  
31 would this read then, what would the quota be then on the  
32 two parts then -- or on the first part of the proposal  
33 here?

34  
35 MR. ARDIZZONE: If you turn to Page 108  
36 and 109, that's where the language for 14(a) and 15 are,  
37 and that reflects the quotas. The quota would be changed  
38 from 42 to 23 for the fall season, and from 48 to 30 for  
39 the winter season.

40  
41 MS. GOTTLIEB: Thank you.

42  
43 CHAIRMAN DEMIENTIEFF: Thank you. Wini,  
44 did you have a question?

45  
46 MS. KESSLER: Yes. I'm trying to  
47 understand the implications for Nome, and when you look  
48 at Page 120 at the map, there seems to be so little  
49 Federal land near Nome, maybe this is a question for  
50 Grace, to what extent are the people in Nome, do you

1 know, actually using the Federal land as opposed to the  
2 majority of land which isn't Federal?

3

4 MS. CROSS: There are no -- in 22(C)  
5 there's no Federal lands, I think there's a rookery, you  
6 know.

7

8 MS. KESSLER: I'm looking at 22(B) on  
9 Page 120.

10

11 MS. CROSS: I don't think very much of  
12 it. The State -- there's a reporting system where the  
13 moose came from, maybe the State can answer that better.  
14 But I'm not aware of too many people going further off.  
15 And of course the moose shortage is fairly new too  
16 so.....

17

18 MS. KESSLER: Okay, thank you.

19

20 CHAIRMAN DEMIENTIEFF: Further  
21 discussion.

22

23 (Pause)

24

25 CHAIRMAN DEMIENTIEFF: Helen.

26

27 MS. H. ARMSTRONG: I would, of course,  
28 defer to Grace, I do want to -- I was trying to look for  
29 some other alternatives, ways we could do this and I was  
30 told by someone from Nome that people who go up into that  
31 part where the -- on the map, the Libby River, Kingsley  
32 Creek, up there, and I had actually come up with an idea  
33 that we could carve out, Nome would be allowed to go  
34 there and White Mountain and Golovin would go into the  
35 scattered BLM lands in 22(B), 04-02, 04-01, that we could  
36 kind of divide it but -- and that's why those are all  
37 named in there. So I was told that people go up in that  
38 area some. It's hard to know exactly how much from the  
39 access I have to the database. But when I thought of  
40 that, I got criticized because I was told that that would  
41 be too hard for law enforcement to deal with so I didn't  
42 go forward with that idea, but I think there is some use  
43 on Federal lands by Nome residents, how much is a little  
44 difficult to say.

45

46 CHAIRMAN DEMIENTIEFF: Yes.

47

48 MR. OVIATT: Mr. Chair, this is really a  
49 question probably for the State. But at present, the  
50 State and the Federal programs act together for a shared

1 permit hunt with shared quotas. If the Federal program  
2 eliminated Nome from the fall hunt, would the State still  
3 cooperate in the coordinated effort, State/Federal permit  
4 hunt, and what are the implications if this coordination  
5 breaks down.

6  
7 MR. HAYNES: Mr. Chairman. Mr. Oviatt.  
8 I think the working relationship that our wildlife  
9 conservation staff in Nome have developed, not only with  
10 the Regional Council but with their Federal agency  
11 counterparts has been a constructive one, and we  
12 certainly want to cooperate. But when we start -- the  
13 regulations start diverging and in an area where you have  
14 such mixed ownership, mixed land ownership patterns it  
15 does create some difficulties. And then I did reference  
16 one of those in our comments, when a State registration  
17 permit is used for a hunt and it has dates that apply to  
18 the State hunt but it's a requirement of the Federal  
19 hunt as well that has different season dates, that  
20 creates complications. And we've made a very  
21 conscientious effort in this region to minimize  
22 differences in the regulations, recognizing that there  
23 are differences in the State and Federal subsistence  
24 priorities, but we really prefer not to have to address  
25 those divergences if we don't have to. It does  
26 complicate things for everyone, including enforcement.

27  
28 MS. CROSS: Mr. Chair.

29  
30 CHAIRMAN DEMIENTIEFF: Grace.

31  
32 MS. CROSS: I just wanted to make a  
33 comment. It's always -- since I've been with the RAC,  
34 the RAC has always tried to align the dates with the  
35 State. The only time we ever varied, I think, was a time  
36 when there was a moose shortage on the other side of the  
37 Darby Mountains and the non-subsistence hunters were --  
38 their allocation for the moose hunt was so short, the  
39 State gave them one week, so, we, in the Federal Program,  
40 we put in the week after that for the benefit -- not only  
41 for the benefit of the subsistence hunters, but for the  
42 ones, all rural users. That's about the only time we  
43 ever made a change. But other than that, the RAC has  
44 always been following, even though special orders to  
45 align both the State and the Federal hunting dates.

46  
47 CHAIRMAN DEMIENTIEFF: Thank you. Wayne.

48  
49 MR. REGELIN: We know that the moose  
50 population in this area is declining and we did a census

1 up there and that's why, you know, we took the emergency  
2 action as soon as we knew what the figures were but it  
3 didn't quite line up and get into your book soon enough.  
4 And I don't know if there's a possibility for you to --  
5 for the Federal Subsistence Board to make the system, the  
6 two seasons align right now. I guess I don't know your  
7 system well enough to know if we can do that. But we'll  
8 try to work it out together. I know we work well up  
9 there in that part of Alaska and we'll keep trying, but  
10 it could get really complicated if we have different  
11 seasons.

12  
13 CHAIRMAN DEMIENTIEFF: Thank you.  
14 Further discussion. Is someone prepared to offer a  
15 motion.

16  
17 MS. GOTTLIEB: Mr. Chair, I guess I have  
18 one more question perhaps for Grace, since it sounds like  
19 the RAC didn't fully have an opportunity maybe to discuss  
20 the dates, would there be some way to get together and  
21 try to discuss that before August 10th?

22  
23 MS. CROSS: I started to but before I  
24 came to the meeting, but then there were other things  
25 that came along. But there was no opposition from the  
26 RAC members that I talked to. Given the history of the  
27 RAC, I seriously doubt if there wouldn't be any problem,  
28 just given their history, we're always aligning  
29 especially at this time with the moose population being  
30 declining, we have followed whatever the State has done  
31 through special actions, through changing our regulations  
32 as the other three proposals that you saw, they were just  
33 to change them and we made it easier for the Federal  
34 managers to do that without having to bring it up to the,  
35 you know, to put the necessary changes in for alignment  
36 with the State. So given our history I can't even  
37 foresee a problem with having the same dates.

38  
39 And I think the State people would agree  
40 with me on this one.

41  
42 CHAIRMAN DEMIENTIEFF: Helen, do you have  
43 follow up comments?

44  
45 MS. H. ARMSTRONG: Yes, Mr. Chair. If  
46 you look at the Proposal 14(a), and the Seward Peninsula  
47 Regional Council did support changing the regulation to  
48 quotas and any needed season changes will be announced by  
49 the area field office manager of the BLM in consultation  
50 with the NPS and ADF&G, so we have that flexibility to

1 make the season change and the Council did agree to that.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. Any  
4 other discussion. Paul.

5

6 MR. ROEHL: So, Mr. Chairman, are we  
7 asking for a motion?

8

9 CHAIRMAN DEMIENTIEFF: If we're done  
10 discussing. Of course we can still bring up issues  
11 during the debate on the motion but I'm prepared to  
12 entertain a motion.

13

14 MR. ROEHL: Okay, with that, Mr.  
15 Chairman, for the record, I think, you know, it can be  
16 shown that the residents of Golovin and White Mountain  
17 meet all three criteria of ANILCA .804, and from that  
18 perspective the BIA, therefore, recommends that we  
19 approve their proposal.

20

21 CHAIRMAN DEMIENTIEFF: Is that a motion.

22

23 MR. ROEHL: Yes, sir, it's a motion.

24

25 CHAIRMAN DEMIENTIEFF: Is there a second  
26 to that motion.

27

28 MS. GOTTLIEB: I'll second it for  
29 discussion.

30

31 CHAIRMAN DEMIENTIEFF: Okay, we have a  
32 motion on the floor. Tom, you had something else.

33

34 MR. BOYD: Well, I just see it flashing  
35 on the screen, Mr. Chair, but I wanted to clarify whether  
36 the motion addressed the Seward Peninsula Council  
37 recommendation and I believe it does, but just to make it  
38 clear, though.

39

40 MR. ROEHL: Yes.

41

42 CHAIRMAN DEMIENTIEFF: Discussion on the  
43 motion.

44

45 MR. OVIATT: Mr. Chair.

46

47 CHAIRMAN DEMIENTIEFF: Yes.

48

49 MR. OVIATT: We believe that because this  
50 could present some real coordination efforts as I

1 questioned with the State and we think that this is  
2 limited benefit, I'm going to vote to oppose this.

3

4 CHAIRMAN DEMIENTIEFF: Thank you.  
5 Further discussion.

6

7 MS. GOTTLIEB: Mr. Chair.

8

9 CHAIRMAN DEMIENTIEFF: Judy.

10

11 MS. GOTTLIEB: I guess I'm a little  
12 hesitant also to deny the subsistence opportunity for  
13 Nome residents given that I understand their use is low  
14 and understand certainly wintertime, which is not on the  
15 table, but Golovin and White Mountain use is very high,  
16 and so I would just be reluctant at this point to support  
17 that aspect of it. And I understand from the analysis  
18 that, I mean effects may be minor either way but the most  
19 important thing is that Golovin and White Mountain get  
20 their opportunities.

21

22 CHAIRMAN DEMIENTIEFF: Thank you.  
23 Further discussion.

24

25 MR. ROEHL: Mr. Chair.

26

27 CHAIRMAN DEMIENTIEFF: Yes.

28

29 MR. ROEHL: Yeah, the reason for my  
30 motion is, you know, Nome, although I hate to exclude  
31 those residents from their cultural and traditional uses  
32 of the resources, they have alternatives available to  
33 them whereas White Mountain and Golovin do not. And so I  
34 am emphatically in support of my motion. Surprise.  
35 Surprise.

36

37 Thank you.

38

39 CHAIRMAN DEMIENTIEFF: Thank you.  
40 Further discussion.

41

42 (No comments)

43

44 CHAIRMAN DEMIENTIEFF: Hearing none, all  
45 those in favor of the motion, please signify by saying  
46 aye.

47

48 MR. ROEHL: Aye.

49

50 CHAIRMAN DEMIENTIEFF: Aye. Those

1 opposed same sign.  
2  
3 IN UNISON: Aye.  
4  
5 CHAIRMAN DEMIENTIEFF: Motion fails.  
6  
7 MS. GOTTLIEB: Mr. Chair.  
8  
9 CHAIRMAN DEMIENTIEFF: Yes.  
10  
11 MS. GOTTLIEB: I guess I have one more  
12 question for maybe future analysis and I know this is  
13 difficult, but is there any way to break down a little  
14 bit more whether a moose is taken on Federal or State  
15 lands from those permit hunts -- no, okay.  
16  
17 Mitch, Terry, would like to answer that.  
18  
19 CHAIRMAN DEMIENTIEFF: Yes, okay, Terry.  
20  
21 MR. HAYNES: Mr. Chairman. Judy. About  
22 the best that you can be assured of doing is breaking  
23 down the harvest by uniformed coding unit, and if you  
24 have mixed land ownership within those coding units, it  
25 may not be possible to determine specifically where the  
26 harvest occurred. I think the effort was made in this  
27 proposal to narrow that done as much as possible. That's  
28 always a question of interest to all of us.  
29  
30 MS. GOTTLIEB: Thank you.  
31  
32 CHAIRMAN DEMIENTIEFF: Tom.  
33  
34 MR. BOYD: Yes, Mr. Chair, thank you.  
35 And I think we've covered it, but I think it's helpful, I  
36 guess, given the motion was to accept the Council  
37 recommendation. It was actually rejected, and I think  
38 it's incumbent upon the Board to make a statement as to  
39 why, particularly, in reference to .805(c).  
40  
41 CHAIRMAN DEMIENTIEFF: You were on the  
42 same page, I was just going to ask for that. So maybe  
43 the prevailing Board members could bring their arguments  
44 or at least address them, I would deeply appreciate it.  
45  
46 MS. KESSLER: Mr. Chair.  
47  
48 CHAIRMAN DEMIENTIEFF: Go ahead.  
49  
50 MS. KESSLER: My vote reflected that I

1 felt that it lacked substantial evidence that would  
2 support the restriction.

3  
4 CHAIRMAN DEMIENTIEFF: Thank you.

5  
6 MR. OVIATT: Mr. Chair.

7  
8 CHAIRMAN DEMIENTIEFF: Yes.

9  
10 MR. OVIATT: Similar on our part, and we  
11 refer also to the comments in the Staff comments.

12  
13 CHAIRMAN DEMIENTIEFF: Thank you. Todd.

14  
15 MR. LOGAN: Similar also, and in addition  
16 the fact that Nome does have the well documented use of  
17 that area.

18  
19 MS. GOTTLIEB: Mr. Chair.

20  
21 CHAIRMAN DEMIENTIEFF: Yes.

22  
23 MS. GOTTLIEB: And I felt it would be  
24 detrimental to subsistence users.

25  
26 CHAIRMAN DEMIENTIEFF: Thank you. Even  
27 though the vote had already taken place, that will be  
28 part of the record to justify. We should have called  
29 upon that prior to the vote, but it's still part of the  
30 record and we it's something that we need to keep in  
31 front of us. So I appreciate everybody coming forward  
32 with those ideas.

33  
34 Let me see, we're moving on to Northwest  
35 Arctic.

36  
37 With that, we don't need to change Staff.  
38 So we'll go ahead and move to Proposal 18, Page 149 of  
39 your book. And with that we'll go ahead with the  
40 analysis, please.

41  
42 MR. ARDIZZONE: Good afternoon, Mr.  
43 Chair. My name is Chuck Ardizzone for the record.  
44 Proposal WP05-18 can be found on Page 153, that's where  
45 the analysis starts.

46  
47 Proposal WP05-18 was submitted by the  
48 Northwest Arctic Regional Subsistence Advisory Council  
49 and requests the Federal season for moose in most of Unit  
50 23 be reduced from July 1st -- or August 1st through

1 March 31st to August 1st to December 31st, allowing  
2 antlerless moose to be harvested only in November and  
3 December.

4  
5           The proponent requests that the harvest  
6 season for moose be changed because the moose density in  
7 Unit 23 appears to have substantially declined since the  
8 early 1990s. The proponent states that census data  
9 suggests moose density currently ranges between .1 and .3  
10 moose per square mile in large portions of the unit. And  
11 the calf recruitment has been consistently low during  
12 recent years. They also claim that the State moose  
13 hunting regulations have already been restricted to  
14 protect moose and that similar Federal regulations would  
15 conserve moose and reduce regulatory complexity between  
16 State and Federal regulations.

17  
18           A bit of regulatory history. The Federal  
19 moose regulations for Unit 23 have remained unchanged  
20 since 1995. However, State moose regulations have become  
21 more restrictive over the years to help protect the moose  
22 population. The most recent changes to State regulations  
23 occurred in 2003 and the Alaska Board of Game approved  
24 several regulatory changes which took effect in the  
25 2004/2005 season, which made it more difficult for non-  
26 local residents to hunt moose in the unit. Alaska Board  
27 of Game approved four registration hunts in the unit  
28 where the permits were only available in person at  
29 licensed vendors in Unit 23 villages, from June 1st to  
30 July 15th. This early availability of permits occurs  
31 before most of the seasons open which precludes non-local  
32 hunters from just arriving in the area picking up a  
33 registration permit and going out hunting. If a non-  
34 local hunter wanted to hunt in one of the registration  
35 permit hunts, the individual would have to make a special  
36 trip to one of the Unit 23 villages between June 1st and  
37 July 15th to receive a registration permit and then  
38 return later when the moose season is open.

39  
40           Going into some biological background.  
41 Based on recent results, in a large area of Unit 23 moose  
42 densities range between .1 and .3 per square mile. This  
43 is lower than many other portions of Alaska. There are,  
44 however, small pockets of high quality moose habitat that  
45 may have higher densities of moose. Area biologists in  
46 many public reports suggest that the moose populations  
47 are declining throughout Unit 23. The Selawik National  
48 Wildlife Refuge, with the help from ADF&G, BLM and the  
49 National Park Service census of moose in the Tag River  
50 drainage in March 2001. The estimated moose population

1 in this area is approximately 1,374 animals, and the  
2 calf/adult ratio was 10 calves per 100 cows. And the Tag  
3 River drainage was also surveyed in 1997, however, a  
4 small area was covered, to allow for comparison the same  
5 area was surveyed in 2001. In 1997 there were 21 calves  
6 per 100 cows and in 2001 there were only 10 calves per  
7 100 cows, this more than a 50 percent decrease in  
8 recruitment in a four year period.

9  
10 Based on survey census data for the  
11 Selawik River the population has been relatively stable  
12 for the last four to six years. Calf recruitment is  
13 extremely low along the Selawik River, however, overall  
14 mortality for adult moose is also low in that area. The  
15 low calf recruitment is attributed to bear predation on  
16 calves in the spring and low adult mortality is  
17 attributed to limited predation of adults during the  
18 winter.

19  
20 Based on the ADF&G area biologist's  
21 observations and observations by local residents moose  
22 have reportedly been declining in the Upper Kobuk  
23 drainage since 1990s and recruitment has also been low in  
24 that area.

25  
26 The May 1997 to 2000 spring adult calf  
27 ratio in the Noatak River drainage was nine calves per  
28 100 adults.

29  
30 This is consistent with observations and  
31 reports of many local residents and some long-term  
32 commercial operators, that recruitment rates have been  
33 low in this portion of the unit.

34  
35 I'll go a little bit into harvest data.  
36 Total reported annual moose harvest for Unit 23 between  
37 1995 and 2002 has ranged between 139 and 180 animals,  
38 that can be seen in Table 2.

39  
40 Based on community based harvest  
41 assessments, approximately 335 moose were harvested  
42 annually by unit residents between 1999 and 2001.  
43 Residents of Kotzebue account for the largest percentage  
44 of this harvest. Georgette, et al., reported that in the  
45 Northwest Alaska communities surveyed bull moose  
46 represented nearly all of the moose harvested and that  
47 the overall harvest of the moose who's sex was known were  
48 94 percent bulls, that can be seen in Figure 1. Moose  
49 harvest range from August through January, however, 76  
50 percent took place in August and September, with another

1 17 percent occurring in December, that can be seen in  
2 Table 3.

3  
4 The number of moose harvested from the  
5 Northwest Arctic communities surveyed is displayed in  
6 Table 4 on Page 158.

7  
8 Some current events involving this  
9 proposal, during the 8 March 2005 Northwest Arctic  
10 Subsistence Regional Council meeting there was extensive  
11 testimony on the proposed changes to the moose season and  
12 harvest limits for Unit 23. There was some public input  
13 that suggested that there was a need for better moose  
14 surveys and census numbers and that the proposal should  
15 not be supported until better data was available.  
16 Federal Staff explained the moose surveys would be  
17 conducted in the future and that the updated data would  
18 be made available to the Council. Some of the public  
19 voiced apprehension that there had not been any meetings  
20 held in villages that would be most effected by the  
21 proposal so there was no way to know their concerns.

22  
23 Some of the effects from this proposal.  
24 Unit 23 moose populations have been declining. Adopting  
25 this proposal would give subsistence users less  
26 opportunity, would likely reduce the harvest of cow moose  
27 and preclude the harvest of calf moose which would help  
28 slow the decline of the moose population. If this  
29 proposal is adopted, it would shorten the moose season by  
30 90 days and would limit the take of antlerless moose to  
31 November and December. However, this action may result  
32 in little improvement in areas where low calf recruitment  
33 is attributed primarily to bear predation.

34  
35 This proposal would have minimal impacts  
36 on subsistence users because few subsistence hunters have  
37 harvested cow or calf moose in the past and most of the  
38 harvest occurs between August and September.

39  
40 The four month long any bull season would  
41 still provide an opportunity to take a moose during the  
42 fall if caribou are not available.

43  
44 That concludes my presentation, if there  
45 are any questions.

46  
47 CHAIRMAN DEMIENTIEFF: Thank you.  
48 Written public comments.

49  
50 MS. CHIVERS: Thank you, Mr. Chair. For

1 the record my name is Michelle Chivers, Council  
2 Coordinator for the Northwest Arctic Council. We did  
3 receive one comment from the Kobuk Valley National  
4 Subsistence Resource Commission in opposition. However,  
5 Ken Adkisson, when he comes up to do public testimony,  
6 he's going to cover that.

7  
8  
9

Thank you.

10 CHAIRMAN DEMIENTIEFF: Thank you. We  
11 will now call Ken Adkisson who signed up to testify.

12  
13

MR. ADKISSON: Mr. Chair. Board members.  
14 My name is Ken Adkisson. And while I work for the  
15 National Park Service, my position requires that I work  
16 closely with the Kobuk Valley and Cape Krusenstern  
17 Subsistence Resource Commissions, which perform vital  
18 functions in subsistence management for the National Park  
19 Service for those Park units. And since none of them  
20 could be here, I wanted to reinforce the position that  
21 they had taken on several proposals.

22

23 With respect to Proposal 05-18, the Kobuk  
24 Valley Commission met just prior to the Regional Advisory  
25 Council meeting and they did take a position on that  
26 proposal, and that was to oppose the proposal as written,  
27 with one small exception which is probably not worth  
28 going into but it relates to a two week closure in the  
29 Noatak area.

30

31 There was a good deal of discussion at  
32 the SRC meeting regarding that proposal. And it focused  
33 largely on the status of the moose population, issues  
34 surrounding dual management, the confusion or problems  
35 that could be associated with differing seasons and  
36 harvest limits and so forth. But when it finally came  
37 down to it, the Commission felt that perhaps not enough  
38 had been done to try to restrict further use by non-local  
39 folks, and that if restrictions were necessary that they  
40 ought to go there first and not on to the local users.

41

42 They also felt that, because of the  
43 origin of the proposal, and how it appeared in the RAC  
44 late at the meeting and so forth, there really had not  
45 been adequate time for discussion with the proposal and  
46 they felt it was serious enough that it needed to go back  
47 to the communities and so forth for further discussion.

48

49 I can answer questions if you have, but  
50 much of the biology and so forth will be covered through

1 the minority opinion and so forth of the Staff Committee.

2

3

Thank you.

4

5

6

CHAIRMAN DEMIENTIEFF: Thank you. Any questions at this time.

7

8

MS. GOTTLIEB: Mr. Chair.

9

10

CHAIRMAN DEMIENTIEFF: Judy.

11

12

13

14

MS. GOTTLIEB: Ken, maybe you could just outline how many Park units might be affected by this proposal just so people get a sense of it.

15

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MR. ADKISSON: Well, it's a Federal proposal and so, yeah, it would include more than the Parks, but essentially the Park units that would be most affected by it, of course, would be Cape Krusenstern National Monument and Kobuk Valley National Park, and the reason that is is because they're completely closed to hunting under the State system, so whatever the Federal system adopted would apply only there. The other areas, you're going to have further complications because of State and Federal management.

MS. GOTTLIEB: Thank you.

CHAIRMAN DEMIENTIEFF: Thank you.

Regional Council recommendation.

MR. STONEY: Thank you, Mr. Chairman. We met the last meeting in Kotzebue, the locals strongly request to table this proposal. The reason why they want to table it is they need input from all the villages, for instance, Kotzebue, Noatak, Kivalina, Kobuk, Shungnak, Ambler, Kiana, Noorvik, Selawik, Buckland and Deering.

They would like to see a new proposal at the fall meeting.

The reason why mostly they request this is from concerned people from most of the villages in that Northwest Alaska, because moose population in that area is still getting lower and lower every year. So we'd like to see a new proposal with recommendations from the Resource Commissions, Upper Kobuk and Cape Krusenstern after this fall meeting.

CHAIRMAN DEMIENTIEFF: Thank you. Staff

1 Committee.

2

3

MR. PROBASCO: Thank you, Mr. Chair.

4 Staff Committee comments or recommendations can be found  
5 on Page 150, 151 and 152, they're fairly lengthy and I  
6 will just hit the high points if I may, Mr. Chair.

7

8

The Interagency Staff Committee did not  
9 reach consensus on this proposal. The majority of the  
10 Staff Committee support the proposal, contrary to the  
11 recommendation of the Northwest Arctic Regional Advisory  
12 Council. The moose population in Unit 23 is at low  
13 densities and has been in decline for over a decade.  
14 Recruitment is so low that the moose population cannot  
15 recover without improved production and overwinter of  
16 survival of calves and without the replacement of older  
17 breeding cows lost in natural mortality and human  
18 harvest. It is likely that the rate of decline in the  
19 moose population will increase. According to the best  
20 available data, the vast majority of the moose harvest  
21 occurs prior to the end of December. Accordingly, the  
22 reduction in the length of season from nine months to six  
23 months ending on the 31st of December will minimize any  
24 disruption of the traditional harvest patterns of the  
25 area's residents. The elimination of the January through  
26 March portion of the season will assist in minimizing  
27 disturbance of pregnant cows during the time of greatest  
28 forage limitation increasing their chances of surviving  
29 the winter and thus increasing their contribution to the  
30 herd's recovery.

31

32

The Regional Council recommended tabling  
33 the proposal in part to obtain input from affected  
34 villages before deciding whether to support the proposal.  
35 However, the Staff Committee noted that all the local  
36 Fish and Game Advisory Committee's representing the  
37 villages in the area where proponents of identical  
38 regulatory changes for resident hunters submitted to and  
39 adopted by the Alaska Board of Game in 2003.

40

41

Mr. Chair, the minority opinion of the  
42 Staff Committee was to table the proposal consistent with  
43 recommendation of the Northwest Arctic Regional Advisory  
44 Council. This view supports, as I stated, this  
45 recommendation. And at the fall 2004 Council meeting,  
46 the Alaska Department of Fish and Game suggested a need  
47 for a Federal proposal to deal with moose management.  
48 The Council supported the development of a proposal and  
49 this proposal was created as the Council as the sponsor.  
50 At the winter 2005 meeting the Council reviewed the

1 analysis and had a very lengthy discussion.

2

3                   On the biological issues, there is no  
4 disagreement among biologists or users that the moose  
5 numbers have declined in portions of Unit 23. In  
6 contrast, densities have not declined in the more  
7 productive areas, western portions of the Noatak National  
8 Preserve. Care must be taken to understand that spring  
9 surveys count all adults, not just cows. As such these  
10 spring surveys yield calf/adult ratios that are biased to  
11 the low side as adult bulls must be subtracted out to  
12 yield more accurate numbers for calf/cow ratios. Too  
13 heavily weighted the spring survey yields an incomplete  
14 picture of the overall health.

15

16                   This area has been compared to other  
17 areas of the state suggesting that the population density  
18 are not as high as other areas. This is true. However,  
19 such comparisons are of little value without the  
20 information to carefully compare the habitat and its  
21 ability to support moose. We believe comparison of  
22 density without habitat context is without merit. Some  
23 argue that the spring portion of the subsistence  
24 represents a small percentage, approximately seven  
25 percent of the harvest, we agree. However, we argue that  
26 the spring hunt is locally important. We all agree that  
27 people in the region prefer caribou if they are  
28 available, yet, the caribou move frequently and their  
29 annual migration routes vary from year to year. In this  
30 sometimes lean time of year moose represent an  
31 alternative food source that is locally important  
32 especially if caribou have not been near a village.

33

34                   In the fall 2005, the agencies should  
35 comply with the request of the Council to provide an  
36 updated briefing about moose in Unit 23 and to the extent  
37 possible, this information should be shared with the  
38 region's village organizations.

39

40                   Mr. Chair.

41

42                   CHAIRMAN DEMIENTIEFF: Thank you.  
43 Department comments.

44

45                   MR. HAYNES: Thank you, Mr. Chairman.  
46 The Department supports this proposal consistent with the  
47 majority Interagency Staff Committee recommendation.

48

49                   Department Staff worked with the  
50 Northwest Arctic Regional Advisory Council in drafting

1 this proposal which addresses growing conservation  
2 concerns for moose in Unit 23 and would result in more  
3 closely aligned State and Federal regulations. Retaining  
4 the current harvest limits and Federal seasons of eight  
5 to nine months are difficult to justify when moose  
6 numbers and recruitment rates are low throughout much of  
7 Unit 23. Moose regulations have been a dominant topic at  
8 State Fish and Game Advisory Committee meetings in Unit  
9 23 for more than 10 years, and, in fact, the current  
10 regulations are in part a result of Board of Game changes  
11 made in 2003 that followed a joint meeting of all the  
12 Unit 23 Advisory Committees to work with the Department  
13 in drafting a proposal that led to the current State  
14 seasons.

15  
16 The State moose hunting regulations in  
17 Unit 23, again, are essentially a product of joint  
18 Department Advisory Committee proposals submitted to the  
19 Board of Game. The Department's concerns with this  
20 proposal would be partially addressed if the Federal  
21 regulations were changed to prohibit the harvest of calf  
22 moose and to close the antlerless season on December  
23 31st. Data recorded in household surveys in selected  
24 Unit 23 communities indicate that since 1998, 97 percent  
25 of the moose harvested by these communities in Unit 23  
26 occurred in the fall or early winter months. Cow moose  
27 taken after December 31st comprise less than one percent  
28 of the recorded moose harvest.

29  
30 In general, most local residents do not  
31 actively seek moose during the months of January through  
32 March. The hunting patterns of local residents during  
33 this time show a preference for harvesting caribou which  
34 typically are available in late spring on their northward  
35 migration and in some years throughout the winter months.

36  
37 Thank you, Mr. Chairman.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you. Keith.

40  
41 MR. GOLTZ: Terry, I have some questions  
42 about how the State has been addressing the conservation  
43 concerns, and if we could look together at Page 110 of  
44 the handy-dandy, it looks to me like in this area you  
45 have both subsistence and non-subsistence hunts, am I  
46 reading that correctly?

47  
48 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
49 We do have both subsistence hunts for State residents and  
50 very limited non-resident hunts.

1 MR. GOLTZ: The non-resident hunt is  
2 limited to 50-inch, is that the limitation?  
3  
4 MR. HAYNES: That's correct, one bull  
5 with 50-inch antlers or antlers with four or more brow  
6 tines on at least one side, and then a September 1 to 20  
7 season.  
8  
9 MR. GOLTZ: And the subsistence season is  
10 longer?  
11  
12 MR. HAYNES: Yes, in all parts of Unit 23  
13 the subsistence seasons are longer.  
14  
15 MR. GOLTZ: It says the subsistence is a  
16 registration hunt, can you explain for the record what  
17 that means?  
18  
19 MR. HAYNES: Well, a registration hunt,  
20 first of all indicates that the Department has and the  
21 Board of Game have an interest in monitoring the harvest  
22 closely so it -- and there is the ability for some types  
23 of sideboards to be put on the hunt, if necessary, but it  
24 requires the hunter come in and register for the hunt and  
25 then return the registration permit.  
26  
27 MR. GOLTZ: Is there a limitation on the  
28 number of registrations?  
29  
30 MR. HAYNES: Not in these particular  
31 hunts.  
32  
33 MR. GOLTZ: I see that the prospective  
34 hunter can only go to the Unit 23 villages to get one of  
35 these registration permits; is that correct?  
36  
37 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
38 Yes, that's correct. The permits are available in person  
39 at licensed vendors in Unit 23 villages during a  
40 specified period of time well before the hunting season  
41 in some instances.  
42  
43 MR. GOLTZ: What is that period of time?  
44  
45 MR. HAYNES: June 1 to July 15th.  
46  
47 MR. GOLTZ: And is that -- can I infer  
48 that that's to place a constructive limitation on  
49 Anchorage hunters, Fairbanks and Juneau, so it would be  
50 more difficult for them to get a permit, is that why it's

1 constructed that way?

2

3 MR. HAYNES: Mr. Chairman, I'll let Mr.  
4 Regelin respond to that.

5

6 (Laughter)

7

8 MR. REGELIN: Mr. Chairman, as you're  
9 well -- and Mr. Goltz, you're well aware that the State  
10 cannot differentiate on basis of where a person lives on  
11 whether they can -- the State Constitution prohibits a  
12 rural priority. And anyone from Anchorage or Fairbanks  
13 or Juneau that wants to fly up from June 1st to July 15th  
14 to get a permit will get one.

15

16 MS. GOTTLIEB: Mr. Chair.

17

18 CHAIRMAN DEMIENTIEFF: Judy.

19

20 MS. GOTTLIEB: I'd like to ask Brad  
21 Schultz, our wildlife biologist to come up and give us a  
22 little bit more background on this proposal, please.

23

24 CHAIRMAN DEMIENTIEFF: Okay, go ahead.

25

26 MR. SCHULTZ: Mr. Chair and other Board  
27 members. Good afternoon and thank you for the  
28 opportunity to brief you on Proposal WP-18 on behalf of  
29 the National Park Service and Bureau of Land Management.  
30 My name is Brad Schultz and I've been the wildlife  
31 biologist for Western Arctic National Park Lands for 13  
32 years.

33

34 Today, in support of the Northwest Arctic  
35 Regional Council's recommendation I want to emphasize  
36 three points relative to this proposal.

37

38 First, there's no disagreement among  
39 agency biologists and the public that moose abundance  
40 across Unit 23 has declined since the early 1990s.  
41 However, there is disagreement over the numeric magnitude  
42 of the decline and it's persistence across the years.  
43 Consequently there's a healthy debate over the best  
44 course of regulatory change to prevent any further  
45 decline in abundance as a result of harvest.

46

47 Moose populations decline in abundance  
48 when adult mortality exceeds the recruitment of calves as  
49 young adults. Based on two years of NPS field work in  
50 the Noatak River between 1998 and 2000, we can say that

1 moose productivity in Unit 23 is not the problem. Cow  
2 moose pregnancy rates exceed 90 percent, twinning rates  
3 around 40 percent were observed indicating the  
4 nutritional health of the cow moose and the underlying  
5 reproductive potential of the population. Moose calves  
6 are born, but suffer high mortality that approaches 60  
7 percent during the first month of life. This is  
8 consistent with previous moose studies in other areas of  
9 Alaska where bears and wolves are present.

10  
11 Adding to the early mortality is the  
12 subsequent overwinter mortality that leaves only 10 to 30  
13 percent of the calves produced each May alive during the  
14 following spring as new recruits in the population. The  
15 number of surviving calves must equal the number of adult  
16 moose who die from natural causes and hunting for the  
17 population to remain stable. We believe that this has  
18 probably been the case in areas of Unit 23.

19  
20 Our second point is that regulatory  
21 changes do have an impact on qualified Federal  
22 subsistence users, even when results from subsistence  
23 studies show that a level of harvest is low. Harvest of  
24 an alternative resource like moose for a single hunter or  
25 a family during lean times when no caribou are available  
26 should be considered important even if only a small  
27 number of people actually need the resource.

28  
29 Our final point is that we agree that  
30 some regulatory changes could be made in Unit 23 to  
31 ensure conservation of healthy moose populations but we  
32 would like the Northwest Arctic Regional Advisory Council  
33 to play a stronger role in the regulation development  
34 process. They've indicated a willingness to do this by  
35 making their recommendation. We do not agree that the  
36 need for regulatory change is immediate because  
37 population crash is eminent. For example, comparison of  
38 survey data and population statistics collected between  
39 2001 and 2005 just recently in the Noatak and Squirrel  
40 River indicate that this population is stabilized at a  
41 low density. Despite above average snowfalls during the  
42 past five winters and the 2003/2004 winter snowfall total  
43 being the second highest recorded since 1949, no high  
44 adult mortality was observed as was the case in the  
45 highest recorded snowfall in the winter of 1991, they  
46 differed by three millimeters.

47  
48 We suggest that low density of moose  
49 populations will persist for many years in the region as  
50 long as predator populations are healthy. We also want

1 to emphasize that restrictive regulatory changes should  
2 be viewed as changes for a minimum of at least five  
3 years. Furthermore, we contend that regulatory changes  
4 for qualified Federal subsistence hunters should be  
5 changed less often since subsistence patterns change  
6 little over time when resource abundance of key species  
7 remain stable. In addition, regulatory stability allows  
8 for evaluation of desired population conditions following  
9 regulation implementation.

10

11 In conclusion, we suggest the following  
12 as discussion points for regulation changes at the fall  
13 2005 Northwest Arctic Regional Advisory Council meeting.

14

- 15 1. Prohibit the harvest of calf  
16 moose.
- 17  
18 2. Reduce the harvest season for cow  
19 moose but consult the communities  
20 to determine which months an open  
21 season should span to accommodate  
22 traditional harvest practices.
- 23  
24 3. Limit regulatory changes to major  
25 drainages such as the Noatak, the  
26 Kobuk, and Selawik River  
27 drainages where population  
28 surveys, radio telemetry data and  
29 harvest data are available  
30 instead of an all encompassing  
31 unit-wide regulation like we now  
32 have in effect. Unit 23 is a  
33 43,000 square mile unit that is  
34 not divided into management  
35 subunits as other large units in  
36 the state are. This contributes  
37 to a unit-wide regulatory  
38 approach that lacks specificity.  
39 At least 22 aerial population  
40 surveys and three radio telemetry  
41 research projects have been  
42 completed in Unit 23 since 1992.  
43 These data are drainage and/or  
44 population specific and can be  
45 used to tailor regulations more  
46 appropriate to specific  
47 geographic areas. This approach  
48 will allow for more precise  
49 management of populations in  
50 varying ecological habitats.

1 This approach would also limit  
2 the negative impacts across the  
3 unit that create undue hardship  
4 in local communities while  
5 allowing for more conservative  
6 regulations in areas where  
7 declines are of greater concern.  
8

9 That concludes our comments, and I'd be  
10 happy to answer any questions that you might have.

11  
12 CHAIRMAN DEMIENTIEFF: Thank you.

13  
14 MS. KESSLER: Mr. Chair.

15  
16 CHAIRMAN DEMIENTIEFF: Yes.

17  
18 MS. KESSLER: So the proposal to shorten  
19 season, it's your view that that would not have a  
20 significant positive effect on the population concern  
21 that exists; is that correct? That there's other things  
22 that should be looked at, this particular one of  
23 shortening the season is not going to be helpful; is that  
24 correct?

25  
26 MR. SCHULTZ: I think the portion to  
27 prohibit the harvest of calf moose would make a  
28 difference and certainly restricting the cow season to  
29 some shorter season would help.

30  
31 MS. KESSLER: Uh-huh. So of the  
32 proposal, the part about the calf restriction would be a  
33 significant help?

34  
35 MR. SCHULTZ: Yes.

36  
37 MS. KESSLER: Okay, thanks.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you.

40  
41 MR. O'HARA: Mr. Chairman, can I ask the  
42 biologist a question?

43  
44 CHAIRMAN DEMIENTIEFF: Go ahead, Dan.

45  
46 MR. O'HARA: Apparently you got a  
47 predator control problem both with Grace's area and in  
48 Northwest, so maybe it's time the Feds decide to deal  
49 with a predator control program.  
50

1                                    Maybe your boss wants to answer that  
2 question.  
3  
4                                    MS. GOTTLIEB: Mr. Chair.  
5  
6                                    CHAIRMAN DEMIENTIEFF: Yes.  
7  
8                                    MS. GOTTLIEB: I guess I'll mention, I'm  
9 sure Dan hasn't had a chance to read all the consent  
10 agenda proposals but there may be help on the way for  
11 some of that. But I guess I wanted to ask Brad, what  
12 would be the risk that this Board or the RAC would take  
13 in waiting until the fall meeting and trying to devise  
14 some of these ideas more from the bottom up?  
15  
16                                    MR. SCHULTZ: We believe that we've  
17 already reached the bottom, we've been on a slow decline  
18 since 1990, '91 when we suffered a pretty tough winter.  
19 We've had several tough winters since then and we feel  
20 that there's no immediate need that we can't do anything  
21 -- we don't necessarily need to do anything right now.  
22 The densities are going to remain at low levels for a  
23 long time. So we think there's plenty of time to craft  
24 regulations that work for everybody.  
25  
26                                    MS. GOTTLIEB: Thank you.  
27  
28                                    CHAIRMAN DEMIENTIEFF: Thank you. Other  
29 discussion.  
30  
31                                    (No comments)  
32  
33                                    CHAIRMAN DEMIENTIEFF: Hearing none, is  
34 somebody prepared to offer a motion.  
35  
36                                    MS. GOTTLIEB: Mr. Chair.  
37  
38                                    CHAIRMAN DEMIENTIEFF: Yes.  
39  
40                                    MS. GOTTLIEB: I would like to make a  
41 motion to support the Northwest Arctic Regional Advisory  
42 Council's recommendation to table this discussion until  
43 their fall meeting and allow them to have more  
44 consultation and discussion.  
45  
46                                    CHAIRMAN DEMIENTIEFF: Is there a second  
47 to that motion.  
48  
49                                    MR. LOGAN: I'll second.  
50

1 CHAIRMAN DEMIENTIEFF: Discussion on the  
2 motion.  
3  
4 MR. ROEHL: Mr. Chair.  
5  
6 CHAIRMAN DEMIENTIEFF: Go ahead.  
7  
8 MR. ROEHL: Yeah, I believe that contrary  
9 to this biologist's testimony, we've heard testimony that  
10 told us just the opposite, that there is a decline in  
11 moose population and I believe that it goes contrary to  
12 the fish and wildlife management principles not to do  
13 something now. So to support the motion to table while  
14 the moose continue to decline is not very -- not very  
15 wise, let's just put it that way. So I'll be voting to  
16 adopt the original proposal.  
17  
18 CHAIRMAN DEMIENTIEFF: Todd, did you have  
19 something?  
20  
21 MR. LOGAN: Yes. I guess the position of  
22 the Fish and Wildlife Service, this is an opportunity to  
23 support the recommendations of the Regional Advisory  
24 Council. The Park Service is also the predominate land  
25 manager, and they've taken, I guess support the minority  
26 position which is that it's not a crises, I think there's  
27 large agreement that moose populations are a problem but  
28 it's not a crises that we need to react immediately.  
29  
30 The entire Selawik National Wildlife  
31 Refuge is in this unit and manager LeeAnne Ayres is also  
32 very comfortable with the Regional Advisory Council  
33 taking this issue up and trying to further refine it at  
34 their fall meeting.  
35  
36 CHAIRMAN DEMIENTIEFF: Judy.  
37  
38 MS. GOTTLIEB: Thank you, Mr. Chair. I  
39 guess we could -- I think this Board has seen several  
40 examples in the past where some of the biologists have  
41 different opinions and interpretations and I think there  
42 are some reasons where there are differences this time  
43 having to do with recent changes in regs, having to do  
44 with different survey techniques. So I guess if Paul  
45 would want more information, I think Brad can supply some  
46 of the reasons for some of these differences.  
47  
48 But I would continue to support the  
49 Council's knowledge and recommendation and their wish to  
50 consult with communities before making changes in the

1 regs.

2

3 CHAIRMAN DEMIENTIEFF: Thank you.

4

5 MS. KESSLER: Mr. Chair.

6

7 CHAIRMAN DEMIENTIEFF: Yes.

8

9 MS. KESSLER: I'm wondering, Judy,  
10 whether there's a possibility for maybe some middle  
11 ground here. And what I heard was that there's  
12 opportunity to have a significant positive impact by  
13 restricting the calves. I wonder if maybe a modified or  
14 an amendment to the motion that would allow at least that  
15 action to be taken if that's an action that's going to  
16 have a significant helpful affect. It might be  
17 appropriate.

18

19 CHAIRMAN DEMIENTIEFF: Thank you. Any  
20 others.

21

22 (No comments)

23

24 CHAIRMAN DEMIENTIEFF: I think the one  
25 thing that's clear is we have heard a commitment to  
26 continue to work on the issue and if it's a little bit  
27 preliminary so I know for that reason I intend to support  
28 the Regional Council recommendation. Given that work  
29 because I have heard the commitment that there's going to  
30 be work that's going to be done.

31

32 So allowing that process to move forward,  
33 I think is, you know, real, real well. These things  
34 don't go away, they're works in progress basically. And,  
35 we have, again, the tools to manage any situation in  
36 terms of our in-season management delegation.

37

38 Go ahead, you had something.

39

40 MR. OVIATT: Thank you, Mr. Chair. We,  
41 too, would like to take the opportunity to support the  
42 Regional Council. However, we would like this deferral  
43 to be limited to one year for additional consultation.  
44 In other words, let's put limits to our consultation.

45

46 MS. GOTTLIEB: Mr. Chair.

47

48 CHAIRMAN DEMIENTIEFF: Yes.

49

50 MS. GOTTLIEB: I'd like to ask, Raymond,

1 I was looking through your transcripts from your RAC  
2 meeting and I know Brad and others were there too, and  
3 you did have specific discussions about tabling it but  
4 discussing it again in September, as I recall, as well as  
5 the commitment to follow through on this. So if you can  
6 say a little bit more about that perhaps that would be  
7 great.

8

9 CHAIRMAN DEMIENTIEFF: Go ahead, Ray.

10

11 MR. STONEY: Mr. Chairman. This  
12 recommendation was not just from the RAC Council. The  
13 recommendation from most of the villages, that is why it  
14 has come up to our attention today. It's not because of  
15 the -- it's the villages recommendations to table the  
16 proposal.

17

18 CHAIRMAN DEMIENTIEFF: Thank you.  
19 Further discussion.

20

21 MS. KESSLER: Mr. Chair.

22

23 CHAIRMAN DEMIENTIEFF: Yes.

24

25 MS. KESSLER: I would like to move to  
26 amend the motion a bit to not allow the harvest of the  
27 calf, to retain that portion of the proposal.

28

29 CHAIRMAN DEMIENTIEFF: There is a motion  
30 to amend the main motion. Is there a second to that.

31

32 MR. ROEHL: Well, I would second Wini's  
33 motion. I also want to say that, you know, we believe --  
34 my default position is to generally go with the RAC. You  
35 know, the RACs are there for a reason, they represent the  
36 local residents of those areas, so they generally know  
37 what's best for themselves. So that's almost always my  
38 default position.

39

40 But in this case I believe that the moose  
41 population could be at risk, contrary to some of the  
42 differing opinions, so I would like to include the calf  
43 restriction language in the motion too -- while you table  
44 this, have the calf restriction part of it.

45

46 CHAIRMAN DEMIENTIEFF: Thank you. We  
47 have a motion that's been made and seconded to amend. Is  
48 there any further discussion on the amending motion.

49

50 MS. GOTTLIEB: Mr. Chair.

1 CHAIRMAN DEMIENTIEFF: Judy.

2

3 MS. GOTTLIEB: Mr. Chair. I would be  
4 reluctant to insert something like this before the RAC  
5 has had a full chance to discuss it. And not to pin  
6 Raymond down on behalf of his Regional Council, but if  
7 you have any thoughts on it right now, I guess we'd be  
8 interested. But I think it would be like most matters,  
9 it would be difficult until the whole RAC hears this.

10

11 CHAIRMAN DEMIENTIEFF: Ray, do you have  
12 any additional thoughts with regard to Judy's question?

13

14 MR. STONEY: No further discussions.

15

16 CHAIRMAN DEMIENTIEFF: Thank you. Ralph.

17

18 MR. LOHSE: Mr. Chair, just for  
19 clarification for in the future. Can you amend a motion  
20 that you're tabling, because if you amend the motion and  
21 then vote to table the motion the motion with its  
22 amendment is tabled, isn't it? I mean just for our use  
23 later on.

24

25 CHAIRMAN DEMIENTIEFF: Basically, you  
26 know, there is a difference, we're voting to support the  
27 Regional Council recommendation, that's the motion, okay,  
28 and that's the operative here. Normally a tabling motion  
29 there is no discussion on a tabling motion, somebody  
30 moves and seconds the table, it's voted on without  
31 discussion. But that is not the nature of the motion, so  
32 it is not a tabling motion, it is just merely supporting  
33 the Regional Council recommendation.

34

35 Jack.

36

37 MR. REAKOFF: Thank you, Mr. Chair. I  
38 sit on Gates of the Arctic Subsistence Resource  
39 Commission and we have not reviewed this proposal. We  
40 have a meeting coming up around May 16th, in about two  
41 weeks, I would like to review this proposal with  
42 Commission members who are from the Upper Kobuk drainage,  
43 this affects the Upper Kobuk also. And so I would -- as  
44 a Commission member, Vice Chair of that Commission, I  
45 would enjoy in reviewing this proposal and as Ms.  
46 Gottlieb has stated.

47

48 CHAIRMAN DEMIENTIEFF: Yeah, I think from  
49 my perspective, just given the fact that there is a  
50 learning curve with regard to the issue that it needs

1 more work. I don't -- I actually speak against the  
2 amendment for that reason until we can get the work done  
3 basically. And that's the reason why that basically  
4 people need to get more awareness before we advance any  
5 kind of amendment or accept part of the proposal, and I  
6 think it's been clearly documented that there is work  
7 that needs to be done, and, again, people are willing to  
8 do the work. I would just rather get that done prior to  
9 taking any action, so I speak against the amendment for  
10 that reason.

11

12 Further discussion.

13

14 (No comments)

15

16 CHAIRMAN DEMIENTIEFF: Hearing none, all  
17 those in favor of the amendment, please signify by saying  
18 aye.

19

20 MS. KESSLER: Aye.

21

22 MR. ROEHL: Aye.

23

24 CHAIRMAN DEMIENTIEFF: Those opposed,  
25 same sign.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN DEMIENTIEFF: The amendment  
30 fails. We now have the main motion before us, which is  
31 to support the Northwest Arctic Regional Council and for  
32 the same reasons that I spoke of with regard to the  
33 amendment, I also support the main motion because I'm  
34 very comfortable with the level of commitment that we're  
35 hearing, you know, from Subsistence Resource Commission  
36 members, from the Regional Council, that they are going  
37 to work and bring us something that we can use.

38

39 So I intend to vote for the motion as  
40 made.

41

42 MS. GOTTLIEB: Mr. Chair.

43

44 CHAIRMAN DEMIENTIEFF: Yes.

45

46 MS. GOTTLIEB: I guess is it fair to say  
47 as our process has in the past, that if there's some sort  
48 of problem before the RAC meets or after the RAC meets  
49 and hunting season pursues that there is that option for  
50 special actions or any sort of in-season closure so we

1 can be assured on the conservation side.

2

3 I also wanted to address, there was one  
4 comment about how local Advisory Committees had supported  
5 the proposal, but I think it's good for us to remember  
6 that our Regional Advisory Council members, while many of  
7 them may wear both hats and perhaps serve on some of  
8 those same committees, they have a different job to do on  
9 the Regional Advisory Council.

10

11 So I will, once again, say I'll vote in  
12 favor of the Regional Council.

13

14 CHAIRMAN DEMIENTIEFF: Further  
15 discussion.

16

17 (No comments)

18

19 CHAIRMAN DEMIENTIEFF: Hearing none, all  
20 those in favor of the motion, please signify by saying  
21 aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN DEMIENTIEFF: Those opposed,  
26 same sign.

27

28 (No opposing votes)

29

30 CHAIRMAN DEMIENTIEFF: Motion carries.  
31 And with that, we're going to take a break.

32

33 (Off record)

34

35 (On record)

36

37 CHAIRMAN DEMIENTIEFF: Okay, just so we  
38 understand each other, theoretically these next two  
39 proposals could go fairly smooth.

40

41 (Laughter)

42

43 CHAIRMAN DEMIENTIEFF: But we often meet  
44 hitches in our giddy-up but we are going to try to  
45 complete these two and then we're going to call it a day  
46 and if we're done early so be it. But we're not going  
47 to do the bear stuff until we're fresh in the morning.

48

49 MR. O'HARA: You want us to have a good  
50 night's sleep before we do bear?

1 CHAIRMAN DEMIENTIEFF: Yeah. Anyway, I  
2 had -- John's been complaining about the security camera  
3 that's sitting right above him. I told him we just  
4 needed to keep a special eye on him. But John thinking  
5 back, years ago, at one of the Federal Board meetings in  
6 one of the hotels, and it had a lower ceiling and I'm not  
7 kidding, the damn light exploded right over my head.

8  
9 (Laughter)

10  
11 CHAIRMAN DEMIENTIEFF: I mean, ah,  
12 they're after me, I took off running, so anyway it's not  
13 as bad as all that John. I think you'll be okay. Go  
14 ahead.

15  
16 MR. LITTLEFIELD: Mr. Chair, I think  
17 that's something you see quite often around here, it's  
18 called, the sky is falling.

19  
20 (Laughter)

21  
22 CHAIRMAN DEMIENTIEFF: Okay, well, let's  
23 get to work. Proposal 19, Staff analysis.

24  
25  
26 MS. H. ARMSTRONG: Thank you, Mr. Chair.  
27 For the record, I'm Helen Armstrong from Office of  
28 Subsistence Management. Proposal WP05-19 was submitted  
29 by the Cape Krusenstern Subsistence Resource Commission  
30 as well as the National Park Service.

31  
32 It requests establishment of a season and  
33 harvest limit for muskoxen in Cape Krusenstern National  
34 Monument. Also requested was the establishment of an  
35 annual harvest limit of one bull by Federal permit within  
36 the Monument with a harvest quota of two bulls and that  
37 the permits be available to only those resident zone  
38 community members with permanent subsistence camps within  
39 the Monument and the immediately adjacent Napaktuktuk  
40 Mountain area.

41  
42 There's been a long interest by the  
43 Northwest Arctic Regional Advisory Council and the Cape  
44 Krusenstern Subsistence Resource Commission to develop a  
45 muskoxen management plan and hunt for the Cape  
46 Krusenstern National Monument. The population within the  
47 Monument, the muskox population within the Monument has  
48 grown to the point where a small subsistence hunt within  
49 the Monument is possible.

50

1                   The proponents believe that a small  
2 subsistence hunt would be consistent with Title VIII of  
3 ANILCA and the Monument's enabling legislation, the Park  
4 Service regulations prohibit non-subsistence uses in the  
5 Monument, thus there's no need to close Federal public  
6 lands to non-Federally-qualified users. This proposal  
7 requires a distinction then between Federally-qualified  
8 users -- eligible Federally-qualified users which  
9 requires implementation of a Section .804 analysis of  
10 ANILCA.

11  
12                   Currently there is no Federal season so  
13 there is no existing regulation. The proposed regulation  
14 would read Unit 23 Cape Krusenstern National Monument,  
15 one bull by Federal permit, annual harvest quotas and any  
16 needed closures will be announced by the superintendent  
17 of Western Arctic National Park Lands. Cape Krusenstern  
18 National Monument is closed to the taking of muskoxen  
19 except by the resident zone community members with  
20 permanent subsistence camps within the Monument and the  
21 immediately adjacent Napaktuktuk Mountain area. And the  
22 season would be from August 1st to March 15th.

23  
24                   There are two maps in your proposal book  
25 and the first one is on Page 167 with a general map of  
26 the area and then there is another one which didn't  
27 reproduce as clearly as I would have liked but it is  
28 visible on Page 170, which shows the Napaktuktuk Mountain  
29 area. We sat down with people from the region to define  
30 what that meant so that we could define it in regulations  
31 and there the lat and longs on that map.

32  
33                   The only Federal public lands affected by  
34 this proposal are in the Monument which, of course, are  
35 managed by National Park Service.

36  
37                   The customary and traditional use  
38 determination for muskox in Unit 23 is the rural  
39 residents of Unit 23 east and north of the Buckland River  
40 drainage, that includes the communities of Selawik,  
41 Noorvik, Kiana, Shungnak, Kobuk, Ambler, Kotzebue,  
42 Kivalina and Point Hope. All of these communities except  
43 Point Hope are also resident zone communities for the  
44 Monument. So all of them except for Point Hope would be  
45 potentially have C&T to take muskoxen in the Monument.

46  
47                   There has never been a Federal harvest of  
48 muskoxen in the Monument since the initiation of the  
49 Federal Subsistence Program. There currently is a State  
50 Tier II hunt for the Cape Thompson muskox population that

1 began in 2000 in the area north and west of the Noatak  
2 River in Unit 23. But the Monument during that time has  
3 remained closed.

4  
5 Muskoxen were reintroduced in 1997 and  
6 the population has grown at about an average annual  
7 growth rate of eight percent. By 1997 the muskox  
8 population had increased and the muskoxen were  
9 distributed almost continuously between Cape Krusenstern  
10 and Cape Lisburne. The population is currently estimated  
11 to be over 363 animals and the range is the entirety of  
12 the Monument. The population has averaged around 150  
13 animals for the last several years. The composition data  
14 indicates that mature bulls make up about 20 percent of  
15 the population, which is about 30 bulls.

16  
17 There has not been a muskox management  
18 plan completed yet. Actually I don't even know if it's  
19 begun but they have begun talking about it and the Park  
20 Service hopes to have a plan established in the next few  
21 years.

22  
23 Since the State initiated its Tier II  
24 muskox hunt in Northwest Unit 23 during 2000, six permits  
25 for one bull muskox have been issued annually totaling 24  
26 permits in the past four years.

27  
28 No State Tier II hunters reported taking  
29 muskox in 2001/2002 and five out of six hunters reported  
30 taking muskox in 2002/2003. All of the muskoxen that  
31 have been taken in the Northwest portion of 23 have gone  
32 to the residents of Point Hope, Noatak and Kivalina. No  
33 Monument residents have received a permit or taken a  
34 muskox. And this time, for the first time, two residents  
35 of Kotzebue got Tier II permits but neither of them has  
36 reported taking a muskox.

37  
38 The biologist estimate that the muskox  
39 population in the Monument could sustain a Federal  
40 harvest of two bulls and if the proposal were to be  
41 adopted it would allow the harvest of two bulls which  
42 would be an annual take of seven percent of the  
43 population, which is 30 bulls. At the same time about  
44 three bulls per year could be expected to be recruited  
45 into the population and grow to maturity.

46  
47 So we've established that we could have a  
48 very small harvest, then we have to decide who gets to  
49 harvest them and since there are so many communities that  
50 have C&T and are resident zone communities we have to do

1 an .804, as I previously discussed in the other analysis.  
2 I won't go through all the criteria this time since we  
3 just went through those.

4  
5                   The proposal requests that the Monument  
6 be closed to muskox hunting except by resident zone  
7 community members with permanent subsistence camps within  
8 the Monument and the immediate adjacent Napaktuktuk  
9 Mountain area. The problem we had with the idea of camps  
10 is that camps are not defined in regulation and as we  
11 discussed this more and more decided we should go with a  
12 concept of residency rather than camps. So I looked at,  
13 through talking to people familiar with the area in the  
14 Northwest area, what I discovered was that you could  
15 really put people into four categories.

16  
17                   There are permanent residents living  
18 year-round in the Monument, which I actually didn't know  
19 so that was interesting to discover. I think I was  
20 actually surprised that there were people living there  
21 permanently and they've been living there for decades and  
22 these are people who have always lived there. There are  
23 about three families of permanent residents.

24  
25                   There are then part-time residents living  
26 in the Monument about six months of the year and there  
27 are about three families.

28  
29                   And then there are families with  
30 permanent cabins in or adjacent to the Monument area who  
31 use their cabins at one time or the other during the year  
32 and that's about 35 families. And of those families,  
33 about six are from Noatak and the remaining are from  
34 Kotzebue.

35  
36                   Then there are families who use the  
37 Monument occasionally but they have tents and don't have  
38 cabins.

39  
40                   So I broke them up into four different  
41 classifications.

42  
43                   So when I looked at the first criteria,  
44 customary and direct dependence upon the populations as a  
45 mainstay of livelihood, I determined that -- or actually  
46 none of them are dependent on muskoxen since they've  
47 never had a hunt there, but -- so what I looked at was  
48 whether they were dependent on resources in the Monument.  
49 And what I found was that the people living in the  
50 Monument year-round are the most dependent on the

1 resources of the Monument for their livelihood. They  
2 also lack the resources to participate in hunting  
3 opportunities outside of the area. They can't afford the  
4 gas to go long distances and that they obtain the  
5 majority of their livelihood directly from the land.  
6 They are true subsistence hunters and fishermen.

7  
8                   None of the families with permanent  
9 subsistence cabins in the Monument area have applied for  
10 or received Tier II permits for muskoxen on State lands,  
11 and I don't know if this is because it's too far or lack  
12 of interest, we don't know, but they have not done it.

13  
14                   Under local residency, proximity to the  
15 resource. Only the year-round permanent families who are  
16 permanent residents of the monument area have the closest  
17 proximity to muskoxen. The others who have permanent  
18 cabins but who do not live in their cabins year-round are  
19 also in close proximity but less often as those who live  
20 predominately in Kotzebue and in Noatak.

21  
22                   The remaining communities that have  
23 resident zone community status are not in as close  
24 proximity as those with permanent year-round cabins.

25  
26                   Point Hope is the only other community  
27 that has customary and traditional use determination for  
28 muskoxen in Unit 23 but it is not a resident zone  
29 community and it is not in close proximity.

30  
31                   So under this criteria the families who  
32 maintain their permanent residence in the Monument area  
33 are in closer proximity to muskoxen in the Monument than  
34 other resident zone community members.

35  
36                   The third criteria, availability of  
37 alternative resources. The permanent residents in the  
38 Monument area rely on a variety of resources found in the  
39 Monument, which I listed but I won't go through. The  
40 other resident zone communities under consideration also  
41 rely on a wide variety of subsistence resources and they  
42 depend on the -- the communities depend on the same  
43 resources as those in the Monument with the exception  
44 that the inland communities don't depend on marine  
45 mammals.

46  
47                   The permanent residents in the Monument  
48 area have the highest dependency on the subsistence  
49 resources in the Monument and lack the monetary resources  
50 to hunt outside as I said. These families obtain the

1 majority of their livelihood directly from the land  
2 including fish, wildlife, plants, but also wood, water  
3 and ice. Their cash income is tied to the land in the  
4 form of selling, bartering and trading resources and also  
5 occasional camp related to work, such as trail staking.

6  
7           It is a little bit different from  
8 anything we've ever done looking at sort of subgroups,  
9 rather than looking at communities, and as you'll hear, I  
10 know the State has a problem with this, but there's  
11 nothing in ANILCA that says we can't do that. And we  
12 actually had a lot of discussion about this, could we do  
13 this, you know, what would happen if these few families  
14 didn't apply for permits and didn't go hunting for  
15 muskox. Park Service, I think, will work with them to  
16 encourage them to apply for them, and if they don't, then  
17 next year we'll do something else, I think. But I do  
18 think that giving -- this is what .804 is designed for,  
19 is to give those people who are in the closest proximity  
20 and the highest dependency and have the fewest  
21 alternative resources the ability to have priority and  
22 these people who live there year-round in the Monument  
23 are precisely those people.

24  
25           If the proposal were adopted with the  
26 modification to limit the hunt to the three families who  
27 have permanent residency, a muskoxen harvest would  
28 provide additional subsistence opportunities for those  
29 families. The harvest of one or two bulls from the  
30 muskoxen population of 150 animals is believed to be  
31 sustainable so there would be minimal impact on the  
32 muskoxen population.

33  
34           For those families to have another  
35 resource such as muskoxen available to them would provide  
36 another source of meat and warm wool or hides for warmth  
37 and clothing. Having the ability to take muskoxen in  
38 their area would enable them to add to the diversity and  
39 value of their resource with nominal additional cost.

40  
41           Other residents of Unit 23 including  
42 those residents of resident zone communities with  
43 subsistence cabins in the Monument will still have an  
44 opportunity to participate in muskoxen hunting in the  
45 region through participation in the State Tier II hunts  
46 as they already are.

47  
48           Without implementation of this Section  
49 .804, Selawik, Noorvik, Kiana, Shungnak, Kobuk, Ambler,  
50 Kotzebue, Noatak and Kivalina would all be eligible for a

1 harvest limit of just two bulls under a registration  
2 permit hunt. This would make distribution of the permits  
3 more complicated and management of the hunt, that is,  
4 closing it after two muskoxen were harvested very  
5 difficult. While a drawing permit hunt is an option, it  
6 carries the implication that applicants are equally  
7 qualified under the criteria of Section .804. This  
8 Section .804 analysis shows that there are distinctions  
9 between proximity and available resources.

10  
11 Another portion of the proposal is  
12 delegating the authority to Park Service to create annual  
13 quotas and announce needed closures. This will allow  
14 more flexibility in the regulations and eliminate a need  
15 to revisit this regulation annually and ultimately create  
16 better management of the resource.

17  
18 That concludes my analysis, Mr. Chair.

19  
20 CHAIRMAN DEMIENTIEFF: Thank you.  
21 Written public comments.

22  
23 MS. CHIVERS: Thank you, Mr. Chair. We  
24 did receive one written public comment from the Cape  
25 Krusenstern National Monument Subsistence Resource  
26 Commission in support of this proposal, and Ken will be  
27 covering that under public testimony.

28  
29 Thank you.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you. Ken  
32 Adkisson.

33  
34 MR. ADKISSON: Mr. Chairman. Board  
35 members. Ken Adkisson with the National Park Service.

36  
37 Again, on the support for the two  
38 Subsistence Resources Commissions, the Cape Krusenstern  
39 and Kobuk Valley Commissions, I think Helen did a really  
40 good job in the Staff analysis of providing the overview,  
41 so there's only a few points related to the Commission  
42 actions that I would like to stress and highlight for  
43 you.

44  
45 The first one, of course, is that this  
46 proposal does reflect a long standing interest in the  
47 region with trying to establish a subsistence hunt for  
48 Cape Krusenstern so it truly came from the bottom up.

49  
50 Secondly, it's a product of two meetings

1 for the Krusenstern Commission, at which a large portion  
2 of both of those meetings was spent on discussion and  
3 working on the proposal and discussing and working  
4 through the issues related to it. It was also endorsed  
5 through two meetings of the Kobuk Valley Commission. And  
6 also in its earliest form was endorsed by the Kotzebue  
7 Local Fish and Game Advisory Committee. So I think it  
8 would be fair to say that a good many folks were quite  
9 aware of the implications of the need to fairly narrowly  
10 restrict the harvest opportunity.

11  
12           Turning to that for a moment, very early  
13 on it was recognized by the Krusenstern Commission that  
14 because of biological circumstances, it was going to be  
15 necessary to restrict the harvest to a very low allowable  
16 harvest, as you can see we're proposing two bulls. That  
17 meant the hunt needed to be tightly controlled, there  
18 weren't really opportunities for issuing permits in  
19 excess of the allowable harvest and that kind of thing.  
20 There was a lot of interest and continues to be interest  
21 in providing opportunity for as many folks as possible  
22 but, again, when it came down to it, the Commission  
23 focused on what they felt in accordance with .804, where  
24 those folks that should be the most likely to benefit  
25 from the proposal based on the criteria that Helen has  
26 outlined to you. And the proposal has changed very  
27 little in that regards except as Helen indicated,  
28 redefining the pool of eligibles to something more in  
29 accordance with definitions and manageable and redefining  
30 the hunt area or the area for the pool of eligibles in  
31 terms of geographic coordinates. So it's, through two  
32 meetings, it's actually undergone very little change.

33  
34           And as Helen has mentioned, the  
35 Commission is very aware of some of the problems that  
36 have been raised with it and considered as a work in  
37 progress.

38  
39           Other options that have been proposed  
40 have been harvest limits allocated among communities and  
41 so forth but, you know, we're a ways from getting there,  
42 but if there are problems that develop under subscription  
43 or whatever, we'll be back with the Commission and we'll  
44 be, you know, working on finding something else.

45  
46           But for now, and with the low allowable  
47 harvest, the Commission, both Commissions as is the  
48 Regional Advisory Council comfortable with the .804  
49 analysis and that that really meets their intention and  
50 what they wanted to have happen.

1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. Any  
4 questions. Regional Council recommendation.

5

6 MR. STONEY: Thank you, Mr. Chairman.  
7 The RAC supports with modification. The Council supports  
8 the proposal but with modification to limit muskox hunt  
9 Cape Krusenstern National Monument and the resident  
10 community members within permanent residency of that  
11 monument.

12

13 Also the proposal was supported by the  
14 Kobuk Valley National Park and Cape Krusenstern National  
15 Monument Subsistence Resource Commission due to the  
16 muskox population, it's increasing and therefore it  
17 should be able to support this small harvest.

18

19 So we support it.

20

21 Mr. Chairman.

22

23 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
24 Committee.

25

26 MR. PROBASCO: Thank you, Mr. Chair. The  
27 Staff Committee's recommendation can be found on Page  
28 163. The Interagency Staff Committee recommends to  
29 support the proposal with modification consistent with  
30 the recommendation of the Northwest Arctic Regional  
31 Advisory Council to provide permits only to permanent  
32 residents who live year-round in the monument or  
33 immediately adjacent to the Napaktuktuk Mountain area.  
34 And, Mr. Chair, the language, the regulatory language is  
35 on Page 163.

36

37 The justification, briefly, is harvest of  
38 muskox bulls would allow additional subsistence  
39 opportunities for those eligible subsistence users who  
40 have permanent residence in the Monument or immediately  
41 adjacent to the Napaktuktuk Mountain area. The families  
42 who live year-round in the Monument demonstrate the  
43 highest dependency on resources within the Monument.  
44 While there have never been Federal harvest opportunities  
45 within the Monument and no history of customary and  
46 direct dependence on muskox, the permanent residents  
47 demonstrate the highest dependency on the resource within  
48 the Monument and the closest proximity to the resource  
49 year-round. Permanent residents in the Monument also  
50 lack resources to participate in hunting opportunities

1 outside the Monument.

2

3 The Park Service is planning on  
4 completing a Muskox Management Plan in the near future,  
5 and with the current population of muskox it's  
6 anticipated that an annual harvest of seven percent of  
7 the bull population in the Monument would be sustainable.

8

9 And finally, Mr. Chair, delegating  
10 authority to the Park Service to create the annual quotas  
11 and announcing any closures will allow for more  
12 flexibility in the regulations and eliminate a need to  
13 revisit the regulations annually.

14

15 Mr. Chair.

16

17 CHAIRMAN DEMIENTIEFF: Thank you.  
18 Department comments.

19

20 MR. HAYNES: Thank you, Mr. Chairman.  
21 Let me begin by saying that, you know, this is great, we  
22 have a situation where there's a new growing muskox  
23 population that could be harvested and it's a great new  
24 opportunity.

25

26 With that in mind we support the proposal  
27 with modification. We question whether participation in  
28 this hunt should be restricted to a subset of resident  
29 zone community members as requested in the original  
30 proposal. If eligibility is limited to the few  
31 households that permanently reside within or adjacent to  
32 the Cape Krusenstern National Monument boundary and none  
33 of these households chooses to obtain a permit for the  
34 hunt, the proposed regulation has no provision to  
35 authorize participation by other residents from other  
36 adjacent areas who are qualified to hunt in the Monument.  
37 The State Tier II hunts in the area are fully subscribed,  
38 that is the muskoxen Tier II hunts, there are more  
39 applicants than there are more permits available so there  
40 may well be other local residents who would be interested  
41 in hunting so we would hate to see opportunity for this  
42 limited hunt to be lost if the three eligible households  
43 chose not to participate.

44

45 And I will just let it go at that, Mr.  
46 Chairman.

47

48 CHAIRMAN DEMIENTIEFF: Thank you, very  
49 much. Discussion, Keith.

50

1 MR. GOLTZ: Terry, I learned this morning  
2 that there are two kinds of attorneys, those who hunt and  
3 those who need a doctor's appointment. So I'm not really  
4 concerned about Mitch having to take one attorney with  
5 him, but the point of my question is does he have to take  
6 two, one State and one Federal? I'm not trying to excite  
7 litigation or to embarrass anyone with these questions.

8  
9 CHAIRMAN DEMIENTIEFF: He's looking for a  
10 job.

11  
12 (Laughter)

13  
14 MR. GOLTZ: And, I think, happily this is  
15 probably the last question I'm going to have along this  
16 line.

17  
18 I'm looking at Page 110 of the handy-  
19 dandy and it says that there is a Tier II hunt and we  
20 haven't explained Tier II and I don't believe we've ever  
21 put anything on the record, so if you could just tell us  
22 a little bit about what a Tier II hunt does and how it  
23 relates to rural Alaska residents.

24  
25 MR. HAYNES: Mr. Chairman. Mr. Goltz.  
26 Thank you for the opportunity.

27  
28 (Laughter)

29  
30 MR. HAYNES: There are similarities  
31 between the State's Tier II hunts and the Section .804  
32 provisions of ANILCA in that there are criteria that are  
33 used to separate people and to qualify them. The State's  
34 -- I guess there are some differences in this instance,  
35 in that, the State Tier II hunts do not apply to Park  
36 Service lands. So if you are eligible to participate in  
37 the State Tier II hunt, you're not automatically eligible  
38 to hunt on the Park lands because there could be State  
39 Tier II permittees who are not Federally-qualified  
40 subsistence users from a resident zone community.

41  
42 I think most people will follow the point  
43 there.

44  
45 So in that respect, if you qualify and  
46 obtain a State Tier II permit for a muskox hunt in  
47 Northwest Alaska, you may be a State resident who lives  
48 somewhere other than Northwest Alaska, that is a  
49 possibility. Whereas the Federal permits, the Federal  
50 hunting opportunities provided for in this proposal,

1 could not be provided to other State residents. They  
2 would already -- the potential users are resident zone  
3 community residents who qualify to hunt within the  
4 Monument.

5  
6 MR. GOLTZ: So would it be fair to say  
7 that the two systems are similar but not the same?

8  
9 MR. HAYNES: Yes.

10  
11 MS. GOTTLIEB: Mr. Chair.

12  
13 CHAIRMAN DEMIENTIEFF: Judy.

14  
15 MS. GOTTLIEB: I want to thank Ken and  
16 the SRC's and the RAC, because this has been a long time  
17 in the making. There have been many, many discussions.  
18 And while the quota would be small and the number of  
19 families who are potentially eligible are small, I think  
20 it's fair to say there's been a high degree of interest  
21 in opening up this area for a hunt for many years now,  
22 and for part of it was just kind of waiting for the  
23 population to get to the right size and even so we need  
24 to watch it pretty carefully.

25  
26 So I guess I don't think we have the fear  
27 that they're not going to be enough applicants for the  
28 quota or, I guess as Ken and others have expressed, if  
29 so, then there can be some cause for adjustments perhaps.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you.  
32 Further discussion.

33  
34 MR. REAKOFF: Mr. Chairman.

35  
36 CHAIRMAN DEMIENTIEFF: Jack.

37  
38 MR. REAKOFF: Mr. Chairman, I'm very  
39 interested in this deliberation on this C&T process for  
40 this species. I had a muskox go through my yard last  
41 summer and there's lots of interest in those by people in  
42 my area and so I'm very interested. I do feel that this  
43 process towards this .804 priority is the correct process  
44 on Federal lands for the limited resource, and as that  
45 expands that could include other residents nearby.

46  
47 But I do feel that a huntable population  
48 should be allocated towards the local people who harvest  
49 other species there, bears, wolves and other animals that  
50 would affect the muskox population and I do feel that

1 utilizing those resource, that criteria is warranted.

2

3 Thank you.

4

5 MS. CROSS: Mr. Chair.

6

7 CHAIRMAN DEMIENTIEFF: Grace.

8

9 MS. CROSS: I also think it's very  
10 important that a good management plan be in place, just  
11 like it is in my region and on the North Slope.  
12 Especially with the slow growth of that population. If  
13 one is not going to be implemented before the hunt then  
14 one should be implemented soon.

15

16 Thank you.

17

18 CHAIRMAN DEMIENTIEFF: Thank you.

19 Further discussion. Yes, Sue.

20

21 MS. ENTSMINGER: Thank you, Mr. Chair.  
22 We, in our region, would be interested in this process  
23 and what you're going through here because it would  
24 affect the people if something like that ever happened in  
25 our region. But I would like to understand in my mind so  
26 I can carry it back. What Mr. Haynes is trying to say is  
27 that if these three families don't come up with two  
28 people that want to take those muskox there's nothing in  
29 place to allow that other one or two people to go because  
30 I see that sometimes could happen if something happened  
31 to a family and they moved out.

32

33 Thank you.

34

35 CHAIRMAN DEMIENTIEFF: Thank you.

36

37 MS. GOTTLIEB: Mr. Chair.

38

39 CHAIRMAN DEMIENTIEFF: Yes.

40

41 MS. GOTTLIEB: Maybe I'll ask Ken and  
42 Helen to ask, but I understood that as part of the .804  
43 it was not only the three permanent resident families but  
44 there were also a couple of other families that had part-  
45 time cabins or part -- or who lived there part-time that  
46 might also be included.

47

48 I'll let you go ahead.

49

50 MS. H. ARMSTRONG: No, that's not

1 actually the way the Staff Committee recommendation is.  
2 It's for the people who have permanent residency in the  
3 Monument, and those are only three families. I think  
4 there, if I remember correctly, six adults between them.

5  
6 CHAIRMAN DEMIENTIEFF: Paul.

7  
8 MR. ROEHL: Thank you, Mitch. Anybody's  
9 who has had a mouse infestation in the house can attest  
10 to the fact that population growth is expediential so the  
11 muskox that aren't harvested per se will be around to  
12 produce even more muskox and so in the future it will be  
13 a good benefit to the region as a whole.

14  
15 CHAIRMAN DEMIENTIEFF: Thank you.  
16 Further discussion.

17  
18 (No comments)

19  
20 CHAIRMAN DEMIENTIEFF: Is somebody  
21 prepared to offer a motion.

22  
23 MS. GOTTLIEB: Mr. Chair.

24  
25 CHAIRMAN DEMIENTIEFF: Go ahead, Judy.

26  
27 MS. GOTTLIEB: I'll move to support the  
28 recommendation of the Northwest Regional Advisory  
29 Council.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you. Is  
32 there a second to the motion.

33  
34 MS. KESSLER: I'll second.

35  
36 CHAIRMAN DEMIENTIEFF: Okay. Further  
37 discussion.

38  
39 (No comments)

40  
41 CHAIRMAN DEMIENTIEFF: I certainly  
42 support the work that has been done to get here, and I  
43 compliment people for taking the effort. And I also  
44 appreciate the other regions that have spoken up that are  
45 appreciating this information and opening up, I see light  
46 bulbs going off over people's heads because of this  
47 process, so I appreciate that. And I think if we get,  
48 maybe if you guys get with Ken over there after the  
49 meeting he might be able to shed some more light on the  
50 process that was employed in advancing this as far as it

1 is.

2

3 Is there any further discussion.

4

5 (No comments)

6

7 CHAIRMAN DEMIENTIEFF: Hearing none, all  
8 those in favor of the motion please signify by saying  
9 aye.

10

11 IN UNISON: Aye.

12

13 CHAIRMAN DEMIENTIEFF: Those opposed,  
14 same sign.

15

16 (No opposing votes)

17

18 CHAIRMAN DEMIENTIEFF: Motion carries.  
19 With that we'll change Staff and prepare to do Proposal  
20 21 from Eastern Interior. That completes our work in  
21 Northwest and thank you all again for your work.

22

23 (Pause)

24

25 CHAIRMAN DEMIENTIEFF: Go ahead you can  
26 introduce the proposal.

27

28 MS. GREFFENIUS: Good afternoon, Mr.  
29 Chair and members of the Board and Council Chairs. My  
30 name is Laura Greffenius, and I'm on the Staff with the  
31 Office of Subsistence Management with the U.S. Fish and  
32 Wildlife Service. I shall provide a summary of Wildlife  
33 Proposal WP05-21, which begins on Page 184 of your Board  
34 book.

35

36 This proposal was submitted by the  
37 Cheesh-na Tribal Council. It requests adding the  
38 residents of Chistochina to the customary and traditional  
39 use determinations for moose in the portions of Unit 12  
40 where they are not currently included.

41

42 The existing regulation for Unit 12  
43 moose, customary and traditional use determination is  
44 listed on Page 187. And the proposed regulation follows  
45 it and is also on Page 1897. You can see Chistochina  
46 listed in bold. And next, please refer to Map 1 on Page  
47 188 and this will assist you as I proceed.

48

49 Residents of Chistochina located in Unit  
50 13(C) are included in the customary and traditional use

1 determination for moose in the portion of Unit 12 labeled  
2 as A in the regulatory descriptions of this analysis and  
3 labeled as A on Map 1. The proponents are requesting a  
4 positive determination for moose in the (B) or eastern  
5 area and (C), the northern portion of Unit 12 described  
6 in the proposed regulation and, again, shown on this map,  
7 again referred to Map 1 on Page 188.

8  
9 Note that the Federal public lands in  
10 Unit 12 are comprised of Wrangell-St. Elias National Park  
11 and Preserve, which is nearly half, 48 percent, and  
12 Tetlin National Wildlife Refuge which is 11 percent.

13  
14 The customary and traditional use  
15 determinations for all or parts of Unit 12 are shown in  
16 Table 1 on page 191.

17  
18 Chistochina is an AHTNA community that  
19 traditionally harvested moose in Unit 12. The analysis  
20 details documentation of kinship ties between Copper  
21 River AHTNA and Upper Tanana residents in pursuing  
22 subsistence activities. Chistochina subsistence use  
23 activities in Unit 12 extend beyond the area labeled (A)  
24 on the Unit 12 map including parts of areas labeled (B)  
25 and (C).

26  
27 Under factors for determining customary  
28 and traditional uses, Factor 4, which begins on Page 192  
29 addresses their consistent harvest for the area. The  
30 available permit information for Chistochina residents  
31 from 1991 to 2002 shows the harvest of moose in the  
32 portion labeled (A) of Unit 12 where the community has an  
33 existing customary and traditional use determination.  
34 However, mapping of community resource harvest areas for  
35 Chistochina residents undertaken in conjunction with 1982  
36 household surveys showed traditional moose harvest  
37 occurred in a larger area than existing Federal  
38 regulation allows. For Unit 12 mapping of moose harvest  
39 areas showed residents of Chistochina used the Nabesna  
40 River drainage beyond the (A) portion, plus Pickerel Lake  
41 in the northern area and along drainages east of the  
42 Nabesna River in the (B) area.

43  
44 Referring to Map 2 on Page 189,  
45 additional information on the use of the eastern and  
46 northern portions of Unit 12 by Chistochina was provided  
47 in the investigation reports for historical and site  
48 applications submitted by AHTNA. Historical occupancy  
49 and use of sites on a seasonal basis for subsistence  
50 activities, including moose harvesting, throughout the

1 1970s was described for locations indicated by triangles  
2 on Map 2 for the (B) portion and the Pickerel Lake  
3 locations north of the winter trail for the (C) portion.  
4 Again, these are found on Map 2 on Page 189 in your board  
5 book.

6  
7 Chistochina has a customary and  
8 traditional use determination for moose in other units as  
9 well, specifically Units 11 and 13. Information  
10 presented in each of the other factors for customary and  
11 traditional uses are detailed in the proposal analysis  
12 and describes their overall traditional use of moose in  
13 Unit 12.

14  
15  
16 In summary the effects of this proposal,  
17 adoption of Proposal WP05-21 would recognize the  
18 residents of Chistochina as customary and traditional  
19 users of moose in the other portions of Unit 12, which is  
20 (B), east of the Nabesna River and Nabesna Glacier, south  
21 of the Winter Trail from Pickerel Lake to the Canadian  
22 Border and (C), the northern portion of Unit 12.

23  
24 Written documentation shows that  
25 residents of Chistochina have used moose in these areas  
26 since the late 19th Century.

27  
28 This concludes my presentation. Thank  
29 you, Mr. Chair.

30  
31 CHAIRMAN DEMIENTIEFF: Thank you.  
32 Written public comments.

33  
34 MR. MATHEWS: Yes, Mr. Chair. I'm Vince  
35 Mathews, the Regional Council Coordinator for Eastern  
36 Interior. We had two written public comments, they're on  
37 Page 186, or I should say they're summarized there and we  
38 do have full text if you'd like to see the full letter.

39  
40 There was two public comments that were  
41 in support, one from the AHTNA Subsistence Committee.  
42 They support the rural subsistence users who reside in  
43 Chistochina because they have a customary and traditional  
44 use of the area. They also hunt for caribou, moose,  
45 sheep and other wildlife there. Unit 12 is their  
46 traditional area to hunt and they have used these areas  
47 for thousands of years.

48  
49 The Wrangell-St. Elias National Park  
50 Subsistence Resource Commission also took up this

1 proposal and they support the proposal unanimously. The  
2 analysis presented clearly documents that the residents  
3 of Chistochina have customary and traditionally harvested  
4 moose in all three areas of Unit 12 for which there are  
5 C&T determinations.

6  
7 Mr. Chairman, that's all the public  
8 comments. I did check today to see if there was any  
9 comments that would have come in from local communities,  
10 there was none faxed in to my fax and to my knowledge  
11 there was none faxed into the Anchorage office.

12  
13 Thank you.

14  
15 CHAIRMAN DEMIENTIEFF: Thank you. We  
16 have one additional request for public testimony at this  
17 time. Wilson Justin.

18  
19 MR. JUSTIN: Thank you, Mr. Chairman. I  
20 appreciate the opportunity to come over and provide some  
21 additional testimony on the proposal.

22  
23 The proposal is kind of a setting the  
24 record straight proposal. Inadvertently the community of  
25 Chistochina was left out of the C&T process. Over the  
26 years we've talked about establishing a C&T for the  
27 community because it was originally our intent to do so.  
28 All of the residents of Chistochina, including the non-  
29 Native residents have established a clear and relatively  
30 consistent use of Unit 12, perhaps not very visible but  
31 still clear use.

32  
33 My family is from that particular area  
34 between Nabesna and Chishana. Mr. Joe, who lives in  
35 Chistochina hunts mostly in Chishana now. Other members  
36 of the family from that area between Pickerel Lakes and  
37 the Chishana River still reside in Chistochina and  
38 Mentasta. The pattern is very clear and very consistent,  
39 if lacking in public acknowledgement. And the  
40 Chistochina Tribal Council is very, how I should say, the  
41 Tribal Council is very insistent that the proposal be  
42 passed because we believe that it's just a fundamental  
43 correction of our previous subsistence rights in a  
44 particular locality.

45  
46 And, again, my name is Wilson Justin, I  
47 serve as the subsistence advocate for Cheesh-na Tribal  
48 Council and Mentasta. I work for Mount Sanford Tribal  
49 Consortium. And I can state for the record that to my  
50 knowledge every particular resident in Chistochina has

1 subsistence rights to 11, 12 and most of 13, and I'll  
2 leave it at that.

3  
4 Thank you.

5  
6 CHAIRMAN DEMIENTIEFF: Thank you. Any  
7 questions.

8  
9 MS. ENTSMINGER: Mr. Chairman.

10  
11 CHAIRMAN DEMIENTIEFF: Sue.

12  
13 MS. ENTSMINGER: Could I ask a question,  
14 yes, thank you, Mr. Chair.

15  
16 Wilson, are you aware that Mentasta does  
17 not qualify for that southern piece that they're calling  
18 (B)?

19  
20 MR. WILSON: Yes.

21  
22 MS. ENTSMINGER: Can you tell me why you  
23 didn't include them in the proposal?

24  
25 MR. WILSON: We had -- my intention was  
26 to ask Mentasta Tribal Council what they wanted to do.  
27 The way proposals are developed within the regions and  
28 probably all across the state, tribal councils are very  
29 sensitive to other individuals or other advocates  
30 speaking on their behalf at any given level within the  
31 development of proposals and I respect that. If I would  
32 have been able to put the two proposals together from  
33 Cheesh-na and Mentasta I would have. But I just thought  
34 it would be better if Mentasta wants me to do a complete  
35 separate proposal, that's fine, and if they want to be  
36 added on later, that's fine. It's entirely up to them in  
37 my estimation of how they want to approach the issue.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you, Wilson.

40  
41 MS. GOTTLIEB: Mr. Chair.

42  
43 CHAIRMAN DEMIENTIEFF: Yes.

44  
45 MS. GOTTLIEB: Thank you, Wilson for  
46 coming in today, we always appreciate hearing from you.  
47 I wondered if you could talk just a little bit about your  
48 or your tribe's links to Dot Lake and the Tanacross area.

49  
50 MR. WILSON: The linkage as you might

1 refer to is actually on two levels. The first one is the  
2 potlatch activity. From Healy Lake all the way over to  
3 down the White River and nearly all the way to Copper  
4 Center, probably around Gakona, there's an extended  
5 family system within the clans that demands allegiance to  
6 how potlatches are developed.

7  
8 For instance, the last Chief potlatch in  
9 Healy Lake, residents of Nabesna were invited over and  
10 this was like 1935 or 36, and they were invited over  
11 because they were not only a part of the clan system that  
12 enveloped Healy Lake but there were family members that  
13 had been a part of the marriage system in that upper area  
14 for quite an extensive period of time.

15  
16 The other link, or the other level is the  
17 fact that Healy Lake provided the lower level access and  
18 outlet for trading activities that occurred in Nabesna  
19 just as Tuwany Lake provided the other access doorway to  
20 trading activities.

21  
22 The trading activities that occurred for  
23 my clan in that particular region between let's say  
24 Batzulnetas and Chishana had four outlets, Healy Lake,  
25 Tuwany Lake, Kinik and Eyak, and all of our activities  
26 were one of those four.

27  
28 So there's two very consistent and  
29 historical ways that Healy Lake is hooked into our area.

30  
31 MS. GOTTLIEB: Thank you.

32  
33 CHAIRMAN DEMIENTIEFF: Any other  
34 questions.

35  
36 (No comments)

37  
38 CHAIRMAN DEMIENTIEFF: Thank you very  
39 much, Wilson, appreciate it.

40  
41 MR. WILSON: Again, thank you.

42  
43 CHAIRMAN DEMIENTIEFF: Let me see, I  
44 think we have two Regional Council recommendations.  
45 Southcentral and then Eastern.

46  
47 MR. LOHSE: Mr. Chair. The Southcentral  
48 Council unanimously agreed that there was sufficient  
49 evidence to support having Chistochina added to the C&T  
50 for moose in Unit 12.

1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Thank you.

4 Eastern.

5

6 MS. ENTSMINGER: Thank you, Mr. Chair. We  
7 also agreed that Chisto should be included, but knowing  
8 the demographics of the area I was a little concerned  
9 that all of Unit 13 was not added to that because we're  
10 giving Chistochina that area. And I understand what  
11 Wilson has brought forth and I just wanted to let the  
12 Board know that we'll probably be seeing a proposal to  
13 bring that up to you. So we support the proposal and  
14 you'll probably see another one.

15

16 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
17 Committee.

18

19 MR. PROBASCO: Thank you, Mr. Chair. The  
20 Interagency Staff Committee recommendation can be found  
21 on Page 185. The Staff Committee supports the proposal  
22 consistent with recommendations of both the Southcentral  
23 Alaska and Eastern Interior Regional Advisory Councils.

24

25 Documentation of the customary and  
26 traditional use of moose in other portions of Unit 12(B)  
27 and (C) by residents of Chistochina is shown through  
28 community harvest resource mapping and site specific  
29 investigations within these areas. Their levels of use  
30 are very similar to the communities that have a positive  
31 customary and traditional use determination in these  
32 portions of Unit 12. The documented uses by Chistochina  
33 residents are concentrated in a portion of Unit 12. The  
34 Interagency Staff Committee noted that both the  
35 Southcentral and Eastern Interior Regional Councils  
36 affected by this proposal supported a finding of  
37 customary and traditional uses for the whole of Unit 12  
38 rather than defining a new portion of the unit in which  
39 the uses would be recognized.

40

41 The Interagency Staff Committee concurs  
42 with the two Councils, that no additional benefit to  
43 management occurs from creating new portions of a unit  
44 for customary and traditional findings in Unit 12.

45

46 Mr. Chair.

47

48 CHAIRMAN DEMIENTIEFF: Thank you.

49 Department.

50

1 MR. HAYNES: Thank you, Mr. Chairman.  
2 The Department supports the proposal with modification.

3  
4 Evidence presented in the Staff analysis  
5 demonstrates that the Chistochina residents have hunted  
6 moose in some areas of the southern part of Unit 12 for  
7 which they currently do not have a positive customary and  
8 traditional determination. However, the evidence  
9 presented for the eight factors indicates that this  
10 pattern occurs primarily in the southern part of Unit 12.

11  
12 No documentation is presented showing  
13 that Chistochina has hunted moose in the northwestern  
14 part of Area (C), which are all State managed lands or  
15 near the communities of Tetlin and Northway in the  
16 northeastern part of Area (C).

17  
18 Subsistence eligibility for moose hunting  
19 in Unit 12 by Chistochina residents should be extended  
20 only to those parts of the unit where the community has  
21 established a customary and traditional pattern of use.  
22 Documentation of Chistochina moose hunting areas includes  
23 subsistence use area maps for the period 1964 to 1984  
24 compiled by the Department of Fish and Game and  
25 descriptions of the community's moose hunting areas in  
26 Holly records 1983 subsistence report for the Cooperative  
27 Parks Studies Unit and in the Backskatter Radar System  
28 Background Study prepared in the late 1980s.  
29 Consequently, we believe the community's use patterns are  
30 well documented.

31  
32 This proposal is very similar to a series  
33 of customary and traditional determination proposal  
34 submitted to the Federal Board several years and in our  
35 view should be evaluated in a similar way. At its April  
36 1997 meeting, the Federal Board voted to establish  
37 customary and traditional eligibility for moose in part  
38 of Unit 11 to communities in Unit 12. In that case and  
39 on the basis of the available evidence, the Board limited  
40 the customary and traditional finding only to the  
41 northern part of Unit 11, that is the area north of the  
42 Sanford River and not to areas farther south in which the  
43 Board concluded that Unit 12 residents had not  
44 established a customary and traditional pattern of use.  
45 The Interagency Staff Committee justification in the  
46 Staff analysis for these proposals stated, in part,  
47 "there was insufficient information to justify extending  
48 this determination to all of Unit 11 and the uneven  
49 record of harvest and the long distances of travel argue  
50 against this proposal for all of Unit 11, however, the

1 documentation does support a positive determination for  
2 the portion of Unit 11 north of the Sanford River."

3

4                   The Department recommends that this  
5 proposal be evaluated in the same careful manner as were  
6 the Unit 11 customary and traditional determination  
7 proposals in 1997.

8

9                   Thank you.

10

11                   CHAIRMAN DEMIENTIEFF: Thank you.

12 Discussion. Keith.

13

14                   MR. GOLTZ: Terry, if you look on Page  
15 188 there's a map of Unit 12, and I'm particularly  
16 concerned with your comments as they relate to the (C)  
17 section.

18

19                   Now, you do understand, I know, that the  
20 Federal subsistence regulations only apply to Federal  
21 public lands, so the fact there's a lot of State lands in  
22 the northwest is really not relevant; is that correct?

23

24                   MR. HAYNES: Through the Chair, yes, I do  
25 understand that.

26

27                   MR. GOLTZ: All right. So with that  
28 understanding, is there any reason to think that adoption  
29 of the Council recommendation would adversely affect non-  
30 subsistence users?

31

32                   MR. HAYNES: Through the Chair. One of  
33 my concerns is that there's very little evidence  
34 presented to show that there is much of the -- there's  
35 not a documented customary and traditional use of most of  
36 the Federal lands in that area (C), the southern part of  
37 the Tetlin Refuge appears to be accessed by river or --  
38 in that area. The Tetlin Refuge, one of my concerns --  
39 the bottom line really is that moose population on the  
40 Tetlin Refuge in Unit 12 is shaky, at best.

41

42                   Once there is an increase in the number  
43 of Federally-qualified subsistence users that's eligible  
44 to hunt those moose, there's increasing pressure to close  
45 the lands to non-Federally-qualified users because of the  
46 potential for demand outweigh and supply, and that's one  
47 reason why we'd like to see further evidence that there  
48 is use of more of these lands in Unit 12. We haven't  
49 seen the documentation for that. And the, you know,  
50 where is the customary and traditional use pattern for

1 lands farther north in Unit 12.

2

3 MR. GOLTZ: Do you see anything in this  
4 proposal that's going to increase the take of Chistochina  
5 residents?

6

7 MR. HAYNES: Through the Chair, adoption  
8 of this proposal would make Chistochina residents  
9 eligible to hunt moose throughout Unit 12 on the Federal  
10 lands, including areas where they are not currently  
11 eligible. The potential is there.

12

13 MR. GOLTZ: To increase the take?

14

15 MR. HAYNES: Yes. If they're not  
16 eligible to hunt now, they become eligible to hunt in the  
17 future.

18

19 MR. GOLTZ: Well, the take in this area,  
20 I agree. But are you suggesting that by increasing the  
21 C&T Chistochina residents are somehow going to get more  
22 moose?

23

24 MR. HAYNES: Through the Chair.  
25 Currently Chistochina residents are not eligible to hunt  
26 moose on all Federal lands in Unit 12 as I understand the  
27 reason for this proposal. If they become eligible to  
28 hunt in a new area, then there certainly is the potential  
29 that they could take moose they haven't taken before.

30

31 MR. GOLTZ: In that area, but.....

32

33 MR. HAYNES: Now, the other question.....

34

35 MR. GOLTZ: .....aren't they still  
36 limited to the number of moose they can take?

37

38 MR. HAYNES: If I could add another  
39 point, through the Chair, we would anticipate seeing a  
40 proposal from Mentasta Lake coming in too and so you're  
41 increasing the pool of eligible users by the action  
42 you're taking and we don't believe that there's been  
43 documentation showing an established customary and  
44 traditional pattern of use throughout Unit 12.

45

46 CHAIRMAN DEMIENTIEFF: Sue.

47

48 MS. ENTSMINGER: Thank you, Mr. Chair. I  
49 took some time to -- in some maps that I have here to try  
50 to understand this proposal, and it's very complicated

1 because of the description of these areas. In other  
2 GMU's you have (A), (B), (C) and (D), and in this you  
3 have a description, and not like Subunit (A), (B), (C).  
4 And the area that Mr. Haynes is speaking of is the Refuge  
5 and it has a 10 day longer season than the rest of the  
6 unit. November 20th to November 30th. More than the  
7 State would have. And you can feasibly snowmachine in  
8 there in the winter where you wouldn't have access the  
9 rest of the year. So I would say that, you know,  
10 somebody that wants to go out and get freezing cold in  
11 November, because that's a different type of a hunt than  
12 hunting in the fall. I mean my son has taken a November  
13 moose and you need to get on it whenever you start  
14 dissecting a moose and you don't want to sit and wait,  
15 you need to get it apart, you need to get it out to where  
16 you can deal with it.

17  
18 I don't really see that there would be an  
19 increase in it. But I do see that there would be some  
20 opportunity for people that want to work hard at getting  
21 a moose.

22  
23 CHAIRMAN DEMIENTIEFF: I agree with you.  
24 We've taken moose sometimes at 50, 60 below, one time I  
25 know it was 67 below for a funeral potlatch, and I  
26 guarantee you when it's cold like that you can do it in  
27 20 minutes, load it in the sled, there is no dilly-  
28 dallying, just like you pointed out.

29  
30 (Laughter)

31  
32 CHAIRMAN DEMIENTIEFF: Further  
33 discussion. Sometimes when the Game Warden's are flying  
34 over, too, we can.....

35  
36 (Laughter)

37  
38 CHAIRMAN DEMIENTIEFF: .....no, I joke,  
39 that's legal, we all know it's legal.

40  
41 MS. ENTSMINGER: Mr. Chair.

42  
43 CHAIRMAN DEMIENTIEFF: Go ahead.

44  
45 MS. ENTSMINGER: Yeah, Mr. Chair, I'd  
46 like to just say that I really appreciate some of the  
47 testimony that Mr. Haynes is bringing forth because he  
48 and I go back a long, long ways when this Board first  
49 started the communities of Upper Tanana were working for  
50 eight years to get a C&T in the Wrangell Park that we

1 had. We had it before this C&T process evolved and then  
2 we lost it. And actually it was at that time, it was  
3 just the Tok community listed as a resident zone  
4 community and then through the process, and we had to go  
5 and you guys, I know you've been through this, eight  
6 years to get these Upper Tanana communities back into it  
7 and then suddenly the boundary changed to this line that  
8 he's talking about, the 62nd parallel, so people south of  
9 the Sanford River are -- I mean we, in Unit 12, could not  
10 hunt south of the Sanford River, when we could when all  
11 of this stuff all started, and then we couldn't do  
12 anything and then we got people back in and some of this,  
13 I mean I don't know how much all of you have been  
14 through, but, we, as the user, have been through a lot  
15 and I can understand some of this stuff that he's trying  
16 to bring out here today.

17

18 CHAIRMAN DEMIENTIEFF: Thank you. Ralph.

19

20 MR. LOHSE: Mr. Chair. If we take a look  
21 at our map on Page 189 and we look at what we're  
22 discussing. Basically we take a line from Slana and we  
23 take it over across the top of the Tetlin National  
24 Wildlife Refuge and we just look at the documented places  
25 that they put on it. They've got one document place, oh,  
26 about, I'll say a fourth of the way into the Tetlin  
27 National Refuge. They got one documented place probably  
28 right in the middle of what we'd call the (B) portion on  
29 the map on Page 188. They've got the other documented  
30 places, and those are just specific documented places.

31

32 Now, I don't know about you but I know  
33 that if somebody hunts out of a place that's documented  
34 there, they're basically hunting that area. And I think  
35 we could -- I mean as a Council, we felt that we could  
36 say that they hunted in Tetlin National Wildlife Refuge.  
37 Now, whether they hunted all of Tetlin National Wildlife  
38 Refuge we couldn't say that but they did hunt in Tetlin  
39 National Wildlife Refuge. They did hunt in Wrangell-St.  
40 Elias National Preserve, both portions (A) and (B).  
41 That's why we felt that, it's true that if you read this,  
42 when you first read it, you know, they've got -- we're  
43 saying that they've got C&T up at Tok and Tanacross and  
44 Tetlin and all the rest of it but there's no Federal land  
45 there. What we looked at as a Council, is we looked at  
46 the fact that there was Tetlin National Wildlife Refuge  
47 and there's Wrangell-St. Elias National Park.

48

49 And Terry's right, there's some little  
50 other chunks of Federal land up there along the road

1 system between Northway and Tetlin Junction, there's a  
2 couple of little chunks of land that's kind of blocked  
3 off below Northway, and I would be real surprised knowing  
4 the people, that if they went as far as Pickerel Lake  
5 didn't go up to Northway to visit somebody. I can  
6 remember one time that I went along with somebody from  
7 our local area and we went up to Northway to go muskrat  
8 trapping and we headed in from Northway to the Chishana  
9 River just basically in that same area right there. It  
10 would just really surprise me if they didn't. But we do  
11 know that they did go into Tetlin National Wildlife  
12 Refuge and they did go into Wrangell-St. Elias National  
13 Park and that's why we voted to support their C&T.  
14

15 CHAIRMAN DEMIENTIEFF: Yeah, I think,  
16 too, for me I support the actions of the Regional  
17 Councils, and if we get to a motion I intend to vote for  
18 it. Because I do know, having been to very many of their  
19 potlatches as Wilson pointed out, they have an  
20 established utilization of that resource by visiting each  
21 other and eating each other's foods on those occasions,  
22 and so that, to me, is an established utilization of that  
23 particular resource because I do know that goes on. Like  
24 I said I've been to many of their potlatches and I  
25 probably have an established utilization.  
26

27 But, yeah, we all know that goes on and  
28 that is a subsistence activity.  
29

30 So having said that I wonder if  
31 somebody's prepared to offer a motion.  
32

33 MS. GOTTLIEB: Mr. Chair.  
34

35 CHAIRMAN DEMIENTIEFF: Go ahead.  
36

37 MS. GOTTLIEB: Chistochina is one of the  
38 original resident zone communities for Wrangell-St. Elias  
39 National Park and Preserve so I think it would be only  
40 fitting to support the Regional Advisory Councils,  
41 plural, recommendations on this and I think we've heard  
42 substantial evidence towards that.  
43

44 CHAIRMAN DEMIENTIEFF: Is that a motion.  
45

46 MS. GOTTLIEB: And I so move.  
47

48 CHAIRMAN DEMIENTIEFF: Okay, is there a  
49 second to that motion.  
50

1 MR. ROEHL: Second.  
2  
3 CHAIRMAN DEMIENTIEFF: I'm getting my  
4 fast gavel again, sorry. No, we've done diligence with  
5 this, good work, and I commend the two Councils for  
6 working together as you have on many issues, you know, to  
7 kind of get cooperation with each other, I know it takes  
8 a while to do that. But I'm glad that you guys are  
9 there, I really appreciate that effort.  
10  
11 Further discussion.  
12  
13 (No comments)  
14  
15 CHAIRMAN DEMIENTIEFF: Hearing none, all  
16 those in favor of the motion, please signify by saying  
17 aye.  
18  
19 IN UNISON: Aye.  
20  
21 CHAIRMAN DEMIENTIEFF: Those opposed,  
22 same sign.  
23  
24 (No opposing votes)  
25  
26 CHAIRMAN DEMIENTIEFF: Motion carries.  
27 Something about bear parts or something like that  
28 tomorrow morning. Actually Tom will go through it, we're  
29 going to take it in the same manner that the Southeast  
30 Regional Council did, in the three parts and Tom will  
31 talk about that in the morning as how we're going to deal  
32 with it, probably even before we do the Staff analysis,  
33 we can talk about that. We've learned a little lesson in  
34 how to deal with this issue and everything we can to make  
35 it go better.  
36  
37 So with that, I don't know what time it  
38 is but whatever time it is we will take up bear in the  
39 morning, Proposal 1.  
40  
41 (PROCEEDINGS TO BE CONTINUED)

C E R T I F I C A T E

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UNITED STATES OF AMERICA                    )  
  )ss.  
STATE OF ALASKA                                )

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and reporter for Computer Matrix Court Reporters, do hereby certify:

THAT the foregoing pages numbered 2 through 141 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME I taken electronically by Nathan Hile on the 3rd day of May 2005, beginning at the hour of 8:30 o'clock a.m. at the Egan Convention Center in Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 11th day of May 2005.

\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/08