

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

FEDERAL SUBSISTENCE BOARD
PUBLIC REGULATORY MEETING

VOLUME II

MARRIOTT HOTEL
ANCHORAGE, ALASKA

MAY 17, 2006
8:30 o'clock a.m.

MEMBERS PRESENT:

- MITCH DEMIENTIEFF, CHAIR
- JUDY GOTTLIEB, National Park Service
- NILES CESAR, Bureau of Indian Affairs
- GEORGE OVIATT, Bureau of Land Management
- PAUL BREWSTER, U.S. Forest Service
- GARY EDWARDS, U.S. Fish and Wildlife Service
- KEITH GOLTZ, Solicitor's Office

Recorded and transcribed by:

Computer Matrix Court Reporters, LLC
3522 West 27th Avenue
Anchorage, AK 99517
907-243-0668
jpk@gci.net

1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 5/17/2006)

4
5 (On record)

6
7 CHAIRMAN DEMIENTIEFF: Okay. We're going
8 to go ahead and call this back to order.

9
10 Vince made it in for the meeting today,
11 and we're going to pick up with 19 and 20. And we have
12 other people that are going to be on line that have other
13 pressing duties on Proposal 60. So we're going to take
14 that out of sequence. And then we'll go back to our
15 opening public testimony. So we do have a couple of
16 requests for public testimony, but we'll go ahead and
17 complete the work on these two proposals. And I think
18 we're making arrangements with regard to the people who
19 are going to be on line with Proposal 60.

20
21 So with that, we'll go ahead and resume
22 our discussion on Proposals 19 and 20. Discussion.

23
24 MR. EDWARDS: Mr. Chairman, you know, I
25 guess where we left off last night, and somebody can
26 correct me if I'm wrong, but there was a motion on the
27 table. I don't know if we received a second or not, but
28 at least I thought what the motion was that I made was
29 that for this proposal that we would reduce the
30 subsistence harvest to one bull and still not put any
31 closures on the non-subsistence hunt.

32
33 I did have an opportunity last night to
34 go through the transcript, and in retrospect I should
35 have done that maybe before the meeting, because for me
36 it was very informative. But maybe, and, Mitch, it's
37 going to be up to you, but maybe since we didn't have --
38 Vince was not here yesterday, maybe it would be more
39 appropriate to let him first discuss the proposal as he
40 would have done if he was here yesterday. Then I can --
41 then I'll be more than willing to kind of offer my
42 thoughts on maybe where we should go, or where we should
43 end up.

44
45 CHAIRMAN DEMIENTIEFF: Yeah, that would
46 be fine. And I know Vince has been reviewing all of his
47 materials, so if you see me running around, I'm going to
48 just confirm that we got a second. So we need to -- does
49 anybody -- who --

50

1 MS. GOTTLIEB: George did?
2
3 MR. CESAR: Yeah, George did.
4
5 CHAIRMAN DEMIENTIEFF: Niles was his
6 witness, he said George did it. Okay. So we just want
7 to make sure we confirm that we do have a motion and a
8 second.
9
10 So, Vince, you have the floor.
11
12 MR. TUTIAKOFF: Thank you, Mr. Chair, and
13 Council members. I'm sorry for not being here yesterday.
14 I had a mix-up in the schedule. I appreciate the time
15 that you're going to give me here to talk to issues 19
16 and 20.
17
18 As you know, the Board, the RAC made a
19 motion to continue the hunt with two caribou. And, of
20 course, Fish and Wildlife has one for two and refer it to
21 bulls only, and continue the commercial hunt, or non-
22 subsistence hunt.
23
24 Our concern, I think our major concern,
25 of the Board in discussions that I recall and going
26 through the notes, was that we had a -- we have, number
27 1, a concern is economic issue. The fishing industry in
28 that particular area which the community of Sand Point,
29 King Cove, False Pass, and Nelson Lagoon, Cold Bay. And
30 we have subsistence hunters that go into Cold Bay from
31 Unalaska during the season. They are concerned, you
32 know, that the issue of non-availability or not being
33 able to make the needs of the economic issue, that they
34 would continue to hunt.
35
36 The number 2 issue that came up in
37 discussion was the discussion of a survey, a new one.
38 They were not satisfied that there was a completed
39 survey, and that the count that we were receiving may not
40 be right. And, of course, it's very hard to do a survey
41 in the Peninsula due to weather and all these other
42 issues, availability of a plane. So really they weren't
43 satisfied with how that was reported to them.
44
45 A third issue had to deal with the non-
46 commercial hunt. They felt that the -- that we would
47 support reduction in non-commercial hunt to -- and
48 continue to keep the caribou hunt for the subsistence
49 issues.
50

1 As I start to recall some of the
2 discussions, as we went into the meeting, we are going to
3 -- I believe going to stay with two bull hunt and ask
4 that you continue to support that. The motion yesterday
5 was to reduce the subsistence hunt and not affect the
6 commercial or non-subsistence hunt, or, you know, not
7 have an affect on it.

8
9 If there's any questions, I'll be happy
10 to answer.

11
12 CHAIRMAN DEMIENTIEFF: Thank you very
13 much. I'm not sure -- what was the motion anyway that
14 you.....

15
16 UNIDENTIFIED VOICE: It's right here.

17
18 CHAIRMAN DEMIENTIEFF: Pete or who?

19
20 UNIDENTIFIED VOICE: Gary.

21
22 CHAIRMAN DEMIENTIEFF: Oh, Gary?

23
24 UNIDENTIFIED VOICE: I was pointing to
25 the screen.

26
27 CHAIRMAN DEMIENTIEFF: Oh, okay. We've
28 got it here. Okay. And, Gary, I understand you have
29 some further thoughts?

30
31 MR. EDWARDS: Well, Mr. Chairman, I guess
32 there's a couple ways to go. I mean, I want to, I guess,
33 make a few remarks, but I guess one way to go would be to
34 go forward with this motion, and then vote on it, and I'm
35 going to I think ultimately vote against my own motion.
36 That would be one way, and then defeat it, and come up
37 with a new motion. Or I'm certainly willing to withdraw
38 this one. I don't know which is the best procedure, but
39 either way. And I'd like to maybe start again, so
40 whichever way that would allow me to do that would be
41 fine with me.

42
43 CHAIRMAN DEMIENTIEFF: If we would -- if
44 we voted it down, we'd be sitting with existing, so the
45 best thing to do is withdraw with the consent of the
46 second.

47
48 MR. EDWARDS: I need to do that then.
49 I'm the one -- okay.

50

1 CHAIRMAN DEMIENTIEFF: Yeah.
2
3 MR. EDWARDS: Then, Mr. Chairman, I would
4 move to withdraw my motion.
5
6 CHAIRMAN DEMIENTIEFF: Do we have consent
7 of the second.
8
9 MR. OVIATT: You have my consent of the
10 second.
11
12 CHAIRMAN DEMIENTIEFF: Okay. So we don't
13 have a motion before us now. And you're prepared to
14 offer another?
15
16 MR. EDWARDS: Well, I'm going to kind of
17 talk my way into what the motion is, because it's still
18 -- I'm still trying to -- and with maybe some help here
19 we can maybe figure out what way -- the best way to go.
20
21 I did take the opportunity last night to
22 go through and read the transcript, as well as go back
23 and look at some of the information. And that was very
24 helpful for me, and I certainly want to commend the
25 Regional Advisory Council. I think they did a very
26 thoughtful job in going through this. I guess I was
27 pleased to see that Stanley Mack came and was part of the
28 public and offered some good comments, and I always have
29 valued sort of his observations on this as an individual
30 who has lived out there a long time.
31
32 You know, I made my motion yesterday,
33 which basically would have reduced the subsistence
34 harvest to one bull, and allow the sport harvest to
35 continue. And the question was asked, well, how can you
36 defend that? How can you put restrictions on the
37 subsistence harvest from what has been occurring in the
38 past and not impact -- not reduce other uses. And I
39 think that's a fair question. And as I thought about it,
40 I don't think I can defend it.
41
42 So then that sort of goes -- it leaves me
43 with sort of the two proposals that were on the table.
44 One of the proposals, and one I believe that the RAC is
45 supporting would be a two-bull subsistence harvest and to
46 leave the sport harvest alone.
47
48 Now, when I was out there last week
49 talking to our refuge manager, Sandra Siekaniec, she was
50 very concerned about that harvest, having a two-bull

1 harvest. And a lot of I think her concerns were driven
2 by feeling that she didn't -- historically maybe the
3 reporting both as the amount of people hunting as well as
4 the harvest hasn't been very accurate, and that on the
5 surface if you looked at prior to 2005 that might not
6 appear to be much in the way of harvest, maybe just a few
7 more animals. I think her concern is that it could be 30
8 more animals or so. So I think she had some real
9 concerns.

10

11 And the other thing, from a biological
12 standpoint, we've kind of got an awkward situation here.
13 We have a management plan that has a threshold of
14 populations, but historically that was based upon on the
15 animals on the mainland as well as on Unimak Island. My
16 understanding is that historically now these animals are
17 not moving back and forth as much, so that in itself says
18 we need to really kind of look from a management
19 standpoint what our plan should be.

20

21 We also have a problem out there that it
22 doesn't appear that our problem is our bull/cow ratio,
23 which seems to be certainly within thresholds, and you
24 could certainly argue that you could take additional
25 bulls. But the problem seems to be we're just not
26 getting any recruitment with the calves. And again the
27 reason for that is somewhat unknown, whether it's
28 nutrition, whether it's predation or what. But something
29 is going on there, and I don't think anybody seems to
30 disagree with that.

31

32 And so I think she has some concerns that
33 by allowing two bulls then, and really knowing exactly
34 what was occurring, that it would be -- might be too
35 much.

36

37 Well, then that brings us back to the
38 other alternative, which was then that the RAC had -- at
39 one point was talking about, was going to one bull and
40 closing the sport hunting. Well, when you look at it,
41 there's really probably not sufficient enough
42 information, and given the cow/bull ratio to say that you
43 needed to do that.

44

45 So it seems to me that the most
46 appropriate action would be taken probably based upon,
47 from a conservation standpoint, would probably be to go
48 to one bull for the subsistence hunt, and put
49 restrictions on the sport hunt. Go to something like not
50 allowing hunting in winter. Well, as we know, the

1 State's usually not very enamored when we try to restrict
2 -- put, you know, certain restrictions on the sport hunt.

3

4

5 So in my mind we're really in a position
6 where we probably can't take the right action which is
7 appropriate to take, at least from my perspective, and
8 that would be -- I guess if I was totally in charge, I
9 would say we should go to one bull and put some
10 restrictions upon the -- on the sport hunt, because right
11 now we have an unlimited subsistence hunted and we've got
12 an unlimited sport hunt on a population that we all agree
13 is probably in trouble. And the reality is if things
14 continue, we're probably going to have to end up putting
15 restrictions on both of them. So I think we're in a --
16 we're not in, from my mind, an easy situation.

17

18 So all of that said, I guess where I'm
19 kind of coming down would be to support what the RAC is
20 suggesting, and that is to maintain the sport hunt as is,
21 and to -- and this would be a reduction on the
22 subsistence hunt, that would be reducing it to two bulls.
23 But at the same time, one, I think we all need, both us
24 and the State need to be judicious in trying to get
25 really an accurate understanding of really what the
26 participation is, as well as the harvest.

27

28 And I do believe that both our refuge
29 manager as well as the State manager out there would have
30 the option as we go into this hunt season to put some
31 kind of emergency actions if either one of them felt that
32 we needed to do that. And so I would encourage both of
33 them, you know, to really work closely together.

34

35 Maybe it's also unfortunate that when we
36 kind of -- one of the discussions that was interesting
37 that I noticed in reading the transcript was there were
38 some questions of, well, what has the State's advisory
39 committees in those communities, what have they done?
40 And the answer was, well, they really haven't weighed in
41 on this issue. But it seems to me this is an issue that
42 was ripe for the two boards to kind of come together and
43 say, look, you know, we've got a problem out here. You
44 know, we don't want to restrict non-subsistence use if we
45 don't have to. We don't want to restrict subsistence
46 use, but at the same time, we've got a population that we
47 need to do somehow a better job. And maybe with the poor
48 calf survival, maybe there's nothing that we really can
49 do from a management standpoint, but we need to figure
50 out, you know, well, what's actually going wrong there.

1 So saying all this, and maybe before I
2 make my motion, if there's kind of any reaction or
3 discussion, I'd be interested in what folks might think,
4 or what Vince might think, or the State might think.
5
6 CHAIRMAN DEMIENTIEFF: Anybody else have
7 any questions or comments.
8
9 MS. GOTTLIEB: Mr. Chair.
10
11 CHAIRMAN DEMIENTIEFF: Judy.
12
13 MS. GOTTLIEB: I guess just looking for
14 the population numbers on the herds, I see the count
15 estimates on table 1, but -- and a reference to table 2
16 with the numbers, but I'm not -- do we know what the herd
17 population is about?
18
19 CHAIRMAN DEMIENTIEFF: Go ahead, Laura.
20
21 MS. GREFFENIUS: Judy, you're asking the
22 population numbers on the Southern Alaska Peninsula
23 Caribou Herd.....
24
25 MS. GOTTLIEB: Yes.
26
27 MS. GREFFENIUS:or the Unimak? I
28 can tell you.....
29
30 MS. GOTTLIEB: Well, the Southern Alaska,
31 because I guess I'm just looking at the management
32 direction that they're saying discontinue harvest when
33 the herd's below 2500. So I'm trying to figure out if
34 it's less than 2500.
35
36 MS. GREFFENIUS: Okay. On the table on
37 page 225, on the lower right corner, the most recent
38 count is 1,651. This says 2005, because the -- even
39 though the count occurred in early 2006, they label it
40 2005, because it's anywhere during the winter period. So
41 -- and the count during the last five years for Unimak
42 has been in the neighborhood of 1,000. So the total
43 population is 2,660. And this is a population estimate.
44 This isn't every last caribou, but a population estimate
45 based on the best information available. So using that
46 with the population thresholds that are given in the
47 management plan, we're just above that 2500 threshold,
48 because the management plan as we said is outdated.
49 There's a process to work on getting it updated. But
50 right now the number for 2500 is using the combined

1 herds. Does that help clarify?

2

3 CHAIRMAN DEMIENTIEFF: Further
4 discussion.

5

6 MR. EDWARDS: Mr. Chairman, as I said,
7 I'm not totally convinced that any of the options
8 available for us really are the correct ones. But saying
9 that, my motion is going to follow the RAC's motion, so
10 I'm going to deal with Proposal 20 first and then go back
11 to Proposal 19.

12

13 So, Mr. Chairman, I move that we adopt
14 Proposal 20 as recommended by the Kodiak/Aleutians
15 Regional Advisory Council. As I had said earlier, you
16 know, if you look at it strictly from a bull/cow ratio,
17 we're still within the -- the limitations, and that
18 harvest which will be a reduction from the previous
19 harvest should still fall within those biological
20 parameters, and so I think that this is something that we
21 can do; also at the same time it will provide us the --
22 and it would allow the non-subsistence hunt to continue.

23

24 CHAIRMAN DEMIENTIEFF: We have a motion.
25 Is there a second.

26

27 MR. OVIATT: I'll second.

28

29 CHAIRMAN DEMIENTIEFF: Okay. Thank you.
30 Further discussion on the motion.

31

32 MS. GOTTLIEB: Mr. Chair.

33

34 CHAIRMAN DEMIENTIEFF: Yes.

35

36 MS. GOTTLIEB: I think Gary made some
37 good points about the RAC, you know, continuing to take
38 the lead on this, and working perhaps with the local
39 advisory committees to keep careful watch and see if
40 there are other things both entities can do, And it
41 sounds like the refuge is going to be real active in
42 trying to get the most accurate harvest data as possible,
43 and that will all be useful to us next time.

44

45 CHAIRMAN DEMIENTIEFF: I certainly agree
46 that we have strong partnership with our RACs, and to
47 hear that they're going to continue to work on the issue
48 and help us to come to a long-term -- or longer-term
49 solution is very gratifying to me. And because of our
50 partnership, I certainly intend to support Gary's motion.

1 Is there further discussion.
2
3 (No comments)
4
5 CHAIRMAN DEMIENTIEFF: Hearing none, all
6 those in favor with regard to Proposal 20 please signify
7 saying aye.
8
9 IN UNISON: Aye.
10
11 CHAIRMAN DEMIENTIEFF: Those opposed same
12 sign.
13
14 (No opposing votes)
15
16 CHAIRMAN DEMIENTIEFF: Motion carried.
17 Proposal 19.
18
19 MR. EDWARDS: Mr. Chairman, I move that
20 we reject Proposal 19 as recommended by the
21 Kodiak/Aleutians Regional Advisory Council, sort of based
22 upon the decision that we just previously made on
23 Proposal 20.
24
25 CHAIRMAN DEMIENTIEFF: We have a motion.
26 Is there a second.
27
28 MS. GOTTLIEB: I'll second it.
29
30 CHAIRMAN DEMIENTIEFF: It's been moved
31 and seconded. Further discussion on the motion.
32
33 (No comments)
34
35 CHAIRMAN DEMIENTIEFF: Hearing none, all
36 those in favor signify by saying aye.
37
38 IN UNISON: Aye.
39
40 CHAIRMAN DEMIENTIEFF: Those opposed same
41 sign.
42
43 (No opposing votes)
44
45 CHAIRMAN DEMIENTIEFF: Okay. Motion
46 carries. We're going to -- thank you very much for your
47 help.
48
49 We're going to shift gears. We're going
50 to go to Proposal 60 right now, which is a little bit out

1 of sequence, so we'll allow our Staff to change and begin
2 a discussion on that, and we've to bring some people up.

3

4 (Pause)

5

6 CHAIRMAN DEMIENTIEFF: With that we'll go
7 ahead and begin consideration of Proposal 60, and we'll
8 ask for the Staff analysis at this time.

9

10 MR. DEMATTEO: Mr. Chair, Pete DeMatteo,
11 Office of Subsistence Management.

12

13 Proposal 60 was submitted by Doug
14 Frederick of Slana. He requests the elimination of the
15 Federal spike fork antler restriction for Unit 12
16 remainder moose during the August 15th through the 28th
17 season.

18

19 Because fewer moose hunters have used
20 Unit 12 remainder in recent years, elimination of the
21 spike fork antler restriction is not expected to attract
22 additional hunters to the affected area during the fall
23 seasons.

24

25 The current Federal harvest limit during
26 the August 15 through 28th season is more restrictive
27 than that of the existing State harvest limit for Unit 12
28 remainder. The proposed regulatory change would align
29 Federal and State harvest limits by eliminating the spike
30 fork antler restriction for Unit 12 remainder.

31

32 The spike fork antler restriction was
33 initially implemented by the State as a conservative
34 antler strategy that provided a harvest season that
35 targeted the young bull component that has the highest
36 natural mortality rate of the age classes for this bull
37 moose population.

38

39 Mr. Chair, the proposed Federal
40 regulations can be found on Page 486, halfway down the
41 page. And for Unit 12 remainder for the August 15th
42 through 28th season again the spike fork antler
43 restriction would be restricted.

44

45 On the next line, Unit 12 remainder, the
46 September season, it should be September 1 through 17th.
47 The 1 through 30 was a typo.

48

49 The existing Sate season, further on down
50 the page, for the remainder of Unit 12, the State

1 season's August 24th through the 28th and that's one
2 bull. The State also has a September 8th through the
3 17th season, which is also a one bull harvest limit.

4
5 The Alaska Board of Game shortened the
6 season in 2001, but increased the pool of animals that
7 could be harvested by changing the spike fork antler
8 restriction to the current any bull harvest limit. Since
9 then the Federal Board eliminated the spike fork antler
10 restriction in Unit 12, except for the area affected by
11 this proposal. The Alaska Board of Game added the August
12 20 through 28 spike fork antler season in 1995 and the
13 Federal Board followed suit the following year in 1996.

14
15 No information exists exactly on the
16 status of the affected moose population; however, there
17 is some anecdotal information gathered from hunters that
18 indicate there are few moose and even fewer bulls seen
19 each year in the Unit 12 remainder portion of the Nabesna
20 Road area.

21
22 The Department of Fish and Game estimates
23 that from comparing data results from adjacent areas with
24 similar habitat, that the affected population density is
25 approximately 0.2 to 0.3 moose per square mile, making it
26 a low density population.

27
28 Results from analysis of harvest data
29 reveal that harvest in two UCUs, uniform coding units,
30 associated with the Unit 12 remainder show some of the
31 highest harvest rates along the road. The number of
32 animals taken from the park during 1990 -- or, pardon me,
33 1976 through 1995. The Unit 12 remainder harvest
34 constitutes approximately 38 percent of the total Nabesna
35 Road, which comprises -- or composes Units 11 and 12,
36 for that particular moose harvest.

37
38 There's no way to accurately monitor
39 subsistence use of moose in the affected area of Unit 12
40 because registration permits are not required for the
41 hunt.

42
43 Because adoption of this proposal would
44 allow for the harvest of any bull, elimination of the
45 spike fork antler restriction could cause an increase in
46 harvest of the affected population in Unit 12 remainder.
47 Based on the biological and harvest data that is
48 available for Unit 12 remainder, adoption of the proposed
49 regulatory change could have an adverse impact on the
50 affected low density moose population, because of the

1 road access and the 14-day Federal August season.

2

3 And with that, Mr. Chair, I'll stop
4 there. There may be others that have information
5 regarding this proposal.

6

7 Thank you.

8

9 CHAIRMAN DEMIENTIEFF: Thank you.

10 Written public comments.

11

12 MR. MATHEWS: Yes, Mr. Chairman, there
13 were three written public comments. A summary can be
14 found on Page 485.

15

16 The AHTNA Subsistence Committee supported
17 the proposal. They would support removing the antler
18 restriction in the early season in a portion of the
19 Wrangell National Park and Preserve, because it is more
20 restrictive than the State season.

21

22 The Mentasta Tribal Council also
23 supported the proposal, because it would make less
24 restrictions for subsistence users.

25

26 The Wrangell-St. Elias National Park and
27 Preserve Subsistence Resource Commission supported the
28 proposal with modification. The Commission unanimously
29 supports the original proposal with the modification to
30 eliminate the season break between the August and
31 September seasons. In other words, the harvest limit in
32 Unit 12 remainder would be one antlered bull with a
33 season of August 15th through September 30th.

34

35 Harvest levels in Unit 12 remainder at
36 the end of August are low, and the proposed change in
37 harvest limit during the early season is not anticipated
38 to cause a conservation concern. There's no good
39 justification for the season break at the end of August,
40 particularly given that the harvest would be the same for
41 the entire season. Removing the break would make the
42 regulation easier to understand.

43

44 Mr. Chairman, that's the summary of
45 public comments.

46

47 CHAIRMAN DEMIENTIEFF: Thank you. We
48 have no additional requests for public testimony at this
49 time.

50

1 Regional Council recommendation. Vince,
2 are you going to give that on behalf, or -- oh, I'm
3 sorry. Sue, I'm sorry.

4
5 MS. ENTSMINGER: Thank you, Mr. Chair.
6 At the Eastern Interior RAC meeting, we supported the
7 proposal as written, to make it any bull and eliminate
8 that spike fork for that 14 through the 28th season. And
9 at that time there was no conservation concern presented,
10 and the Council was supporting the local people.

11
12 I would like to comment though. There
13 was some more information come about since then, and I
14 had talked to Mason Reed, who is on line, and talked to
15 the area biologist, Jeff Gross, and one of the things
16 that has happened, Unit 12 in the State land adjacent to
17 the Federal land went to a 50-inch bull in the Little Tok
18 and the big Tok drainage. So I see that there might be
19 somewhat of a concern that people that can no longer hunt
20 any bull in those areas might put pressure into this
21 area. And it isn't something that the Council had a
22 chance to talk about as the whole council, and it
23 concerns me a bit, because the people that have already
24 commented, this -- there's -- you know, Jeff Gross was
25 not at the SRC meeting when they took it up, and he was
26 not at the Eastern Interior RAC meeting.

27
28 And it just concerns me that we have this
29 process and then we come into the meetings like this, and
30 the people out there don't really know what's going on,
31 and now here we are faced with maybe we need to be
32 concerned. And I think from what advice I would give the
33 Council at this time is that we parallel the State for
34 the any bull the 24th to the 28th in the early August
35 season.

36
37 And if there are any other questions,
38 I'll do what I can. Thank you.

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

42
43 MR. PROBASCO: Thank you, Mr. Chair. The
44 InterAgency Staff Committee supports this proposal with
45 modification as recommended by Eastern Interior Council.

46
47 Adoption of the proposed regulatory
48 change would allow Federally-qualified
49 subsistence users the same opportunity to
50 harvest one bull within the affected area

1 as provided under State regulations for
2 Unit 12, and that's the period of time of
3 August 24th to 28th. The Staff Committee
4 found no reason under ANILCA 805 Section
5 (c) to oppose the Council's
6 recommendation.

7
8 The InterAgency Staff Committee also
9 recommends a modification to eliminate
10 the season break between August and
11 September seasons, because the rational
12 basis for maintaining this break would no
13 longer exist if the antler requirements
14 are eliminated.

15
16 I think it's also important to note that
17 during the deliberations of this proposal, Mr. Chair,
18 that we did find an error in the season end date both in
19 the Eastern Interior Council book and also the same area
20 was found in the Federal regulation book. And
21 essentially it is that our season in those two books
22 reported the date to go to September 30th; however, the
23 correct date as in the regulations is September 17th.
24 The InterAgency Staff Committee recommends that the
25 season reverts back to the correct ending date, which is
26 September 17th, regardless of what action the Board takes
27 today.

28
29 However, we are also recommending that
30 because people have been hunting under this error since
31 2003, that we recommend at a later date that the Board
32 take a special action request and look at the merits of
33 the September 30th for this year only. Mr. Chair.

34
35 CHAIRMAN DEMIENTIEFF: Thank you.
36 Department.

37
38 MS. SEE: Mr. Chair, before Terry Haynes
39 gives our departmental comments, I wanted to note that
40 Deputy Commissioner Regelin who normally attends the
41 meeting, and was here yesterday, unfortunately had to
42 return to Juneau suddenly, and so he will not be here for
43 the rest of the meeting. He extends his regrets. Thank
44 you.

45
46 And Terry would offer our comments.

47
48 CHAIRMAN DEMIENTIEFF: Thank you.

49
50 MR. HAYNES: Mr. Chairman, the Department

1 does not support the original proposal or the proposal as
2 modified by the Staff Committee. The Federal regulations
3 currently provide a four-day -- 14-day season in August
4 for spike fork bulls and a 17-day September season for
5 any antlered bull in the remainder of Unit 12.

6
7 And as Pete pointed out, due to an error
8 in the Federal regulations booklet, Federally-qualified
9 hunters have also had an additional 13 days of hunting
10 opportunity in this area for the past two years. In
11 comparison, the State resident regulations have provided
12 a 15-day season for any bull in the remainder of Unit 12.

13
14 This proposal would eliminate the spike
15 fork antler requirements and retain the same number of
16 hunting days in the Federal season. The proposal as
17 modified by the InterAgency Staff Committee would provide
18 an additional three days of hunting opportunity from
19 August 20 to 31st for any antlered bull.

20
21 Liberalizing Federal regulations as
22 proposed may increase hunting pressure and jeopardize
23 conservation of the moose population in a portion of Unit
24 12 accessed by the Nabesna Road.

25
26 The Department does not have any current
27 biological data for the remainder of Unit 12, but Staff
28 observation suggests that the area has low density moose
29 population. Until better biological data are available,
30 liberalizing the regulations as proposed carries a
31 certain amount of risk. The Department's area biologist
32 in Unit 12 and the wildlife biologist at Wrangell-St.
33 Elias National Park and Preserve agree that new
34 biological data are needed and they hope to conduct a
35 survey in the remainder of Unit 12 where the accessible
36 hunt area largely consists of park preserve lands within
37 the next two years.

38
39 The Department strongly opposes the Staff
40 Committee recommendation that the September 30 season
41 closure date remain in effect for one more year. The
42 Federal Board has not authorized hunting from September
43 18th to the 30th, and sufficient time is available to
44 inform affected residents of the correct season dates
45 before the fall hunting season. If the public is
46 interested in having a season extension to September 30,
47 a proposal should be submitted for evaluation by the
48 public and consideration by the Federal Board.

49
50 Thank you.

1 CHAIRMAN DEMIENTIEFF: Thank you. With
2 that we'll advance to, excuse me, Board consideration.

3
4 We're going to plug in Mason Reed right
5 now at this time. Mason, have you been able to hear
6 the.....

7
8 MR. REED: Yeah, most of it.

9
10 CHAIRMAN DEMIENTIEFF: Okay. Good.
11 Well, this is your moment in the sun, so if you have
12 information that you feel we need, we'd sure appreciate
13 it at this time.

14
15 MR. REED: Okay. I've talked to Jeff
16 Gross, ADF&G, pretty extensively on this, and both of us
17 share some similar concerns, primarily that we have so
18 little information on this population that liberalization
19 of the season is probably not very prudent at this point.
20 As I'm assuming Terry gave that ADF&G comments.

21
22 And as was mentioned, ADF&G and I are
23 hoping to try to extend some count areas, some moose
24 survey areas into that area this fall. And in '07 we'll
25 be doing extensive moose surveys on that -- in that area
26 on a three-year recurring basis.

27
28 I've looked at the harvest quite a bit
29 since all this came up, and there has been an increase in
30 harvest in the last three years. It's 25 to -- or,
31 excuse me, it's -- yeah, the '04 and '05 harvest were
32 double the average, and looking at the data, it looks
33 like that may have been a product of the error seasons.
34 These animals were harvest late in the season, from the
35 17th to the 30th, which is in that extended seasons that
36 really doesn't exist.

37
38 So there has been an increase in harvest,
39 possibly due to that error. So basically my position,
40 I'm concerned about liberalizing the season. We have
41 little harvest information and recent higher harvests.

42
43 And I'll be happy to answer any more
44 questions. I have a fair bit of information in front of
45 me.

46
47 CHAIRMAN DEMIENTIEFF: Thank you. Any
48 questions. Judy.

49
50 MS. GOTTLIEB: Mr. Chair. Thank you for

1 allowing Mason, who's our wildlife biologist at Wrangell-
2 St. Elias to participate today.

3
4 Everything discussed in this proposal is
5 within the Unit, so that's why we're particularly trying
6 to bring forward information. And we do apologize that
7 the information provided to the RAC was not the
8 information we have today.

9
10 And so, Mason, perhaps you can qualify
11 this a little bit. I understand that the RAC was told
12 that the bull to cow ratio was about 45 bulls per 100, but
13 now that we have some different information, we believe
14 it to be lower. Can you expand on that?

15
16 MR. REED: Well, we don't have any
17 information specific to this population. There have been
18 three count areas surrounding the area. Hetland (ph) has
19 done extensive moose surveys north of this area and had
20 over, let's see, over 100 bulls per 100 cows, so it's
21 pretty much a non-hunted population.

22
23 The area that I surveyed myself which was
24 what I used to present to the SRC when this was
25 discussed, is quite a bit south of the end of the road.
26 I set up the area to try to target the Nabesna Road
27 population, but the Unit 12 remainder area is quite --
28 from the general Nabesna Road population. How indicative
29 this is of the overall population, I just don't know. I
30 had to sort out an area, and try to get an index.

31
32 And with that information, I had about
33 anywhere from 45 to 50 bulls per 100, which is, you know,
34 a good bit (indiscernible, telephone cutting out)
35 proportion.

36
37 In talking with Jeff, one area that he
38 has surveyed north of the Nabesna Road and the Little Tok
39 drainage, he's reporting 20 bulls per 100. So what that
40 does, it calls into question what is the best estimate of
41 what the population's doing, because we have three widely
42 disparate surveys, and results from these surveys.

43
44 So basically we just don't have the
45 information on that. I think with the higher harvest
46 that we found in the UCUs related to Unit 12 remainder,
47 that higher harvest with my medium bull counts, the 45
48 per 100, suggests that, you know, potentially the bull
49 count might be lower than what I saw, but pure
50 speculation.

1 MS. GOTTLIEB: Mr. Chair, if I could.

2

3 CHAIRMAN DEMIENTIEFF: Yes.

4

5 MS. GOTTLIEB: I'll pass out to my
6 colleagues here moose -- a map of moose harvest within
7 Wrangell-St. Elias National Park and Preserve. And if
8 you look at the -- which at first glance almost looks
9 like the State of Alaska, but it's really a map of the
10 park, if you look to the very top in the middle where it
11 says 53, it's the bright orange wedge kind of in the very
12 middle there. This is the area we're talking about, and
13 the brighter the areas, the higher the harvest. This
14 area is essentially bisected or -- or maybe not exactly
15 bisected, it has a road right through it, so it is
16 extremely accessible. It does receive heavy hunting
17 pressure, and therefore I suppose it's not a surprise
18 that it would be a lower population at this point in
19 time.

20

21 CHAIRMAN DEMIENTIEFF: Thank you.

22 Further discussion.

23

24 (No comments)

25

26 CHAIRMAN DEMIENTIEFF: Hearing none, is
27 somebody prepared to offer a motion.

28

29 MS. GOTTLIEB: Mr. Chair, I guess I have
30 two options for us. Maybe I'll float those by.

31

32 I guess we would prefer that we leave
33 things as is and very much make the effort to get a
34 survey done this fall. When I say as is, I do mean
35 cutting off the hunting season at September 17th as we
36 were supposed to have done, but somehow didn't get in the
37 regulation book. That's one option.

38

39 And another option would be to go to
40 pretty much what the Eastern RAC had -- let me start
41 again. Would be to go more towards one antlered bull
42 with spike fork and switching over to one antlered bull
43 for the first part of the season, still have the break
44 and going to one antlered bull for the second part of the
45 season.

46

47 CHAIRMAN DEMIENTIEFF: And, Sue, you did
48 say that there's more information available than the RAC
49 had available to them at the time of their meeting?

50

1 MS. ENTSMINGER: Yes, and it's all coming
2 out now, so.....

3
4 CHAIRMAN DEMIENTIEFF: Uh-huh.

5
6 MS. ENTSMINGER: And just without being
7 able to talk to everybody now, I think if we had this
8 same information as a RAC, we would go with her second
9 alternative, because the State already has 24th through
10 the 28th open, and we feel like the Federal should not be
11 more restrictive than the State, because that would still
12 leave a spike fork in that same period of time, and it
13 should come up to the same as the State's.

14
15 CHAIRMAN DEMIENTIEFF: So then -- I just
16 want to build a record. Basically you're thinking that
17 the RAC is going to take another look at the newer
18 information? We apologize for these things happening,
19 but it does happen in basically every forum that, you
20 know, we get information after we have meetings. So it's
21 just one of those things. So you feel like the RAC is
22 going to continue to work on this?

23
24 MS. ENTSMINGER: Yes, I do, because I
25 feel like if it -- if we wanted to see a more liberalized
26 season, we have one year to make that proposal, because
27 of the yearly cycle that you have. And, I mean, I'm
28 taking a lot on myself, because, you know, I have a lot
29 of faith in the people that have already testified, the
30 villagers, and then the SRC, these are the people that we
31 live and work with, and I think originally Mr. Fredericks
32 probably wanted to see it the same as the State, and then
33 with the Federal season being longer on that August
34 season, he thought it would be just to include the whole
35 thing as any bull. And I don't think we probably put a
36 lot of time into it, actually thinking about it.

37
38 MS. GOTTLIEB: Mr. Chair.

39
40 CHAIRMAN DEMIENTIEFF: Thank you. Judy.

41
42 MS. GOTTLIEB: If I might add, and just
43 qualify it a little bit, the existing State season is I
44 think about August 24 to 28, and that's one antlered
45 bull. Our season is longer, has been and would continue
46 to be, but it would have the spike fork restriction on
47 it. So more time, but more restrictive, or combine those
48 two, so that for those few days it's similar to --
49 consistent with the State.

50

1 CHAIRMAN DEMIENTIEFF: Yes, Sue.

2

3 MS. ENTSMINGER: Yeah, I do appreciate
4 that information. The 1st through the 7th is more season
5 for the subsistence user, but during that block of time,
6 they would have to become a sport hunter for the 24th to
7 the 28th, and they would like to -- we like to keep
8 regulations simple, that when you pick up the Federal
9 regulation, you don't have to look at the State
10 regulation to see that, oh, yeah, I could shoot any bull
11 during this period under a State harvest. It should be
12 all in the Federal book.

13

14 Thank you.

15

16 CHAIRMAN DEMIENTIEFF: Thank you.
17 Further discussion. Terry.

18

19 MR. HAYNES: Mr. Chairman. If I might, a
20 bit of background. When these regulations were changed
21 in this area a number of years ago, and as Judy
22 characterized it accurately, that there was more
23 opportunity provided in the Federal regulations, a longer
24 hunting period, but with antler restrictions, and the
25 State had a -- there was a shorter hunting period with
26 fewer antler restrictions, the intent was to take some of
27 the pressure off the large bulls in the area, because we
28 do believe it's a low density moose population, but to
29 provide more opportunity for spike fork bull harvest.

30

31 There was also the break, a clean break
32 between the spike fork and the any antlered bull season,
33 a three-day break, so that there was no possibility of
34 eliminate -- reduce the possibility of hunters taking a
35 spike fork -- or taking a large bull when they shouldn't.

36

37

38 And, Sue, you talked about hunters having
39 to hunt under the sport regulations. I'd just like to
40 remind people that the State has general hunting
41 regulations, and that certainly all State residents are
42 considered subsistence users, so I don't think local
43 residents would need to consider themselves sport hunters
44 if they were hunting under the State regulations during
45 that first week in September.

46

47 But beyond that, I guess the motion that,
48 the second option that Judy put on the table, I wasn't
49 clear about the exact dates and details, and perhaps that
50 would help us to better understand what's being proposed.

1 MS. GOTTLIEB: Mr. Chair.
2
3 CHAIRMAN DEMIENTIEFF: Judy.
4
5 MS. GOTTLIEB: Sure, I'll be glad to
6 restate that. That motion would be to have one antlered
7 bull with spike fork from August 15th to August 23, so
8 that's essentially the same as what we have now. From --
9 okay. Let me start again. August 15 to 23, one spike
10 fork. One bull, one antlered bull with spike fork. Then
11 consistent with the State season you'd have August 24 to
12 28 could be one antlered bull. Have the break and then
13 September 1 to 17 would be one antlered bull which is
14 theoretically no change.
15
16 MR. HAYNES: Thank you for that.
17
18 CHAIRMAN DEMIENTIEFF: Okay. Further
19 discussion.
20
21 MR. EDWARDS: We don't -- is that a
22 little confusing for the hunter, you go so many days,
23 then you could switch for three days, then you have to
24 take a break and you can switch for another? I mean, I
25 guess if the hunters are fine with that, I'm fine with
26 it, but.....
27
28 MS. GOTTLIEB: So actually, and maybe
29 I'll put it in the form of a motion this time. It
30 wouldn't be a switch after the break. It's one antlered
31 bull before and after the break, just before the one
32 antlered bull, there's -- subsistence users are
33 accustomed to that requirement of having the spike fork.
34 So in other words, the Federal and State season for one
35 bull would start at the same date.
36
37 So I will move for Proposal No. 60 that
38 -- now, I need to just double check what the RAC -- and
39 this is consistent for the most part with what the
40 Eastern Interior RAC suggested. August 15 to 23, one
41 antlered bull with spike fork. August 24 to 28, would be
42 one antlered bull, and then September 1 to 17, one
43 antlered bull.
44
45 CHAIRMAN DEMIENTIEFF: So there is a
46 motion. Is there a second to the motion.
47
48 MR. CESAR: I'll second.
49
50 CHAIRMAN DEMIENTIEFF: It's been moved

1 and seconded. Further discussion.
2
3 MS. GOTTLIEB: Mr. Chair.
4
5 CHAIRMAN DEMIENTIEFF: Yes.
6
7 MS. GOTTLIEB: Again, I hope we will be
8 able to present the most accurate information to the RAC
9 either at or before its next meeting, as soon as we have
10 more information, and appreciate Sue's assistance here,
11 because I know she's really familiar with this area, so
12 we're lucky we're here today.
13
14 CHAIRMAN DEMIENTIEFF: Thank you.
15 Further discussion on the motion.
16
17 (No comments)
18
19 CHAIRMAN DEMIENTIEFF: Hearing none, all
20 -- oh, go ahead.
21
22 MR. BREWSTER: I do have a question. So
23 we are eliminating, back to what the committee was
24 originally recommending, continuing between the 28th and
25 the 1st. We're eliminating that?
26
27 MS. GOTTLIEB: Correct. It does seem to
28 be better to have that break.
29
30 MR. BREWSTER: Just for the consistency?
31
32 MS. GOTTLIEB: Uh-huh. (Affirmative)
33
34 MR. BREWSTER: Okay.
35
36 CHAIRMAN DEMIENTIEFF: Further
37 discussion.
38
39 (No comments)
40
41 CHAIRMAN DEMIENTIEFF: Hearing none, all
42 those in favor signify by saying aye.
43
44 IN UNISON: Aye.
45
46 CHAIRMAN DEMIENTIEFF: Those opposed same
47 sign.
48
49 (No opposing votes)
50

1 CHAIRMAN DEMIENTIEFF: Motion carries.
2 Thank you very much, Mason.
3
4 MR. REED: Thank you.
5
6 CHAIRMAN DEMIENTIEFF: Appreciate your
7 input. And you can go back to work now.
8
9 MR. REED: Okay. Glad to be of help.
10
11 CHAIRMAN DEMIENTIEFF: Before we do
12 public testimony, Seward Pen has one proposal, Proposal
13 No. 53, which I believe will just take us a minute. And
14 with that I'll call on you, Grace. We're not going to do
15 the Staff analysis or anything, and I believe you have a
16 request?
17
18 MS. CROSS: I have a request for the
19 Board, thank you, to table this motion. I think we need
20 to -- that Seward Pen needs to re-look at it for
21 clarification. Thank you.
22
23 CHAIRMAN DEMIENTIEFF: And that's based
24 on the fact that there's information that you didn't
25 have?
26
27 MS. CROSS: Yes. It's based on the fact
28 that we did not look at what the State -- the State Board
29 of Game had not met when we submitted the proposal. I
30 think we need to revisit the proposal. Thank you.
31
32 CHAIRMAN DEMIENTIEFF: Thank you. Is
33 there a motion to honor Grace's request.
34
35 MR. CESAR: I'll make it.
36
37 CHAIRMAN DEMIENTIEFF: We have a motion
38 to table. Is there a second.
39
40 MR. OVIATT: Second.
41
42 CHAIRMAN DEMIENTIEFF: With that, there's
43 no discussion on a tabling motion. All those in favor of
44 the motion please by saying aye.
45
46 IN UNISON: Aye.
47
48 CHAIRMAN DEMIENTIEFF: Those opposed same
49 sign.
50

1 (No opposing votes)

2

3 CHAIRMAN DEMIENTIEFF: Motion carries.
4 Okay. Now we'll go to public testimony. Who do we have
5 here. Okay. We have Austin. I can't hardly read your
6 last name. Maybe you can just give me the correct --
7 your writing is obviously as good as mine is.

8

9 MR. AHMASUK: Austin Ahmasuk.

10

11 CHAIRMAN DEMIENTIEFF: Okay.

12

13 MR. AHMASUK: Okay. Thank you. For the
14 record, Austin Ahmasuk. I'm the subsistence director for
15 Kawerak. I also serve on the Norton Sound Advisory
16 Committee, but I'll be giving testimony in regards to
17 Kawerak proposals. I understand that via the consensus
18 agenda, those items have been predecided upon for
19 deferment. I wanted to provide comments as to those
20 proposals.

21

22 First of all, I would like to talk about
23 maybe some of the adjoining RAC comments as well as some
24 of the -- as well as the Staff Committee comments. In
25 looking at the C&T proposal before you, it would be
26 terribly presumptuous for Kawerak to look at to try and
27 put forth before this Board C&T uses of other regions
28 when we don't know them, when we really can't undertake a
29 process like that, because we have issues and concerns
30 for our own region. That is, we have ties to our own
31 regions, and things that our tribes require of us, so it
32 would be a very difficult thing for Kawerak, as is
33 apparently indicated in some of the staff comments to try
34 and determine what other C&T uses may exist outside of
35 our region.

36

37 We don't doubt that on the boundaries, on
38 the periphery of Unit 22 that there are shared uses of
39 some of those C&T resources that we named there. And in
40 terms of the proposal, we did our best to try and
41 identify our own subsistence and customary and
42 traditional uses. Now, if other regions wanted to join
43 in, they're certainly more than welcome to.

44

45 I would though caution that the uses that
46 other regions may come up with or may propose would
47 likely be only those resources on the boundary. They
48 wouldn't be ones so far into Unit 22 that they could --
49 that anyone could put forth a proposal that would be
50 substantiated, such as claiming resources near Wales or

1 Teller or Brevig. Those communities are far removed from
2 any other region, and so those C&T uses reside or are
3 exclusive to those communities.

4
5 When these proposals were developed,
6 there was initially a lot of confusion as to some of the
7 authorities, some of the traditions that this Board has
8 or the policies that this Board has when they look at C&T
9 uses. One of the first very confusing things that came
10 about was when an area proposes a C&T determination that
11 there is in time a restrictive regulation that gets
12 written down. Now, in reviewing ANILCA and what I know
13 about ANILCA, ANILCA generally allows hunting, and it
14 also allows persons to propose C&T uses. I don't see
15 anywhere in that law where it indicates when a C&T use is
16 identified that also a restriction is put in place, which
17 is what the RAC was told in the beginning, which is why
18 you see some of the comments from the RACs that you have
19 in your RAC recommendations, as well as the InterAgency
20 Staff Committee recommendation. I don't think that those
21 arguments hold water. ANILCA it seems fairly clear to
22 me, persons can propose C&T uses, and that's all that
23 we've done.

24
25 And so I understand that your Board has a
26 good idea as to what it may do regarding these proposals,
27 but I would though urge the Board to do this, and that is
28 to discuss at this level, though you may have already
29 said to defer them, very clear language that the RACs can
30 go forward with in terms of the C&T proposals, because
31 like I indicated before, the RACs are not given a very
32 clear understanding of the Federal position. Some
33 Federal Staff or Federal Board deliberation here would
34 greatly assist RACS when they look at these proposals as
35 well as clear up misunderstandings that there may be.

36
37 I hope that the Board understands where
38 I'm coming from, and where the proposals are coming from.
39 None of the proposals were meant to exclude anybody. And
40 I think that there are examples within your own
41 regulations where C&T uses are determined and where other
42 non-subsistence uses are allowed. That example is in
43 Units 1, 2, 3 deer, and your actions yesterday regarding
44 Unit 9(D) caribou whereby there are C&T uses defined,
45 determined, but you allowed other uses to occur.

46
47 I also believe that, and I may be wrong
48 here, but apparently the example for the contra Unit
49 9(A), (C) and (D) brown bear hunting where C&T uses are
50 defined, but no uses are allowed. And I'm just referring

1 to the quickly Federal handy-dandy booklet.

2

3 So a whole slew of things apparently can
4 happen when there are C&T uses. Total inclusion to, of
5 course, subsistence priority and Federally-qualified
6 users, or Federally-qualified and non-Federally-qualified
7 users.

8

9 Again, I guess the take-home message that
10 I would offer to you is the RACs I think really need some
11 clear understanding from the Board as to how you view
12 these proposals, and what you might expect from them.

13

14 In terms of the proposals, where they
15 come from, Kawerak did only its best efforts to try and
16 identify its C&T uses and hopefully have those uses
17 established, and not exclude any other region. None of
18 the resources listed are in any peril, they aren't in any
19 danger, they're quite healthy. Many of the -- several of
20 the resources there are expanding westward onto the
21 Peninsula, and so there's no shortage, and persons enjoy
22 the most liberal seasons in the State of Alaska.

23

24 So with that, thank you.

25

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

28

29 MS. GOTTLIEB: Mr. Chair. Thanks, Austin
30 for coming in today. I remember your discussions at the
31 Seward Pen Regional Advisory Council. And while these
32 proposals are on the consent agenda, we've not yet
33 actually approved that. However, in attending other
34 Regional Advisory Council meetings, I did hear at those
35 meetings that they deferred because they wanted more data
36 to see whether communities, others -- other than those
37 that were named in your proposals might also be included.

38

39 And while C&T may sometimes be a bit of a
40 time-consuming process, and all the Councils heard that
41 it was never the intent of Kawerak or Seward Pen to
42 exclude other users, they wanted a bit more time for
43 study to see whether the communities you outlined were
44 the total, or whether there could be more. So I think
45 we're on the way.

46

47 And in terms of some of the examples you
48 mentioned, C&T can include or it can exclude, but people
49 also have other options which were discussed in those
50 other proposals you mentioned through the State system.

1 And so that's why it seems like it's mixed a little bit.

2

3 But I think the process is well under
4 way, so we ask yours and the RAC's patience on this.
5 Thank you.

6

7 CHAIRMAN DEMIENTIEFF: Any other
8 questions.

9

10 (No comments)

11

12 CHAIRMAN DEMIENTIEFF: Thank you very
13 much for your testimony. Willard Jackson.

14

15 MR. JACKSON: Thank you, Mr. Chair. My
16 name is Willard Jackson. I'm KIC Tribal Council, also a
17 clan member of the Teikukeidi Tongass people.

18

19 I come with a story. Our stories entwine
20 us with our history and our culture, traditions. It's
21 the story of Fog Woman. It's a story from the Gun-ah-ka-
22 dee (ph), the Raven, our opposite tribe of the Tongass.
23 And it talks about the migration of the salmon and why
24 salmon appears every year. This time of the year is a
25 run of the king salmon and the coho and the sockeye and
26 the chum come to the major rivers each year.

27

28 And it talks about respect. Respect for
29 one's property and one's values. In today's society, as
30 we move forward in 2006, and the many things that are
31 happening in Indian country and the villages and even the
32 Lower 48, to our brothers and sisters on the Plains. We
33 as native people are connected. We are connected to the
34 land. We are connected to the sea. Therefore our spirit
35 intertwines with one another as native people as well as
36 non-native people. We walk this earth. We hunt on our
37 land, and we provide for our families in that nature, and
38 that is a given to our people as human beings.

39

40 There was a young man, he was interested
41 in this young woman. Her father was chief of the salmon.
42 Her name was Fog Woman.

43

44 If you've been to the Ketchikan area,
45 you'll see the Johnson pole. And the Johnson pole
46 establishes the Tlingit and Haida. It created KIC. It
47 created ANB. And it sustains the Tongass Tribe as a body
48 and a whole on the history of how live should be and how
49 life was back then, and how it should be today in 2006.
50 So you're looking at a lot of years.

1 A young man was interested in Fog Woman.
2 They went to her father's house, and he asked her hand in
3 marriage. And the young man spoke to Chief of the Salmon
4 for hours and hours. And the comments that came from Fog
5 Woman's father were respect. He told him, I don't ever
6 want you to raise your voice to my daughter. I don't
7 ever want you to strike her. Respect. They got married
8 and Fog Woman moved back to his home. And in that
9 movement, that young man went out every morning to fish
10 the sea just like as we do today. There are people
11 fishing out there today. He went out every day, and
12 every day he came back, he didn't have anything. Didn't
13 have a catch. And this went on and on and on. Finally
14 one day Fog Woman sent her two slaves out to receive some
15 bark and some roots, spruce roots, and started weaving
16 this basket. She was half completed with this basket,
17 and her husband came to the door, and his comments was, I
18 don't know why you're making this basket. We have
19 nothing to put in it. She just continued to weave this
20 basket. She completed the basket, and her husband came
21 home off a fishing trip in the canoe, and didn't respond
22 to her. He had nothing to put on the table.

23
24 She commanded the slaves to go down to
25 the waters edge and fill their basket up half full of
26 water from the sea. They returned the basket back to Fog
27 Woman, and she wiped her hands through it. Her next
28 command was to have them pour the water out on the land,
29 and these sockeye were jumping all over the place. She
30 cleaned the fish and she prepared a meal for her husband.
31 And she continued to do that, and she filled a cache for
32 her house, and she continued to command the slaves to get
33 water, and she con -- she fills the cache for the
34 village.

35
36 One day, the young man was so content,
37 and he wasn't the provider any more, he struck out and
38 hit her. Fog Woman got up and she started walking out
39 towards the sea. The young man was right behind her and
40 reached out and grabbed her. And each time he put his
41 hands on her, his hands would go right through her. The
42 young man went back to her father's house and begged for
43 his wife to come back.

44
45 Today you go to these major rivers
46 throughout all this region of Alaska, to my brothers and
47 sisters to the north, fish return there every year. Fish
48 return to the Southeast area every year. Fog Woman is
49 still feeding her people in that manner.
50

1 I tell this story to my grandchildren
2 every time I see them, in respect. I share with Merle,
3 one of our tribal council members, I share every time I
4 go to the meeting, I'm going to tell my grandson what I
5 talk about today. I talked about you. I talked about
6 your history, trying to keep you alive. I'm trying to
7 keep Ketchikan alive. I'm really trying hard to keep our
8 people alive, and our culture. That weight's on your
9 shoulder, Ketchikan. So I'm just coming here to share
10 that story with you, to share that the Tlingit people,
11 the Haida people and Tsmishian people are still in
12 existence today because of these stories.

13

14 (In Tlingit)

15

16 CHAIRMAN DEMIENTIEFF: Thank you very
17 much. Tom Harris.

18

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

20

21 CHAIRMAN DEMIENTIEFF: Go ahead.

22

23 MR. HARRIS: My name is Tom Harris. I'm
24 the current president of Alaska Village Initiatives, but
25 I am stepping down from that position to take a position
26 with Tyonek Native Corporation. The information that I
27 have for you here -- to share with you today is part of
28 the reason for that.

29

30 But on the screen there you see obviously
31 something you're very familiar with, and this is indeed
32 the mission of the organization to work with the
33 subsistence issues of rural Alaska on Federal lands.

34

35 Please go on to the next.

36

37 Obviously we have these individual
38 agencies present. I need to ask at this point, is there
39 anyone here from USDA, Natural Resource Conservation
40 Service? Okay. Thank you.

41

42 Your deliberations are extremely
43 important to the survival of not only the habitat, but
44 also the people who reside on them from one end of this
45 State to the other.

46

47 Alaska Village Initiatives -- excuse me.
48 Alaska Village Initiatives Board of Directors has been
49 looking at this issue since 1998 and comparing what's
50 happening up here in Alaska with what has happened in the

1 Lower 48. And at this time we believe that there are two
2 participants missing from the discussion on what happens
3 to wildlife in Alaska. Those two participants are
4 responsible for the greatest increase and the healthiest
5 wildlife populations in U.S. history. In your packet you
6 have a chart like this that documents the information.
7 And as a result, we have four states that harvest 100
8 times more per acre in wildlife than Alaska does. On the
9 average, the Lower 48 states harvest 35 times more
10 wildlife per acre, and I'm specifically speaking of
11 grazing wildlife, than Alaska does as a direct result we
12 believe of these two participants.

13

Please go on.

14

15

16

Those two participants are USDA Natural
17 Resource Conservation Service and America's private
18 property owners. NRCS is the primary Federal agency that
19 funds private land owners to protect and conserve natural
20 resources. Eighty percent of the Lower 48 lands are
21 privately held. Conversely here we have 90 percent
22 publicly owned versus 10 percent. However, in the Lower
23 48, 90 percent of the wildlife is located and cared for
24 on private lands as a result of participation in this
25 program with NRCS.

26

27

The question has to be asked, and
28 obviously we're trying to get our habitats sustainable,
29 but please understand that Alaska communities can only
30 hope to achieve sustainability with subsistence, not
31 without.

32

33

There is a new economic resource that has
34 been successful in creating sustainable economies
35 throughout the Lower 48. It provides \$1.1 million to
36 Alaska in 2003 and \$13 million in 2005. It opens doors
37 to multiple new opportunities that had not been available
38 to Alaskans before and it is part of a \$6 billion
39 national budget that Alaskans have yet to gain equitable
40 access to.

41

42

You have in front of you on the screen a
43 chart that shows grazing wildlife production analysis
44 from 2001 to 2004, and it compares Alaska as a land mass
45 to five groups of states -- or, excuse me, six groups,
46 that have equivalent land size. And that red line is the
47 equivalent land mass that you see.

48

49

Keep going. And one more. Right there.

50

1 And you can see that there's a tremendous
2 production level of wildlife in the Lower 48. And
3 whenever we show this, people immediately say, well, of
4 course, look at their environment, look at their habitat.
5 Their conditions are far different from Alaska. And we
6 agree on that. However, 30 years ago those populations
7 weren't there. Thirty years ago New Jersey was going
8 through the same discussions that are happening here
9 today.

10
11 And as we look at the funding, and we
12 look at the investment of the Federal Government in this
13 effort, we see again, 2004 -- go ahead and change that --
14 and the U.S. average funding for 2004, this is funding
15 directly to the landowner to improve habitat, is \$61
16 million. Go on. Alaska receives \$13 million. Go on.
17 However, the native corporations with 44 million acres
18 only received 1 million. And as a result -- and I make
19 you aware that during 2004, that is the highest ever
20 received by a native -- any native landowners. This
21 includes native allottees as well.

22
23 You can take a look at this. It's either
24 sunrise or sunset, depending on the choices that are made
25 in the next few years about what happens to this habitat
26 and what resources we as a nation invest toward it.

27
28 This is a five-year review of funding
29 that -- from this same agency, and again, the same
30 geographic groups of states. And you see Alaska there
31 obviously at the bottom. And there's a tremendous
32 disparity.

33
34 Let me put it in perspective. \$31
35 million for Alaska in a five-year period. Of that, less
36 than \$3 million made it to 44 million acres for habitat
37 improvement on private lands. On the other end of the
38 scale, equivalent land mass, states received \$3.7
39 billion. And again this is for the funding of habitat
40 protection for natural resources. These are not
41 domesticated animals. And group number 1 there, the
42 closest to Alaska, received over \$800 million.

43
44 USDA has -- in the Lower 48 they're
45 sometimes referred to as a gang of three. It's a bill
46 sustaining both community economies. And those agencies,
47 go ahead -- excuse me, those agencies are USDA Rural
48 Development, Natural Resource Conservation Service, and
49 Farm Service Administration. In Alaska, Rural
50 Development is the largest. In the Lower 48, Natural

1 Resource Conservation Service is the largest.

2

3 To date we have failed to access these
4 funds for Alaska. The impact to Alaska is approximately
5 \$100 million annually coming into these communities to
6 help restore wildlife populations in those communities.
7 Alaska needs it leadership to access -- we have the 2007
8 Farm Bill will be taken up in Congress in this October,
9 it comes ever five years. There's a correction that
10 needs to be made there to make certain that this resource
11 is made available equitably to Alaska as it is to the
12 Lower 48.

13

14 And I've just got a few more slides here,
15 and we'll wrap up, Mr. Chair.

16

17 CHAIRMAN DEMIENTIEFF: Yeah. We'll need
18 to ask you to summarize if you would.

19

20 MR. HARRIS: Okay.

21

22 CHAIRMAN DEMIENTIEFF: This information
23 you made available to us, and you can rest assured that
24 we'll have the opportunity to look at it, so.....

25

26 MR. HARRIS: Okay. As we look at this,
27 Mr. Chairman, I will turn away from the presentation and
28 just finalize. Most people know that Doyon's the largest
29 landowner in America. That landowner has about 11
30 million acres as a private land owner, and a community.
31 If that 11 million acres were to hit the average of the
32 Lower 48 in wildlife production, that would be an annual
33 harvest of 60,000 animals per year. That is higher than
34 the entire harvest for the State of Alaska.

35

36 So thank you for your time. Alaska
37 Village Initiatives is going to continue to pursue this.
38 I'm leaving Alaska Village Initiatives to work with a
39 native corporation who is in a position to be the first
40 in line for this and to hopefully represent opportunities
41 that will contribute to your efforts. I'll stand down
42 now.

43

44 Thank you, Mr. Chairman. And if there
45 are no more questions.....

46

47 CHAIRMAN DEMIENTIEFF: Any questions.

48

49 (No comments)

50

1 CHAIRMAN DEMIENTIEFF: We want to thank
2 you very much for the information. You can rest assured
3 that we do do our work, and we will be reviewing your
4 materials. So thank you very much for taking your time
5 to come and make this presentation. We appreciate it.

6
7 MR. HARRIS: Thank you.

8
9 CHAIRMAN DEMIENTIEFF: Merle Hawkins.

10
11 MS. HAWKINS: Good morning. My name is
12 Merle Hawkins, Ketchikan Indian Community, tribal council
13 member.

14
15 And many of you have heard my comments
16 before, but there's probably some that haven't, and I'm
17 here as an advocate for my tribe and my people to please
18 ask you to vote in support of rural status for Ketchikan,
19 to have Federal rural subsistence status. And I will
20 highlight some of the reasons why I believe you need to
21 vote in support of this.

22
23 Ketchikan, even though we're over the
24 population limit of the 7,000, we do possess the
25 significant characteristics of a rural nature. We're on
26 an island surrounded by forest. All the commodities in
27 the community that are purchased are brought in by barge
28 or by the Alaska Marine Highway System, which is the
29 ferry system.

30
31 Tourism is one of our major industries
32 now, no longer fishing and timber harvest. We've had
33 major losses of jobs and income because of the loss of
34 those industries.

35
36 Infrastructure, they are planning to
37 build a bridge to Gravina, and I understand they've
38 received \$100 million which is about one-third of the
39 cost of that bridge. But that will not impact our rural
40 status, because it's just a bridge from one island to the
41 other. You still won't get to the outside world by any
42 easy means.

43
44 The fish and wildlife survey that was
45 done also shows that we use almost 88 pounds of resources
46 per person per year, which is a major gain from the 33
47 pounds that was previously used. And I believe if we
48 keep working on doing those surveys, we can continue to
49 monitor how much of the resources the Ketchikan people do
50 use. Ketchikan can also show -- we represent not only

1 the three tribes of the area, Tlingit, Haida and
2 Tsmishian as a tribe, but the borough and other agencies,
3 the city supported us in our quest for rural status by
4 resolution.

5
6 We can easily show customary and
7 traditional use by patterns of consistent use of the
8 resources. Seasonal use, consistent harvest, traditional
9 means of handling, preparing and preserving, handing down
10 of the knowledge of the fish and wildlife, the hunting
11 skills, the harvesting and gathering. That is carried on
12 by our JOM program, which is a federally-funded program
13 that teaches all the children in the community.

14
15 And the population of our community is
16 beyond the control of the community at this point,
17 because we do have up to 800,000 that come and that
18 number's going to keep growing.

19
20 And also the fact that I would like to
21 speak about is the fact that KIC and the community of
22 Ketchikan and the members of the community have asked
23 numerous times to have a hearing in the community. We
24 did have a Southeast Regional Advisory Council meeting,
25 but I still believe that our community members have a
26 right to speak to the governing Board here that's going
27 to make this decision. You carry very important
28 authority here, because you're carrying out the authority
29 of ANILCA which is congressionally authorized to protect
30 the cultural aspects of our subsistence lives. So I
31 would like you to think and talk to some of the Ketchikan
32 members that are here, myself or Willard Jackson, about
33 this, and we'll certainly answer any questions that you
34 have. So please vote yes for rural status for Ketchikan.

35
36

37 Thank you very much.

38

39 CHAIRMAN DEMIENTIEFF: Thank you very
40 much. Any questions or comments.

41

42 (No comments)

43

44 CHAIRMAN DEMIENTIEFF: We are -- without
45 committing, we are looking very strongly to doing a
46 hearing Ketchikan. It's one of the things that we --
47 because you have continued to raise the concern, we are
48 looking very strongly at trying to be able to find a way
49 to accommodate you. But again we appreciate both you and
50 Willard's efforts to get here. We know the time and the

1 expense it took you to get here, and we appreciate your
2 comments. Thank you.

3

4 MS. HAWKINS: Thank you.

5

6 CHAIRMAN DEMIENTIEFF: Aaron Tritt.

7

8 MR. TRITT: Good morning, Mr. Chairman.
9 Thank you for inviting me. My name is Aaron. I'm from
10 Arctic Village. I'm a Gwich'in Indian.

11

12 I just want to while the Federal
13 Subsistence Panel are here, and you, Mr. Chairman, are
14 here at the meeting, I wanted to try to maybe introduce
15 my ideas and forming a good regulations for native people
16 in Alaska.

17

18 As far as I'm concerned, there's no
19 native policies in our State and Federal capital that's
20 in favor of native people right now. We're talking about
21 long-term protection and tribal cultures and tribal fish
22 and game management programs. And as far as native
23 people are concerned, this planet was -- in the
24 beginning, it was perfect. There was nothing wrong with
25 it, down to the grain of sand there was nothing wrong
26 with it. It's perfect. And native people in the western
27 hemisphere has been living in harmony with this perfect
28 culture for thousands of years. And they have respect
29 for it.

30

31 And yet today we're caught between two
32 cultures, the concrete culture and our culture. And it's
33 an economic -- we're between cash economy and subsistence
34 living lifestyle. And we're losing. We're losing on
35 both sides, because we have no policies. As they take
36 our subsistence lifestyle away and contaminate our
37 lifestyle, our culture, you know, then we haven't -- then
38 we have a cash economy, but then we don't have
39 representers in our state and national capitals.

40

41 Every time a native policy comes up,
42 there's Republicans that jump on it. The majority of
43 House and Senate leader that jump on it to make sure they
44 don't recognize it, they don't pass it. And that hurts
45 native people out in the villages. And that's not fair.

46

47 Last summer -- I mean, this -- yeah, last
48 summer in Arctic Village, there was two king salmon up
49 there, and I grew up in Arctic Village. I have never
50 seen king salmon in Arctic Village in my lifetime. And I

1 believe they follow the temperature of the water. As the
2 water gets warmer and warmer, they follow the direction
3 of the water. Arctic Village is in a high elevation so
4 the water is cooler. They don't go that far. But
5 they're beginning to go in that direction. Why? Because
6 there's changes. There's changes in the behavior of the
7 animals. There's changes in the climate. There's
8 changes in technology and people. Everything is
9 changing.

10

11 Why can't we stop? Why can't we stop and
12 have a global economic peoples convention and have a
13 native panel and native people involved in this
14 convention, because they know, they see it. It's been
15 going on for such -- since the beginning of the history.

16

17

18 We have caribou fences in Arctic Village.
19 Over 200, 500 years old caribou fences. People survive
20 with those fences. The owners of those fences were known
21 to save people, thousands of people from starvation.
22 It's a culture that's been going on for thousands of
23 years.

24

25 Oil development. They want oil
26 development up there.

27

28 And Arctic Village is the protected area
29 in this country. We're a tribal government reservation.
30 We manage our tribal fish and game management program
31 within our jurisdiction. And the Federal is protecting
32 the fish and game, Federal Fish and Game -- the Arctic
33 Refuge area.

34

35 And yet we still have problem regulating
36 our subsistence management programs, because there's too
37 many people coming in from the Lower 48. There's sheep
38 hunting we have problems with up there. You know,
39 there's people -- there's planes flying up there that we
40 don't even know about, which they should identify
41 themselves to us. We should have an air traffic control
42 where they can call us and tell us how many people is in
43 that plan. Give us that plane identification number.
44 Something. Something to be in control, to regulate. And
45 we don't regulate and it's going to get worse and worse.

46

47 The migration of the caribou. You know,
48 you talk about oil development, and the caribou goes to
49 Arctic Refuge every springtime, and the reason they go up
50 there is because of the spring water that comes from the

1 mountain. It runs into the coastal plains. It mixes in
2 with the lichen. It's like a sponge. It's a nutrition.
3 It's rich. And it can easily contam -- be put
4 contamination. and they want development.

5
6 And I want to let you know that the
7 Federal Government has done a good job in working with
8 the native tribal people. Underline tribal.

9
10 And so today I believe that native
11 coalition and movement is important, to begin to
12 introduce native policies in Juneau and Washington, to be
13 endorsed and recognized and support by the public, and
14 the majority leaders in our State and Federal government
15 in this country.

16
17 And there's a lot more to talk about on
18 all these issues. It's not only subsistence, but if we
19 don't do anything about it, you know -- we don't want our
20 future children to look back and, you know, look like we
21 haven't done anything. So I hope we can work together on
22 this, and I hope we stop having these little meetings,
23 and go to the highest level possible and get some strong
24 policies that's going to protect the native people and
25 the native children for the future of this state.

26
27 Thank you.

28
29 CHAIRMAN DEMIENTIEFF: Thank you very
30 much. I agree with you as far as that warming. I mean,
31 I think I've told some of you, I don't know if I told the
32 Board, but they're now getting a king salmon run for the
33 last two years in Barrow, and that's totally unheard of.
34 And I've seen the salmon. I do know that they're there,
35 so they're, you know -- I mean, things are changing a
36 little bit.

37
38 With that, we're going to -- as I pointed
39 out yesterday, all the Bristol Bay proposals are on the
40 consent agenda. We're going to take a short break, and
41 then when we come back, we're going to go to Yukon-
42 Kuskokwim. So with that, we'll take a little break.

43
44 (Off record)

45
46 (On record)

47
48 CHAIRMAN DEMIENTIEFF: We'll go ahead and
49 call the meeting back to order, if we can have -- we'll
50 take up Proposal 27. If we can have the Staff analysis,

1 please.

2

3 MR. DEMATTEO: Mr. Chair. The analysis
4 of Proposal 27 is found in your books on Page 279.

5

6 And Proposal 27 was submitted by the
7 Yukon-Kuskokwim Delta Regional Advisory Council. The
8 Council requests the establishment of a Federal
9 controlled use area for all moose seasons in the lower
10 Yukon River drainage within Unit 18.

11

12 This proposal was originally deferred by
13 the Board as Proposal 05-11 at your May 2005 meeting.
14 The Board's decision to defer Proposal 11 was based on
15 its limited jurisdiction to implement effective
16 controlled use areas because of the mixed land
17 jurisdictions within the affected area.

18

19 The Council also submitted a companion
20 proposal to the Alaska Board of Game, State Proposal 9 at
21 its October 2005 meeting. The Alaska Board of Game
22 rejected Proposal 9 at its November 2005 meeting based on
23 their conclusion that the current level of impacts from
24 fly-in hunters on the resource and on affected users is
25 insignificant.

26

27 Proposals 11 and 27 and the State
28 Proposal 9 were submitted because of local concerns of
29 aerial moose spotting by lower Unit 18 moose hunters who
30 fly from areas south of the Yukon River drainage to the
31 lower portion of the Yukon River to hunt moose. Local
32 residents have reported seeing non-local fly-in hunters
33 spotting moose from privately-owned aircraft during the
34 Federal moose seasons in the lower Yukon River drainage.

35

36 Mr. Chair, the proposed regulations can
37 be found on Page 279 of your books, and it would show the
38 proposed language that would describe the closed area.

39

40 A reported total of one moose was taken
41 in the affected area by fly-in hunters from south of the
42 Yukon River drainage in Unit 18 during the period of 1998
43 and '99 through the regulatory year of 2003/2004.

44

45 If this proposal is adopted, Federally-
46 qualified subsistence users would be restricted from
47 accessing traditional hunt areas in the lower Yukon
48 drainage with privately-owned aircraft to hunt moose.

49

50 The Federal Board's jurisdiction does not

1 include flight rules for pilots and their passengers who
2 spot moose over Federal lands and those who spot moose
3 and access state jurisdictions by privately-owned
4 aircraft.

5
6 Mr. Chair, it is important to mention
7 that the Board has not established any Federally --
8 pardon me, Federally only controlled use areas in Alaska.
9 Controlled use areas are established by the State of
10 Alaska, and the State access restrictions within the
11 controlled use areas are mirrored in the Federal
12 subsistence regulations.

13
14 Local concerns about aerial moose
15 spotting should be directed toward the local State and
16 Federal land managers who can address these issues
17 through the proper law enforcement channels.

18
19 Mr. Chair, Staff recognizes the
20 importance of this proposal to the Council and also to
21 the residents of the lower Yukon River area, but Staff
22 wrestled with this analysis just as we did with the
23 analysis of Proposal 11 from last year. Because of the
24 complex land jurisdiction in the lower Yukon River,
25 adoption of a Federal only controlled use area would not
26 address the proponents' concerns. Therefore, without the
27 establishment of the controlled use area, a Federal
28 controlled use area would not meet the requested action
29 as desired, as stated in this proposal.

30
31 And with that, Mr. Chair, I'll stop
32 there. Thank you.

33
34 CHAIRMAN DEMIENTIEFF: Thank you.
35 Written public comments.

36
37 MR. NICK: Mr. Chair. For the record, my
38 name is Alex Nick. I'm the Regional Council coordinator
39 for Yukon-Kuskokwim Delta.

40
41 There were three new written public
42 comments received. The first one is from Asa Carsarmuit,
43 Incorporated from Mountain Village. And I'm going to try
44 to stay with the important points of the comments.

45
46 CHAIRMAN DEMIENTIEFF: Yeah, we do have
47 those in our books.

48
49 MR. NICK: Yes. Okay. Asa Carsarmuit,
50 Inc. supports WP06-27, executive summary of which is the

1 proposed regulation on establishing a controlled use area
2 for subsistence moose hunt in Unit 18. Asachaq (ph) Inc.
3 has concern about aerial moose spotting in lower 18 unit.
4 Asachaq feels that spotting moose from an aircraft
5 creates an unfair advantage over rural users who do not
6 practice this method of locating moose during the moose
7 season. Subsistence users in this area travel by land
8 and by water. Spotting by aircraft will not be fair for
9 those harvesting by land and water. We need to maintain
10 the abundance of moose in the area by restricting access.
11 Asachaq (ph), Inc. Board of Directors fully supports the
12 proposed regulation. The implementation and approve of
13 this regulation will assist in management of the moose
14 residing in the area. Asachaq (ph), Inc. believes this
15 is one favorable method of ensuring the improvement of
16 the moose count in the area described. Asachaq (ph) Inc.
17 understands the importance of ensuring the population of
18 the moose in the area for the subsistence usage. We
19 commend the efforts of Kuskokwim Delta Regional Advisory
20 Council in submitting this proposal. We support efforts
21 such as this for the betterment of Asachaq (ph)
22 shareholders.
23

24 And the second comment is from Native
25 Village of Hooper Bay, and they wrote, on behalf of the
26 Native Village of Hooper Bay and its tribal members, we
27 would like to enlighten your knowledge of the traditional
28 and customary hunting grounds within and on Unit 18. In
29 the past and up to now the hunters have noticed that
30 there have been unidentified aircraft flying within Unit
31 18 disturbing customary and traditional hunters from the
32 area of Unit 18. All customary and traditional hunters
33 from Unit 18 have worked hard in raising the number of
34 moose within Unit 18 by working with the U.S. Fish and
35 Wildlife Service in increasing the number of moose
36 through the moratorium on moose that was implemented a
37 few years ago. And now that a population has increased.
38 We would like to have Unit 18 a no fly zone to keep
39 outside hunters from flying and disturbing the hunters,
40 moose and other game that may be in customary and
41 traditional hunting grounds. The tribal members of the
42 Native Village of Hooper Bay are very concerned about the
43 incidents concerning aircraft in Unit 18 due to the fact
44 that they participated in the moratorium on moose. They
45 support the no fly zone within Unit 18.
46

47 And, Mr. Chair, the third comment is from
48 City of Mountain Village in form of resolution that the
49 city council supports the resolution.
50

1 Thank you, Mr. Chair.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. We
4 have one additional request for public testimony at this
5 time. Tim Andrew.

6

7 MR. ANDREW: Good morning, Mr. Chairman.
8 Members of the Board. Thank you for the opportunity to
9 testify before you today.

10

11 For the record, my name is Timothy
12 Andrew. I'm the director of wildlife resources for the
13 Association of Village Council Presidents in Bethel.

14

15 And I come before you today to testify in
16 support of Proposal 27, 28 and 29 and in opposition of
17 Proposal No. 30.

18

19 The people of the lower Yukon area have
20 worked fervently and hard over the past 20-some years in
21 developing the moose populations in this area. They have
22 bypassed many an opportunity to harvest moose to feed
23 their families in order to build this moose population to
24 where it is today.

25

26 Like what is stated by Mr. Ted Hamilton
27 from Emmonak in one of his written testimony for Proposal
28 30, it's like a potluck. I mean, when we have a potluck
29 out there, we honor somebody. When we honor somebody
30 either in the community or a group of people in the
31 community, normally those people are given first
32 opportunity to partake of the potluck. But if we went
33 ahead and adopted this proposal, or if we do not adopt
34 this proposal, it would basically be like a person that
35 is not being honored coming into the community and be in
36 front of, or get the first opportunity to partake of the
37 potluck.

38

39 So we really recognize the sacrifice that
40 many of these people have taken in the lower river and
41 support this proposal to make it a no fly zone.

42

43 And there's, you know, Staff comments by
44 the InterAgency Staff Committee, the Department of Fish
45 and Game comments indicate that, you know, the fly-in
46 hunters will not likely be a problem. And I'm pretty
47 sure there are different areas across the State, in fact,
48 one was just mentioned this morning in the case of Arctic
49 Village where somebody thought it was not going to be a
50 problem, but it's a problem today, of airplanes coming in

1 from all different directions. You know, if you look at
2 the Kanektok River, the Goodnews River, Aniak River in
3 the Kuskokwim area, or in the Kuskokwim River corridor,
4 you know, people -- I'm pretty sure managers back then
5 didn't think it was going to be a problem managing the
6 sport fishery in those communities. Today it's a
7 problem. I mean, we have many, many, many, many people
8 coming in, converging on these rivers during the summer.
9 And it's getting to be almost like the Kenai River,
10 combat, the combat fishery.

11

12 And I'd just like to stress that moose
13 resources in the lowest part of the Yukon River is an
14 important food species for the people there. You know,
15 statistically it shows that meat is extremely important
16 to the people in our villages. Over 600 pounds per
17 capita is the latest statistic that I've seen of wild
18 meat consumption in that area, or in the western part --
19 in our part of western Alaska. So, you know, whatever
20 protection that we can provide for the moose populations
21 and for subsistence opportunity in the area, it would
22 really help us out.

23

24 We also support Proposal No. 28 and 29,
25 28 extending the moose season from a 10-day period to a
26 20-day period would greatly enhance subsistence
27 opportunity for many of the people in Unit 18. And we
28 also support the definition of calves that is written
29 into the proposal.

30

31 This past hunting season, in December of
32 2005 and January of 2006 when this State-sanctioned hunt
33 went on, we received a number of calls from people in the
34 villages being cited for harvesting illegal calves, even
35 though it was legal to harvest calves in the area.
36 People were complaining that law enforcement officers
37 were citing them for harvesting calves. And when people
38 called, I was extremely confused. I was wondering what
39 was going on.

40

41 And it turned out to be that the
42 definition of calves between the hunter and the
43 enforcement officials was completely different. The
44 enforcement officials and the regulation indicated --
45 regulations indicate that calves are moose that are less
46 than 12 months -- or 12 months or less than a year old.
47 And most of the people out in our area don't customarily
48 harvest calves that are probably about this tall, and
49 maybe about this long, and maybe yield 50 pounds of meat,
50 maybe 20 pounds, 30 pounds. That's just not very much of

1 harvest.

2

3

4 So we really support the current proposed
5 definition of a calf to indicate that it is a calf with
6 its mother. And much of the harvest effort under the
7 State-sanctioned hunt went after those bigger -- the
8 bigger calves that accompanied their mothers. So that
9 would basically help support, you know, what the more
10 common and local -- what the local definition of calf is.

11

12 We would also like to go on record to
13 oppose Proposal No. 30. This is a proposal that we
14 believe is premature. It is -- a proposal to open up
15 Unit 18 for sport and nonresident hunting. There is a
16 current moratorium that is going on in the lower
17 Kuskokwim area between the Community of Kalskag down to
18 Tuntutuliak, down to Eek and up towards Lakes on the
19 Kuskokwim side. And we also have a pretty stable moose
20 population in the upper to mid lower Yukon, but we have a
21 rapidly expanding moose population in the lowest part of
22 the Yukon River, but we have a great subsistence need in
23 the Yukon-Kuskokwim Delta that needs to be protected.
24 And by opening the hunt up to a general sport hunt would
25 greatly affect the subsistence harvest in the area.

26

27 And, Mr. Chairman, that basically
28 concludes my testimony, and I'd be more than happy to
29 answer any questions that you have.

30

31 CHAIRMAN DEMIENTIEFF: I just wanted to
32 clarify one quick thing, Timothy, and that is that if
33 you're not intending to testify individually on 29 and
34 30, then I'll make sure that we get your testimony that
35 you're giving on 27, I'll make sure that they get into
36 the record on 29, 30. Is that your intention?

37

38 MR. ANDREW: Yeah.

39

40 CHAIRMAN DEMIENTIEFF: Okay. Good deal.
41 So we won't call on you for 29 and 30, but we'll make
42 sure your points get into the record.

43

44 Okay. Regional Council recommendation.

45

46 MR. WILDE: Mr. Chairman. The Yukon-
47 Kuskokwim Advisory Council support Proposal WP06-27,
48 support without modification, for eight, against none.
49 That our local concern about aerial moose spotting in
50 lower Yukon Unit 18, residents that are in that area feel
that spotting moose is aircraft creates, feel that unfair

1 advantage over rural users who do not practice this
2 method for locating moose during the moose hunting
3 season. Such as uses in that area travels on the land
4 and water and spotting by the aircraft will not be fair
5 for the harvesting by land and water. We need to
6 maintain the abundance of moose in that area by
7 restricting access.

8
9 Mr. Chairman. Meeting in Emmonak we had
10 as many people ever have ever since we start advisory
11 meetings in lower Yukon, and it's very interesting one,
12 and people talk, so a lot of times that me, myself, I try
13 to keep correct, because there's some things that I know,
14 and people out there talking about. We transplant moose
15 in lower Yukon for six years, and we let our -- that's
16 what the people say, some of the elders say. We let our
17 people, young people to listen to us, concern, because we
18 need some food for our people. Young people listen.

19
20 But we want to thank Holy Cross people.
21 We thank them and very much who helping us to make -- go
22 up there to that area we go moose hunting. They never
23 tell us to go back and anything. They help us. Even
24 some of them be bringing us out to show where best place
25 is. I remember that Mr. Demientieff, I saw him in the
26 gas station. He said, Harry, go out there and get
27 something for your family I never forget that. Those
28 are the people that thinking about getting food or to
29 keep our family alive. I appreciate. I appreciate this.
30 Mr. Chairman.

31
32 CHAIRMAN DEMIENTIEFF: Thank you. I
33 think that whole issue that you talked about in terms of
34 Holy Cross, that's really come a long ways from when
35 people first started going up to Holy from down the
36 river. There was a little -- it was a little bit rough
37 there, but you guys did a real good job of working it out
38 with the local people. So I thank you for that.

39
40 Staff Committee.

41
42 MR. KESSLER: Good morning, Mr. Chair.
43 I'm Steve Kessler with the InterAgency Staff Committee.
44 The Staff Committee comments are on Page 278 of your
45 Board book.

46
47 The Staff Committee opposes the proposal,
48 contrary to the recommendation of the Yukon-Kuskokwim
49 Delta Subsistence Regional Advisory Council. The Federal
50 Subsistence Board does not have the jurisdiction to

1 restrict access methods on State and private lands, or to
2 restrict spotting of moose from aircraft. Because of the
3 mixed land ownership and state jurisdiction on navigable
4 waters within the affected area, establishment of a
5 Federal only controlled use area would not effectively
6 restrict aircraft access as requested by the proponent.

7
8 Both Federal and State regulations
9 currently prohibit taking moose the same day the hunter
10 is airborne. If illegal use of aircraft for hunting
11 moose in the area is occurring, such incidents should be
12 called to the attention of law enforcement personnel.

13
14 Conservation of a healthy moose
15 population is not an issue in this area.

16
17 Additionally, the Board has not
18 established any Federal only controlled use area. To be
19 effective in areas of mixed jurisdiction, both State and
20 Federal controlled use area provisions need to be in
21 place.

22
23 Mr. Chair.

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

27
28 MR. HAYNES: Thank you, Mr. Chairman.
29 Consistent with the position of the InterAgency Staff
30 Committee, the Department does not support this proposal.
31 We're unaware of any information that supports the need
32 for creation of the proposed controlled use area on
33 Federal public lands in Unit 18.

34
35 The Board of Game considered, but did not
36 adopt a similar proposal at its November 2005 meeting.

37
38 As was noted in the Staff analysis,
39 records indicate that only two hunters have reported
40 using aircraft to hunt moose in this area since the year
41 2000, and only one of those hunters successfully
42 harvested a moose.

43
44 Because the proposed controlled use area
45 would apply only to Federal public lands, it would not
46 address the proponents concerns and would only complicate
47 the hunting regulations.

48
49 Because the moose population in this area
50 is healthy and growing, establishing a controlled use

1 area would unnecessarily restrict opportunity.

2

3

Thank you.

4

5

6

CHAIRMAN DEMIENTIEFF: Thank you. Board discussion.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

One of the things that was suggested yesterday, too, and I forgot to mention it, we accommodate State to go last, because they want to hear everybody else's comments. So Regional Council representatives are more than welcome to -- because you are part of this discussion, if you, having heard what everybody has to say, if there's other follow-up information, then we ask you to go ahead and give it.

Discussion. Judy.

MS. GOTTLIEB: Mr. Chair. Maybe a question for Terry, given that this has been brought up as an issue for several years now, and we understand the Board of Game rejected establishing a special use area, but are there other things that can be done, education, communication, or any other ideas of what might help alleviate the problem that the RAC has raised to us several times?

MR. HAYNES: Mr. Chairman. Judy, I'm not sure what the Board of Game or the Department would be empowered to do in a case like this where there's an abundant moose population. A lot of the credit goes to local people in that area for following that five-year moratorium. And so they're legitimately concerned about having opportunities and not having competition. But just in terms of what we can do in a case like this, I don't know. State lands, State-managed lands are a small portion of that area. And so I'm -- right now, I'm not sure. We could certainly talk internally and see if there might be things that could be done, but it's.....

UNIDENTIFIED VOICE: Education.

MR. HAYNES: Education is kind of an on-going process when issues arise. This is a case where, in the context of some of these other proposals, I know there hopefully will be further discussion about moose management in Unit 18. So perhaps that can be a topic added to the list.

MS. GOTTLIEB: Thanks. Yeah, I think

1 that would go a long ways. And, Harry, I know the RAC
2 will continue to be involved as well.

3

4 CHAIRMAN DEMIENTIEFF: Thank you.
5 Further discussion.

6

7 (No comments)

8

9 CHAIRMAN DEMIENTIEFF: Hearing none, is
10 somebody ready for a motion?

11

12 MR. EDWARDS: Mr. Chairman, I will move
13 that we reject the recommendation of the Yukon-Kuskokwim
14 Delta Regional Advisory Council with regards to Proposal
15 27. In making my motion, you know, I note that as has
16 been brought up, that there is no conservation concern.
17 We have a moose population. We have a moose population
18 that is certainly reported to be healthy and growing.
19 And the fact that now only Federal hunters, you know, can
20 hunt in this area on Federal lands, I mean, this
21 restriction on aircraft would actually end up restricting
22 any subsistence hunters who might want to use aircraft to
23 reach the areas, those who may own their own airplanes,
24 for example. And it also would be ineffective in
25 achieving the objectives of the Council, because hunters,
26 you know, would be able to use aircraft to access land
27 and waters under State jurisdiction. So I just can't
28 see, you know, any advantage for this proposal.

29

30 CHAIRMAN DEMIENTIEFF: We have a motion.
31 Is there a second.

32

33 MR. OVIATT: I'll second.

34

35 CHAIRMAN DEMIENTIEFF: Discussion on the
36 motion.

37

38 (No comments)

39

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

43

44 IN UNISON: Aye.

45

46 CHAIRMAN DEMIENTIEFF: Those opposed same
47 sign.

48

49 (No opposing votes)

50

1 CHAIRMAN DEMIENTIEFF: Motion carries.
2 Proposal 29.
3
4 MR. WILDE: Mr. Chairman, Proposal 29 the
5 Yukon-Kuskokwim Regional Advisory Council support
6 Proposal 29 with modification. The modification is that
7 calf is broad, its stayed with its mother, so regulatory
8 wording should be added to mother after word calf.
9
10 CHAIRMAN DEMIENTIEFF: Thank you, Harry.
11 Staff analysis.
12
13 MR. DEMATTEO: Mr. Chair. The proposals
14 28 and 29 were analyzed together, so if it's all right,
15 we'll start with 28.
16
17 CHAIRMAN DEMIENTIEFF: 28 is on the
18 consent agenda, so we're going right to 29.
19
20 MR. DEMATTEO: Oh, understood. So 29.
21 Mr. Chair. The analysis of 29 begins on page 288 of your
22 books. And this was submitted by the Yukon Delta
23 National Wildlife Refuge.
24
25 The intent of Proposal 29 is to provide
26 Federally-qualified subsistence users with the
27 opportunity to harvest either one antlered bull or one
28 calf in the portion north and west of a line from Cape
29 Romanzof to the Kusilvak Mountain to Mountain Village,
30 and excluding all Yukon River drainages upriver from
31 Mountain Village. The proposed regulations can be seen
32 on Page 289 of your books.
33
34 The moose population in the proposed area
35 of the lower Yukon River has grown substantially in
36 recent years. It continues to grow rapidly with the high
37 production and survival rates of calves. If Proposal 29
38 is adopted, any additional harvest of moose that would
39 occur from the proposed action may slow the rate of the
40 population growth minimally; however, no detrimental
41 impacts to the population are anticipated.
42
43 Adoption of the proposed action would
44 also provide Federally-qualified users with the
45 opportunity to harvest moose, and would align Federal and
46 Staff harvest limits for the affected area. Adverse
47 impacts to the adult moose population and also the
48 abundant calf population in the affected area are not
49 anticipated as a result of adoption of Proposal 29.
50

1 And with that, Mr. Chair, I'll stop
2 there. Thank you.

3
4 CHAIRMAN DEMIENTIEFF: Thank you.
5 Written public comments.

6
7 MR. NICK: Mr. Chairman. There were no
8 written public comments received. Thank you.

9
10 CHAIRMAN DEMIENTIEFF: Thank you. And
11 again I'll note that Timothy Andrew's testimony -- I've
12 already given instructions to the court recorder, or to
13 the recorder to make sure that it's part of the
14 transcript.

15
16 MR. ANDREW: Good morning, Mr. Chairman.
17 Members of the Board. Thank you for the opportunity to
18 testify before you today.

19
20 For the record, my name is Timothy
21 Andrew. I'm the director of wildlife resources for the
22 Association of Village Council Presidents in Bethel.

23
24 And I come before you today to testify in
25 support of Proposal 27, 28 and 29 and in opposition of
26 Proposal No. 30.

27
28 The people of the lower Yukon area have
29 worked fervently and hard over the past 20-some years in
30 developing the moose populations in this area. They have
31 bypassed many an opportunity to harvest moose to feed
32 their families in order to build this moose population to
33 where it is today.

34
35 Like what is stated by Mr. Ted Hamilton
36 from Emmonak in one of his written testimony for Proposal
37 30, it's like a potluck. I mean, when we have a potluck
38 out there, we honor somebody. When we honor somebody
39 either in the community or a group of people in the
40 community, normally those people are given first
41 opportunity to partake of the potluck. But if we went
42 ahead and adopted this proposal, or if we do not adopt
43 this proposal, it would basically be like a person that
44 is not being honored coming into the community and be in
45 front of, or get the first opportunity to partake of the
46 potluck.

47
48 So we really recognize the sacrifice that
49 many of these people have taken in the lower river and
50 support this proposal to make it a no fly zone.

1 And there's, you know, Staff comments by
2 the InterAgency Staff Committee, the Department of Fish
3 and Game comments indicate that, you know, the fly-in
4 hunters will not likely be a problem. And I'm pretty
5 sure there are different areas across the State, in fact,
6 one was just mentioned this morning in the case of Arctic
7 Village where somebody thought it was not going to be a
8 problem, but it's a problem today, of airplanes coming in
9 from all different directions. You know, if you look at
10 the Kanektok River, the Goodnews River, Aniak River in
11 the Kuskokwim area, or in the Kuskokwim River corridor,
12 you know, people -- I'm pretty sure managers back then
13 didn't think it was going to be a problem managing the
14 sport fishery in those communities. Today it's a
15 problem. I mean, we have many, many, many, many people
16 coming in, converging on these rivers during the summer.
17 And it's getting to be almost like the Kenai River,
18 combat, the combat fishery.

19
20 And I'd just like to stress that moose
21 resources in the lowest part of the Yukon River is an
22 important food species for the people there. You know,
23 statistically it shows that meat is extremely important
24 to the people in our villages. Over 600 pounds per
25 capita is the latest statistic that I've seen of wild
26 meat consumption in that area, or in the western part --
27 in our part of western Alaska. So, you know, whatever
28 protection that we can provide for the moose populations
29 and for subsistence opportunity in the area, it would
30 really help us out.

31
32 We also support Proposal No. 28 and 29,
33 28 extending the moose season from a 10-day period to a
34 20-day period would greatly enhance subsistence
35 opportunity for many of the people in Unit 18. And we
36 also support the definition of calves that is written
37 into the proposal.

38
39 This past hunting season, in December of
40 2005 and January of 2006 when this State-sanctioned hunt
41 went on, we received a number of calls from people in the
42 villages being cited for harvesting illegal calves, even
43 though it was legal to harvest calves in the area.
44 People were complaining that law enforcement officers
45 were citing them for harvesting calves. And when people
46 called, I was extremely confused. I was wondering what
47 was going on.

48
49 And it turned out to be that the
50 definition of calves between the hunter and the

1 enforcement officials was completely different. The
2 enforcement officials and the regulation indicated --
3 regulations indicate that calves are moose that are less
4 than 12 months -- or 12 months or less than a year old.
5 And most of the people out in our area don't customarily
6 harvest calves that are probably about this tall, and
7 maybe about this long, and maybe yield 50 pounds of meat,
8 maybe 20 pounds, 30 pounds. That's just not very much of
9 harvest.

10

11 So we really support the current proposed
12 definition of a calf to indicate that it is a calf with
13 its mother. And much of the harvest effort under the
14 State-sanctioned hunt went after those bigger -- the
15 bigger calves that accompanied their mothers. So that
16 would basically help support, you know, what the more
17 common and local -- what the local definition of calf is.

18

19 We would also like to go on record to
20 oppose Proposal No. 30. This is a proposal that we
21 believe is premature. It is -- a proposal to open up
22 Unit 18 for sport and nonresident hunting. There is a
23 current moratorium that is going on in the lower
24 Kuskokwim area between the Community of Kalskag down to
25 Tuntutuliak, down to Eek and up towards Lakes on the
26 Kuskokwim side. And we also have a pretty stable moose
27 population in the upper to mid lower Yukon, but we have a
28 rapidly expanding moose population in the lowest part of
29 the Yukon River, but we have a great subsistence need in
30 the Yukon-Kuskokwim Delta that needs to be protected.
31 And by opening the hunt up to a general sport hunt would
32 greatly affect the subsistence harvest in the area.

33

34 And, Mr. Chairman, that basically
35 concludes my testimony, and I'd be more than happy to
36 answer any questions that you have.

37

38 (Incorporated per Chairman Demientieff)

39

40 CHAIRMAN DEMIENTIEFF: Having done that,
41 there are no additional requests at this time.

42

43 Regional Council, do you have additional
44 comments, Harry?

45

46 MR. WILDE: Yeah. Mr. Chairman. People
47 there during the meeting, there was some of them, and
48 also Councils, calf harvesting is not customary,
49 traditional. And there is concern about definition of a
50 calf. Some of them, they're talking about, elders

1 mostly, they say that it is a very danger in case -- just
2 like trap. Trap, because they don't hardly talking about
3 people back home, they don't talk about very much
4 Federal, but State. State. They say that State is
5 watching us just like a dog. They're ready to tie us up.
6 Our children, sometime they're afraid to go out there.
7 And this one here is the one that's just like a trap,
8 that's what they say.

9
10 But Council, they're saying that this is
11 -- they're helping us, because every time when we go out,
12 we don't catch, sometime we didn't catch a moose anyway.
13 This is opportunity for the lower Yukon subsistence
14 hunters to feed their family. So they support, Council
15 supporting that.

16
17 CHAIRMAN DEMIENTIEFF: Thank you. Staff
18 Committee.

19
20 MR. KESSLER: Mr. Chair. Steve Kessler
21 with the InterAgency Staff Committee.

22
23 The Staff Committee recommends that you
24 support this proposal with modification as recommended by
25 the Y-K Delta Subsistence Advisory Council, except in
26 regards to the Council's recommendation to specify that a
27 calf must be with its mother to be legally harvested.

28
29 The modified regulation should read as is
30 shown on Page 287. And the part that I want to point you
31 to is the definition for calf. Calf means a moose,
32 caribou, elk, muskox or bison less than 12 months old.

33
34 We seem to have consensus on the question
35 of a calf harvest. The only question concerns the
36 definition of a calf. Adoption of the proposal should
37 include definition of calf similar to the State's
38 definition.

39
40 The InterAgency Staff Committee believes
41 that adding the requirement that a calf must be with its
42 mother as recommended by the Council would unnecessarily
43 restrict and confuse subsistence users and would be
44 unenforceable. Imposing this requirement could be
45 considered detrimental to the satisfaction of subsistence
46 needs.

47
48 It is not clear what being with its
49 mother means. In the winter, calves may be encountered
50 in groups of moose where it may be difficult to determine

1 which if any is the mother, unless the calf is in close
2 attendance. In some situations, it's also possible that
3 a yearling moose in the company of a cow or other large
4 moose could be mistaken to be a calf.

5
6 Although taking a calf in close
7 association with a cow may reduce the risk of mistakenly
8 taking an older moose, hunters can be selective without
9 that regulatory restriction.

10
11 Mr. Chairman.

12
13 CHAIRMAN DEMIENTIEFF: Thank you.
14 Department comments.

15
16 MR. HAYNES: Mr. Chairman. The
17 Department supports the proposal as modified by the
18 InterAgency Staff Committee for the reasons explained in
19 the justification on Page 287 of the meeting book.

20
21 CHAIRMAN DEMIENTIEFF: Thank you. Board
22 discussion. Judy.

23
24 MS. GOTTLIEB: Mr. Chair. I guess for
25 those who have seen moose more out in the field than I
26 have, how would you know if an animal is 12 months old by
27 looking at it?

28
29 CHAIRMAN DEMIENTIEFF: I know I do. I
30 mean, you could easily recognize last year's calf.
31 They're really easily recognizable if you -- there's just
32 a size difference, and, you know, they'll have -- the
33 bulls will have little spike fork in the horns. So I
34 mean, it's easy. And sometimes you'll see a cow with
35 this year's calf and last year's calf. And sometimes
36 when you're fortunate enough to see that, it really helps
37 you to distinguish a difference between them, but, yeah,
38 I know I don't have no trouble doing that.

39
40 Go ahead.

41
42 MS. CROSS: May I speak?

43
44 CHAIRMAN DEMIENTIEFF: Go ahead, Grace.

45
46 MS. CROSS: In Nome just last week we saw
47 a cow with twins. We obviously can tell they were last
48 year's. There's substantial size difference.

49
50 CHAIRMAN DEMIENTIEFF: Niles.

1 MR. CESAR: Mr. Chairman. The only moose
2 I get a chance to see are all wrapped up and comes either
3 burger or steak fashion, so I have the same problem as
4 Judy.

5
6 MR. EDWARDS: Mr. Chairman, maybe a
7 question for Harry. The Council's primary concern is
8 that they might take a calf that then would be determined
9 to be illegal, is that the primary concern?

10
11 MR. WILDE: I'm kind of hard -- having
12 hard time hearing you, but your question was what?

13
14 MR. EDWARDS: Well, the way I understand,
15 the Council's recommendation was that they were okay with
16 the proposal, and with the modifications, but you wanted
17 to have language in there that would indicate that the
18 only calves that could be taken were those that were with
19 their mothers, and I wanted to further understand again
20 the importance of that to the Council.

21
22 MR. WILDE: Yeah. Mr. Chairman.
23 Council, you know, they're -- we listen to our people,
24 because they are according to the people there. And they
25 afraid, elders were afraid, but a lot of times they go
26 out for just for nothing. So some of the Council were
27 saying that this would be something that maybe that it
28 could help the hunter, even if there's a calf. The only
29 thing is some problem is in case you're -- well, calf is
30 not very big anyway. In case you miss the calf and can
31 hit the cow, you'll be in trouble. They know that. But
32 Council approved that. It sure would be better than --
33 well, obviously better than nothing, get the calf,
34 because even though they understand we're not customary
35 traditional practicing killing a calf.

36
37 MS. GOTTLIEB: Mr. Chair.

38
39 CHAIRMAN DEMIENTIEFF: Yes.

40
41 MS. GOTTLIEB: You know, maybe one other
42 thought which could possibly work. I mean, here in
43 Anchorage there's usually a given week or less than 10
44 days calves are born. Would it make sense to put a time
45 frame in there so people would know approximately when
46 these calves would be about a year old? That's one
47 option to try to determine a date.

48
49 But secondly I guess by adding this
50 definition to this particular unit for not only moose but

1 all these other animals, we've not really had that
2 discussion with the RACs, and I don't know if this will
3 end up becoming then a Federal definition. We just
4 haven't had that discussion, if it's a statewide
5 definition, if it's just for this proposal.

6
7 CHAIRMAN DEMIENTIEFF: Further
8 discussion.

9
10 (Whispered conversation)

11
12 MR. COLLINS: Mr. Chairman.

13
14 CHAIRMAN DEMIENTIEFF: Yes. Ray.

15
16 MR. COLLINS: Yeah. Western Interior
17 didn't take a position on this, because it's outside our
18 area, but now we're into a discussion that's a little
19 larger, because it's going to effect definitions
20 statewide.

21
22 But the first question I have, according
23 to Harry's testimony, they don't traditionally harvest
24 calves, because they're so small. Why are we encouraging
25 the harvest of calves in an area where we want to grow
26 the herd? I don't understand why that's in there, I
27 mean, where it's coming from, why they even want to
28 harvest calves.

29
30 CHAIRMAN DEMIENTIEFF: Who wishes to
31 respond to that amongst Staff?

32
33 MR. DEMATTEO: Mr. Chair, the answer to
34 the question is this particular area is just the lower
35 Yukon River area, okay, from Mountain Village on down to
36 the mouth. That particular area is -- the population is
37 the result of the moose moratorium, and that population
38 right now has done quite well, in fact better than
39 anybody ever expected. Let's see, two years ago I
40 believe they estimated that the calves per cows was like
41 80 per 100 cows, and now it's down to like 60. They want
42 to -- the thought is maybe to offer up some of the cows
43 for harvest to prevent potential problems down the road
44 that with an over-abundance of calves may cause within
45 the population. So again, it's just for in an area where
46 there's a concern about the number of calves per 100
47 cows. It's not the remainder, just the lower Yukon River
48 portion.

49
50 CHAIRMAN DEMIENTIEFF: Further

1 discussion.

2

3

MS. CROSS: I have a question.

4

5

CHAIRMAN DEMIENTIEFF: Yes, Grace.

6

7

MR. DEMATTEO: Is there a -- do you have
8 a map where you can identify which area you're talking
9 about?

10

11

MR. DEMATTEO: The only map I can think
12 of is if you have the Federal Subsistence Management
13 Regulations for this year, the green book. Do you have
14 that in front of you?

15

16

MR. RIVARD: Page 570 in the book.

17

18

MR. DEMATTEO: And also on page 470 in
19 the book, thank you, Don, there's a also a map. There's
20 the unit maps for the State.

21

22

And we're talking essentially an area
23 that goes below Mountain Village. If you see the Yukon
24 River there, and the area downstream from Mountain
25 Village and also essentially the area to the west of
26 there.

27

28

But we're not talking about the entire
29 remainder, which is the area outside of there, we're just
30 talking about that area, which the current status of the
31 moose population is a result of that five year moratorium
32 on moose hunting and the population literally exploded.
33 And there is some concern that if -- based on the number
34 of moose calfs that there could be habitat problems down
35 the road, the sensible thing is to do is to offer up some
36 of those calfs for hunter harvest during the winter
37 season.

38

39

Does that help?

40

41

CHAIRMAN DEMIENTIEFF: Further

42 discussion.

43

44

MS. GOTTLIEB: Mr. Chair.

45

46

CHAIRMAN DEMIENTIEFF: Judy.

47

48

MS. GOTTLIEB: I guess following up on
49 Pete's comments then, why logical to take the calfs and
50 not perhaps increase the general limit or extend the

1 season?

2

3 MR. DEMATTEO: The season is being
4 extended by 10 days, it was a to be announced 10 day
5 season and now it's a 20 day season, so also the season
6 is being doubled and the harvest limit is being expanded
7 to include one calf.

8

9 CHAIRMAN DEMIENTIEFF: Further
10 discussion.

11

12 (No comments)

13

14 CHAIRMAN DEMIENTIEFF: Is someone
15 prepared to offer a motion.

16

17 MR. EDWARDS: Mr. Chairman. I would move
18 that we adopt with modification Proposal 29, as was
19 recommended by the Yukon-Kuskokwim Delta Regional
20 Advisory Council except for the Council's change to the
21 definition of calf.

22

23 I guess implicit in my motion would be
24 that we would adopt the definition consistent with what
25 the State is and also if it's necessary that that motion
26 would entail providing the manager of the Yukon-Delta
27 Refuge to restrict harvest to only one antlered bull
28 after consultation with the State.

29

30 As the information we've been provided
31 would sort of indicate that -- or does indicate that this
32 population seems to be able to support a harvest of calfs
33 and particularly with the Refuge manager having the
34 authority to restrict that, if necessary. You know, as
35 also said that there is times, certainly, maybe
36 advantages, if people are taking calfs we'd probably
37 prefer them to take calfs that are not with their mothers
38 as opposed to those who are with. And even if we would
39 go with maybe the language with mothers, somebody
40 shooting a yearling that was accompanying the mother,
41 would be in violation. So I think for consistency and
42 all, we should go with the 12 month restriction.

43

44 I think my understanding is that the
45 hunting season would occur, you know, when those animals
46 would be around seven, eight months old, you should be
47 able to tell the difference, particularly people who have
48 spent a lot of time in the field, which I think we're
49 assuming that most of our subsistence hunters are.

50

1 So that would be my motion and my
2 rationale for it.

3
4 CHAIRMAN DEMIENTIEFF: Thank you. Is
5 there a second to the motion.

6
7 MR. OVIATT: I'll second.

8
9 CHAIRMAN DEMIENTIEFF: Discussion on the
10 motion.

11
12 (No comments)

13
14 CHAIRMAN DEMIENTIEFF: Hearing none, all
15 those in favor of the motion please signify by saying
16 aye.

17
18 IN UNISON: Aye.

19
20 CHAIRMAN DEMIENTIEFF: Those opposed,
21 same sign.

22
23 (No opposing votes)

24
25 CHAIRMAN DEMIENTIEFF: Staff analysis for
26 No. 30.

27
28 MR. DEMATTEO: Mr. Chair. The analysis
29 for Proposal 30 can be found on Page 297 of your book,
30 and this was submitted by Henry S. Powers, III of Bethel.

31
32 The proponent requests that the Board
33 eliminate the Federal regulatory closure restriction for
34 the September 1 through 30 moose season in the remainder
35 of Unit 18. The proponent feels that the Federal closure
36 regulations for this area should be changed to allow
37 sport and recreational hunters from outside of Unit 18
38 the opportunity to utilize Federal lands to hunt moose.

39
40 The proposed regulations can be seen on
41 Page 297, halfway down the page, which
42 would essentially eliminate the language,
43 except by Federally qualified rural
44 Alaska residents hunting under these
45 regulations, and would add the language,
46 by non-Federally qualified users except
47 in the remainder of Unit 18 during the
48 fall season.

49
50 So it would widen the eligibility.

1 The non-resident closure was originally
2 established by the Federal Board in 1991 to ensure the
3 subsistence needs and rights received first priority.
4 This was important at that time because of the low moose
5 numbers in that particular area.

6
7 We mentioned in the previous analysis
8 that the moose population in the Unit 18 remainder is
9 essentially bounding and could sustain an additional
10 harvest than what is presently taken. Again, this is the
11 result of the successful five year moose moratorium on
12 hunting. Harvest records reflect that the harvest of
13 moose by local users is increased on the Yukon River
14 portion of Unit 18 but harvest in 2002 appears to be
15 stable at just over 200 bulls taken per year.

16
17 If this proposal were adopted, the
18 proposed action is expected to have little biological
19 affect on the lower Yukon River moose population and
20 minimal affect on the subsistence opportunity. Any
21 increased harvest is expected to be initially minor, but
22 the sociological and political effect of immediately
23 removing this restriction could be detrimental to the
24 success of future management actions and cooperative
25 efforts within the Yukon River communities.

26
27 Mr. Chair. Again, this is another
28 proposal that was very not easy to analyze. It has
29 complex issues, and it's much more than just looking at
30 the biology of the moose population and also the harvest
31 of moose taken by local residents.

32
33 Staff feels it's important that it be
34 recognized that the residents of Unit 18 have a long
35 history of cooperation in managing the natural resources
36 of their area, includes the establishment of more than
37 one moose moratoria and also the success of the Delta
38 Goose Management Plan. And these were achieved by broad
39 public involvement within those actions. Not to mention
40 the sacrifices that were made by local residents during
41 the moose moratorium, particularly in the lower Yukon
42 River and it's felt by some that there may not even be a
43 moose population there if it wasn't for public
44 cooperation.

45
46 Again, Mr. Chair, if we look at just the
47 status of the moose population and the current harvest,
48 it's hard to justify the continuation of the closure,
49 however, the format of a biological analysis does not
50 leave room for consideration of social and political

1 issues that are as equally important to consider.

2

3

Thank you.

4

5 CHAIRMAN DEMIENTIEFF: Thank you. Let me
6 just back up a minute, with regard to Proposal 29, just a
7 head's up for the rest of the RACs, that you'll need to
8 look at it, because that language for definition of a
9 calf, it's a statewide language so if you got troubles
10 with that, you know, I'm sure we'll hear back from you,
11 so please, just a head's up, just make sure you guys take
12 a look at it so -- and bring it to the attention of your
13 RACs.

14

15

Sorry about that.

16

17

Written public comments.

18

19

20 MR. NICK: Mr. Chairman. There were
21 approximately 21 written public comments, 18 of those
22 were in the form of a resolution.

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

First public comment is from Ted Hamilton
of Emmonak Tribal Council. He states, I
compare the proposal to a potluck-type
dinner. As resident of Unit 18 we have
just gotten in line for dinner and
someone knocks heavily at the door
demanding to get in and be served. The
new guys will not go to the end of the
line, but demand to go to the front of
the line and be served before others that
have been there longer. Is there enough
to go around? Why did they demand that
they be invited without invitation.

The success rate of our subsistence
hunters is very low. If then half of the
hunters go all season long without a
harvest, even if they go every day.
Soaring fuel prices also hurt the
subsistence hunters. We cannot hunt as
much as we like. Our hunters found out
that if they put their money together
more fuel could be bought, but more
hunters are in the boat and this turns
counter-productive, more hunters
together, more noise generated equals
less harvestability.

1 In GMU 18 the hunting opportunities are
2 not equal. If you have money you can
3 fly, spot a moose, and hunt same day.
4 This is not a level hunting field. We
5 need a few more years to get ready for
6 people from outside GMU 18 who want to
7 hunt and possibly harvest a moose in GMU
8 18. Why did the guide/outfitter not
9 contact tribes or corporations in our
10 area to see if we would object to extra
11 hunting pressure?

12
13 The proposal mentioned that there would
14 be no extra hunting pressure. How can
15 that be when our hunters in GMU 18 will
16 be going out in strong numbers.

17
18 Right now there is not enough moose in
19 GMU 18 to even fill half of the freezers
20 in villages in GMU 18 and still be under
21 the guidelines of the State of Alaska's
22 sustainable harvest regulations. If
23 there should happen to be a big flood on
24 the Lower Yukon Delta we stand a chance
25 to lose up to half our moose population
26 because we are in the flood plain.

27
28 Another thing to mention is that up
29 river, the moose population's going down,
30 this means that up river subsistence
31 hunters may come down river to GMU 18 and
32 hunt in an already crowded area.

33
34 And Glen Fredericks, President Georgetown
35 Tribal Council also writes, following
36 this letter you will also -- excuse me.
37 Following this letter you will receive a
38 resolution of the Native Village of
39 Georgetown requesting the Federal
40 Subsistence Board reject Proposal WP06-30
41 submitted by Henry Powers of Bethel to
42 allow non-resident hunting to occur on
43 Federal public lands in the Yukon-
44 Kuskokwim Delta.

45
46 The self-imposed moratorium on moose
47 hunting has meant that some of our
48 members have had to go without meat.....

49
50 CHAIRMAN DEMIENTIEFF: Alex, if I can --

1 you know, we -- these are all in the book, we've all had
2 ample opportunity to review them. If we can just kind of
3 summarize the ones that are in favor and maybe the ones
4 that are opposed, because we don't need a verbatim
5 reading of it, because we've all read them.

6

7 MR. NICK: Okay, Mr. Chair, thank you.

8

9 CHAIRMAN DEMIENTIEFF: Thank you.

10

11 MR. NICK: Glen Fredericks opposes the
12 proposal.

13

14 And we received approximately 18
15 individual and organizations located in
16 the Yukon-Delta who opposed the proposal
17 for several reasons, with the main one to
18 protect the subsistence way of life.

19

20 Mr. Chair.

21

22 CHAIRMAN DEMIENTIEFF: Thank you, very
23 much. And rest assured we've all looked at those, so,
24 you know, we're aware of them and to go through verbatim,
25 it gets a little redundant with us but you can rest
26 assured that the people's testimony has been reviewed and
27 is part of the record so we can carry that message back
28 home to let people know that it was there, but I thank
29 you very much for that.

30

31 We also, again, Timothy's earlier
32 testimony will be transcribed with regard to Proposal 30,
33 his oral testimony here.

34

35 (Incorporated per Chairman Demientieff)

36

37 MR. ANDREW: Good morning, Mr. Chairman.
38 Members of the Board. Thank you for the opportunity to
39 testify before you today.

40

41 For the record, my name is Timothy
42 Andrew. I'm the director of wildlife resources for the
43 Association of Village Council Presidents in Bethel.

44

45 And I come before you today to testify in
46 support of Proposal 27, 28 and 29 and in opposition of
47 Proposal No. 30.

48

49 The people of the lower Yukon area have
50 worked fervently and hard over the past 20-some years in

1 developing the moose populations in this area. They have
2 bypassed many an opportunity to harvest moose to feed
3 their families in order to build this moose population to
4 where it is today.

5
6 Like what is stated by Mr. Ted Hamilton
7 from Emmonak in one of his written testimony for Proposal
8 30, it's like a potluck. I mean, when we have a potluck
9 out there, we honor somebody. When we honor somebody
10 either in the community or a group of people in the
11 community, normally those people are given first
12 opportunity to partake of the potluck. But if we went
13 ahead and adopted this proposal, or if we do not adopt
14 this proposal, it would basically be like a person that
15 is not being honored coming into the community and be in
16 front of, or get the first opportunity to partake of the
17 potluck.

18
19 So we really recognize the sacrifice that
20 many of these people have taken in the lower river and
21 support this proposal to make it a no fly zone.

22
23 And there's, you know, Staff comments by
24 the InterAgency Staff Committee, the Department of Fish
25 and Game comments indicate that, you know, the fly-in
26 hunters will not likely be a problem. And I'm pretty
27 sure there are different areas across the State, in fact,
28 one was just mentioned this morning in the case of Arctic
29 Village where somebody thought it was not going to be a
30 problem, but it's a problem today, of airplanes coming in
31 from all different directions. You know, if you look at
32 the Kanektok River, the Goodnews River, Aniak River in
33 the Kuskokwim area, or in the Kuskokwim River corridor,
34 you know, people -- I'm pretty sure managers back then
35 didn't think it was going to be a problem managing the
36 sport fishery in those communities. Today it's a
37 problem. I mean, we have many, many, many, many people
38 coming in, converging on these rivers during the summer.
39 And it's getting to be almost like the Kenai River,
40 combat, the combat fishery.

41
42 And I'd just like to stress that moose
43 resources in the lowest part of the Yukon River is an
44 important food species for the people there. You know,
45 statistically it shows that meat is extremely important
46 to the people in our villages. Over 600 pounds per
47 capita is the latest statistic that I've seen of wild
48 meat consumption in that area, or in the western part --
49 in our part of western Alaska. So, you know, whatever
50 protection that we can provide for the moose populations

1 and for subsistence opportunity in the area, it would
2 really help us out.

3

4 We also support Proposal No. 28 and 29,
5 28 extending the moose season from a 10-day period to a
6 20-day period would greatly enhance subsistence
7 opportunity for many of the people in Unit 18. And we
8 also support the definition of calves that is written
9 into the proposal.

10

11 This past hunting season, in December of
12 2005 and January of 2006 when this State-sanctioned hunt
13 went on, we received a number of calls from people in the
14 villages being cited for harvesting illegal calves, even
15 though it was legal to harvest calves in the area.
16 People were complaining that law enforcement officers
17 were citing them for harvesting calves. And when people
18 called, I was extremely confused. I was wondering what
19 was going on.

20

21 And it turned out to be that the
22 definition of calves between the hunter and the
23 enforcement officials was completely different. The
24 enforcement officials and the regulation indicated --
25 regulations indicate that calves are moose that are less
26 than 12 months -- or 12 months or less than a year old.
27 And most of the people out in our area don't customarily
28 harvest calves that are probably about this tall, and
29 maybe about this long, and maybe yield 50 pounds of meat,
30 maybe 20 pounds, 30 pounds. That's just not very much of
31 harvest.

32

33 So we really support the current proposed
34 definition of a calf to indicate that it is a calf with
35 its mother. And much of the harvest effort under the
36 State-sanctioned hunt went after those bigger -- the
37 bigger calves that accompanied their mothers. So that
38 would basically help support, you know, what the more
39 common and local -- what the local definition of calf is.

40

41 We would also like to go on record to
42 oppose Proposal No. 30. This is a proposal that we
43 believe is premature. It is -- a proposal to open up
44 Unit 18 for sport and nonresident hunting. There is a
45 current moratorium that is going on in the lower
46 Kuskokwim area between the Community of Kalskag down to
47 Tuntutuliak, down to Eek and up towards Lakes on the
48 Kuskokwim side. And we also have a pretty stable moose
49 population in the upper to mid lower Yukon, but we have a
50 rapidly expanding moose population in the lowest part of

1 the Yukon River, but we have a great subsistence need in
2 the Yukon-Kuskokwim Delta that needs to be protected.
3 And by opening the hunt up to a general sport hunt would
4 greatly affect the subsistence harvest in the area.

5
6 And, Mr. Chairman, that basically
7 concludes my testimony, and I'd be more than happy to
8 answer any questions that you have.

9
10 CHAIRMAN DEMIENTIEFF: Regional Council
11 recommendation.

12
13 MR. WILDE: Mr. Chairman. Yukon-
14 Kuskokwim Subsistence Regional Advisory Council not
15 support Proposal 30 without modification, against eight
16 -- the Council against eight, for, none.

17
18 We have to listen to our elders, people
19 from the Yukon-Delta and the lower Yukon have expressed
20 their concern about this proposal. And people of Lower
21 Yukon share their concern and met and they say the needs
22 of the Lower Yukon villages are not met, what they mean,
23 my understanding, when they talk there, we never catch
24 some time that even time one moose, sometimes not enough
25 for the family, they are concerned about the changing
26 environment, stability of moose population and there is a
27 concern about people in the Lower Yukon being able to get
28 enough moose to feed their family into the future
29 generation.

30
31 So I think the Council they understanding
32 what those people, they try to say.

33
34 CHAIRMAN DEMIENTIEFF: Thank you, very
35 much. Staff Committee.

36
37 MR. KESSLER: Thank you, Mr. Chair.
38 Steve Kessler with the InterAgency Staff Committee.

39
40 The Staff Committee recommends that you
41 defer the proposal, which is contrary to the
42 recommendation of the Y-K Delta Regional Advisory
43 Council. And I ask you that you please bear with me
44 because we do need to provide the logic for deferring.
45 It's sort of the social part of the situation that the
46 Board needs to consider.

47
48 There is strong widespread resistance
49 among Yukon-Kuskokwim Delta villages to
50 the proposed elimination of this closure.

1 The moose population in the area has
2 increased rapidly as a result of the
3 moratorium on moose hunting from 1988 to
4 '94 and now supports a substantial
5 harvest that provides moose to villagers
6 in the region.

7
8 The moratorium was implemented through
9 agreements and cooperation between the
10 affected villages and the agencies, and
11 it's success depended on the voluntary
12 compliance with the moratorium by local
13 residents. Many of these people are
14 concerned that allowing non-local hunters
15 into the area will reverse the hard-
16 earned gains they achieved in
17 establishing a productive moose
18 population.

19
20 As you know a similar moratorium was
21 implemented for the Lower Kuskokwim
22 drainage in 2004 after years of village
23 outreach efforts by the State and Federal
24 agencies and Native resource managers.
25 The success of the Lower Yukon moratorium
26 was key in achieving this consensus among
27 lower Kuskokwim villages to support the
28 Kuskokwim moratorium.

29
30 Although the moose population in the
31 Lower Yukon River drainage can now
32 support use by both Federally qualified
33 users and others, rescinding the closure
34 to non-Federally qualified users in that
35 area may jeopardize the continued support
36 and the ultimate success of the Kuskokwim
37 moratorium.

38
39 Effective management of wildlife
40 resources on the Delta has historically
41 involved participation and consensus
42 building among the affected villages.
43 Additional dialogue is needed with the
44 affected villages in both the Lower Yukon
45 and Kuskokwim drainages to reassure them
46 that allowing use by non-local villages
47 and other non-Federally qualified users,
48 when the moose population can support
49 such use will not jeopardize their
50 opportunity to harvest moose.

1 Therefore, a deferral is recommended to
2 allow that dialogue to occur.

3
4 Thank you, Mr. Chair.

5
6 CHAIRMAN DEMIENTIEFF: Thank you.
7 Department comments.

8
9 MR. HAYNES: Mr. Chairman. The
10 Department supports deferral of this proposal for one
11 year only.

12
13 We want to join everyone else in
14 acknowledging the success of that moose hunting
15 moratorium in the area and the commitment that local
16 residents made to its success. It's really a model for
17 all of us to look closely at for other situations that
18 might require similar action.

19
20 The success of that moratorium in
21 rebuilding the moose population in the remainder of Unit
22 18 has eliminated the need to restrict hunting
23 opportunity only to Federally qualified subsistence
24 users. The moose population there can now sustain
25 additional harvest and the Department is encouraging more
26 harvest in the area below Mountain Village. Allowing
27 non-Federally qualified subsistence users to hunt moose
28 in the remainder of Unit 18 is not expected to attract
29 very many non-local hunters to the area.

30
31 No evidence is presented to support
32 deferral of this proposal in order to ensure conservation
33 of a healthy moose population in the affected area of
34 Unit 18. However, we agree with the InterAgency Staff
35 Committee that additional time is needed to discuss this
36 proposal with residents in the affected area and we
37 recommend that this be done within the next year,
38 consequently we seek assurance from the Board that this
39 proposal will be resubmitted for consideration in 2007
40 and not deferred indefinitely.

41
42 Thank you.

43
44 CHAIRMAN DEMIENTIEFF: I guess as we go
45 to the discussion, the point that I'm struck by in terms
46 of the Council recommendation and the fact that our
47 process allows it to come back in a year's time
48 consistent with the deferral people, I guess my own
49 personal inclination is just to go along with the
50 recommendation of the Council and oppose the proposal

1 knowing that it's going to come back after people have
2 had -- or a refined proposal will come back in time for
3 next year's cycle.

4
5 That's the only point that I wanted to
6 make because there's probably going to be some
7 modification. And, you know, we're going to the people,
8 I'm sure we're going to be going to the RAC anyway to do
9 that, and so think even though the Staff Committee and
10 the Department are in favor of deferral, I think, myself,
11 I'm just in favor of adopting the Council recommendation
12 all the time knowing we'll probably be dealing with this
13 again next year.

14
15 Further discussion.

16
17 MR. BREWSTER: Mr. Chairman.

18
19 CHAIRMAN DEMIENTIEFF: Yes.

20
21 MR. BREWSTER: I guess I would address
22 this to the Fish and Wildlife Service in terms of
23 engaging in the dialogue with the local villages. Is
24 there a plan in place, how would they go about that?

25
26 MR. EDWARDS: Well, I'm not aware, and
27 maybe somebody else is, is that, if we necessarily
28 currently have a plan, I think. Our Refuge folks have an
29 excellent relationship for the villages out on the Delta
30 and, you know, I would have full confidence in them that
31 they would proceed to have a dialogue and do it in a
32 responsible manner.

33
34 CHAIRMAN DEMIENTIEFF: Yeah, Gary, that's
35 also been my somewhat more than casual observation, is
36 your Staff out there's ability to work with the local
37 people has been really excellent through the years.

38
39 MR. EDWARDS: Mr. Chairman. Maybe to get
40 some additional discussion I'll go ahead and make a
41 motion and then maybe we can go from there.

42
43 I would move that we would reject the
44 recommendation of the Yukon-Kuskokwim Delta Regional
45 Advisory Council, which was to reject Proposal 30 and
46 instead I would move that we would defer the proposal.
47 And in so saying that I really enjoyed the analogy that
48 Ted Hamilton gave about the potluck, I mean it's -- you
49 know, you have worked real hard over the stove all day
50 long and, you know, gone out and gathered your food and

1 you have invited your friends and family and neighbors
2 and all of a sudden other people show up at the door.
3 And it's not that you might not have enough food to
4 provide for them, it's just the idea, well, you know, you
5 could have at least had the courtesy to ask us and then
6 we would decide whether, you know, we were going to
7 welcome you or not. So I thought it was a very good
8 analogy.

9
10 I do think we have a situation here where
11 I think, you know, one way to go obviously would be to
12 support the Council and reject it, I guess I don't
13 personally feel comfortable, given that what seems to be
14 occurring, you know, with the population and all that
15 there's necessary good justification to do this by just
16 outright rejecting it. I do think by deferring it, you
17 know, it does provide the opportunity for this dialogue.
18 You know, folks have really, I would argue have
19 sacrificed to help get these populations to where they
20 are and I think we need to be respectful of that and
21 recognizing that as the abundance occurs, it provides the
22 opportunity to obviously share and let more involved in
23 that but I think we have to work through that process.

24
25 I'm also concerned that we need to be
26 careful as to what implications any of our decisions
27 might have on the other portion of the unit where folks
28 have equally made those sacrifices. But I think deferral
29 is a better way to go. I think in some ways, you know,
30 might spur the dialogue recognizing that at some point in
31 time, as the populations continue to increase, that the
32 use will be expanded and I think that maybe sends a
33 better message to all involved as opposed to outright
34 rejection of it.

35
36 CHAIRMAN DEMIENTIEFF: Let me understand
37 in all that. The motion is straight up to defer the
38 proposal, right?

39
40 MR. EDWARDS: Yes, Mr. Chairman.

41
42 CHAIRMAN DEMIENTIEFF: Okay. And you're
43 giving your argument.....

44
45 MR. EDWARDS: Actually I think my motion
46 was a rejection of the Council's recommendation which was
47 to reject the proposal, instead I would move that we
48 would defer the proposal.

49
50 CHAIRMAN DEMIENTIEFF: Right. You've

1 given your justification for that.

2

3 MR. EDWARDS: Right.

4

5 CHAIRMAN DEMIENTIEFF: But I just wanted

6 to make sure that we got the motion down, which is

7 basically to defer. Is there a second to the motion.

8

9 MR. CESAR: Yes, I'll second that motion.

10 Mr. Chairman.

11

12 CHAIRMAN DEMIENTIEFF: Yes.

13

14 MR. CESAR: So I can understand this a

15 little clearer, so basically we would defer the motion

16 and leave it go with the status quo, which is that the

17 area is closed to non-Federally approved subsistence

18 users; is that correct?

19

20 MR. BOYD: As I understand it, that's

21 correct. It would remain closed to all non-Federally

22 qualified hunters, yes.

23

24 CHAIRMAN DEMIENTIEFF: Further

25 discussion.

26

27 MR. BREWSTER: May I ask by adopting the

28 motion to defer, does that -- is it the responsibility of

29 the Council then to bring it back in a year or does the

30 Board take it up within a prescribed period of time?

31

32 CHAIRMAN DEMIENTIEFF: You know, I think

33 it's the property of the Board still to come back and,

34 you know, we've heard from both Staff Committee and the

35 Department and we know it's going to come back before the

36 RAC but we are going to engage and take another look at

37 it, and basically it will be a year away.

38

39 Any further discussion on the motion.

40

41 (No comments)

42

43 CHAIRMAN DEMIENTIEFF: Again, I intend to

44 vote against the motion, even though I know all the

45 approaches get us to the same place and I know it's going

46 to stay a live issue, I'm just in favor of using the RAC

47 recommendation. So I just wanted to restate my position

48 with regard to that.

49

50 Further discussion.

1 (No comments)
2
3 CHAIRMAN DEMIENTIEFF: Hearing none, all
4 those in favor of the motion please signify by saying
5 aye.
6
7 IN UNISON: Aye.
8
9 CHAIRMAN DEMIENTIEFF: Opposed.
10
11 Aye.
12
13 CHAIRMAN DEMIENTIEFF: Motion carries.
14 Okay, with that we'll shift gears -- what time is it?
15
16 MR. BOYD: Quarter to noon, 17 to noon.
17
18 CHAIRMAN DEMIENTIEFF: It's about a
19 quarter to noon, I think we just might as well break
20 right now because I know we won't have time to go through
21 and we got Western and Eastern, I think, right after
22 lunch, so we'll go ahead and engage at 1:00 o'clock.
23
24 (Off record)
25
26 (On record)
27
28 CHAIRMAN DEMIENTIEFF: Let me just kind
29 of go over the agenda. The reports that we'll have after
30 we do finish the regulations, right now we have six
31 proposals that we have left to do, and the reports
32 shouldn't be that long, each one of them. And I've been
33 checking with the Council Chairs, I don't know that we
34 have a lot of issues with regard to the Board/Council
35 Chair discussion, but we certainly want to do diligence,
36 however that works out.
37
38 What I'm saying, I guess, is there's a
39 possibility that we may get done today, you know, but we
40 still have the room tomorrow irregardless and actually I
41 can't even -- for some reason can't even get a flight to
42 Fairbanks tomorrow so I don't know if I'm not here until
43 Friday anyway, I don't know what the big occasion is but
44 anyway that's kind of where we're at. But there is a
45 possibility, but then on the other hand, you know, we've
46 got Tom's party tonight and we're going to need to break
47 early. So we'll go along, and as opposed to going late
48 and finishing up, we'll go ahead and postpone the rest of
49 the agenda until in the morning so that's the way we're
50 going to approach this and we'll just be flexible.

1 In any event no matter how you look at
2 it, we're going to get done ahead of schedule, so like I
3 said six more proposals, the first one being Western,
4 let's see what is it, 34?

5
6 MR. BOYD: Yes.

7
8 CHAIRMAN DEMIENTIEFF: Staff
9 introduction.

10
11 MR. DEMATTEO: Mr. Chair, the analysis
12 for Proposal 34 can be found in your book beginning on
13 Page 313 and this proposal was submitted by the Western
14 Interior Regional Council.

15
16 It would change the closing dates for the
17 fall moose seasons in Unit 21(A), 21(B), 21(D), 21(E) and
18 Unit 24 from September 25 to the closing date of October
19 1st. This proposal would also change the closing dates
20 for the fall moose seasons in the Koyukuk Controlled Use
21 Area in Units 21(D) and Unit 24 from September 20 to the
22 closing date of October 1st.

23
24 This proposal was submitted because the
25 proponent feels that warmer than normal fall temperatures
26 are delaying the movement of bull moose during the fall
27 seasons. The proponent has made the claim that the delay
28 in fall movements of bull moose has prevented subsistence
29 hunters from harvesting the moose they need.

30
31 The proposed regulatory changes can be
32 found on Pages 316, 317 and 318. Resource managers agree
33 that additional data is needed before a determination can
34 be made concerning the recent warmer than normal fall
35 temperatures, are part of a longer term climate pattern.
36 Analysis of results from population surveys conducted in
37 Unit 21(B) and 24, except that portion of the Koyukuk
38 Wildlife National Refuge could support an additional, but
39 limited harvest during the proposed six day season
40 extension.

41
42 For the affected areas in Units 21(A),
43 21(D) and 21(E) analysis of results from moose population
44 surveys indicate that these areas cannot support an
45 additional harvest.

46
47 Mr. Chair. Since the beginning of the
48 dual management system in 1990, the primary goal has been
49 to align Federal and State regulations towards achieving
50 cooperative management goals and to limit, when possible,

1 hunter confusion over regulations. Extensive efforts
2 over the last 15 years has been made to align hunting and
3 fishing regulations throughout the affected areas where
4 and when possible. If Proposal 34 were adopted, it would
5 bring the Federal regulations out of alignment with the
6 State and subsequently with current management
7 objectives. Also State and Federal regulations not in
8 alignment would produce mixed blocks of Federal and non-
9 Federal lands with different season dates around the
10 villages. Some local residents would have difficulty in
11 determining the differences between Federal and State
12 jurisdiction. The non-alignment of regulation creates
13 potential law enforcement issues as well.

14

15 Adoption of the proposed regulatory
16 changes may result a need to establish a Federal permit
17 system for the Federal only fall seasons because current
18 management objectives prescribe a close watch to keep
19 harvest totals within the management guidelines.

20

21 If this proposal is adopted it will also
22 be necessary to do extensive outreach with hunters
23 regarding the different land status boundaries in order
24 to avoid potential law enforcement situations and also to
25 collect harvest information.

26

27 With that, Mr. Chair, I will stop there
28 and answer any questions you may have.

29

30 Thank you.

31

32 CHAIRMAN DEMIENTIEFF: Thank you.

33 Written public comments.

34

35 MR. MATHEWS: Yes, Mr. Chairman, they're
36 found on Page 311 and we have an additional one that came
37 in since the publication of the book, so there's five
38 written comments.

39

40 Three were in support with modification
41 and two opposed.

42

43 There's Gates of the Arctic Subsistence
44 Resource Commission, they took up this proposal twice.
45 At the first time they took it up they unanimously
46 supported the proposal for the reasons stated by the
47 proponent, which is the declining moose population,
48 restriction on cow harvest and warmer fall weather. When
49 they took it up recently at their April meeting in
50 Coldfoot they discussed the proposal again and they urge

1 favorable action on this proposal as recommended by the
2 Western Interior and North Slope Regional Advisory
3 Councils, i.e., the northern portion of 24. So they
4 supported that.

5
6 And then the moose population of the
7 northern portion of Unit 24 has declined.
8 The winter cow moose harvest has been
9 restricted and the warm fall weather has
10 delayed the onset of the moose rut. The
11 combination of these factors makes
12 meeting basic subsistence needs very
13 difficult.

14
15 The Alaska Regional Office for the
16 National Parks Conservation Association. They support it
17 with modification.

18
19 For one of the reasons, for the change in
20 the season has been suggested because of
21 the warmer temperatures, the suggested
22 revision to the regulation extends the
23 season either by a week or 10 days.
24 Isn't extending the season contradictory
25 to the concern about moose populations.
26 To address the contradiction, the
27 Advisory Board, which I assume is the
28 Council, may want to consider shifting
29 the season later with no change in the
30 season length.

31
32 So we interpret that as support with
33 modification.

34
35 Holy Cross Tribal Council opposed the
36 proposal for their area which is Unit 21(E).

37
38 The Holy Cross Tribal Council opposes
39 extending the bull season in their area.

40
41 The Grayling, Anvik, Shageluk, Holy Cross
42 Local Advisory Committee also opposed it.

43
44 And then the Koyukuk Local Fish and Game
45 Advisory Committee supported with modification. They
46 supported it for the northern portion of the Koyukuk
47 River and they were also taking up the parallel proposal
48 before the Board of Game, which is Proposal 95.

49
50 But anyways, they felt that the moose

1 population was healthy enough to support
2 any additional harvest with this
3 extension. And the communities of Alatna
4 and Allakaket need this fall season
5 extension.
6

7 Mr. Chairman. That's all the written
8 comments that I'm aware of.
9

10 CHAIRMAN DEMIENTIEFF: Thank you, very
11 much. We don't have any additional request for public
12 testimony at this time. Regional Council recommendation.
13

14 MR. COLLINS: Mr. Chairman. The Western
15 Interior SRC, the one that put this in, it was fairly
16 broad when we first put it in, after further discussion,
17 what we're really asking for now is only for that up
18 river area with Alatna and Allakaket up there up in 24
19 for the extension of the season and we can see where
20 other areas now have not -- Holy Cross and others have
21 not asked for the longer season.
22

23 One of the most frustrating things, I
24 think for subsistence hunters now is the lack of control
25 you have over your hunting. When I say -- if I take you
26 back a few years, when I first moved to the Upper
27 Kuskokwim area, let's say there, we had a season that
28 opened in August and continued until mid-September or
29 something like that. And subsistence hunters could then
30 pick and choose when they went out, when the weather
31 conditions changed it wasn't a problem, we had a long
32 enough season you'd wait until it was cold enough to keep
33 the meat then and then you would go out. But in recent
34 years, with the more restriction, shorter seasons and
35 then with the State changes where now everyone in the
36 state is a subsistence hunter we've lost the flexibility
37 we had to have separate subsistence seasons under State
38 regs for local people that give them an opportunity to go
39 out and get the meat they need and I know from those
40 villages up there, it was very frustrating to them with a
41 short fall season, and then having the warm weather to be
42 forced to go out and burn up gas at the high cost they
43 pay in Allakaket and so on up there during that short
44 season to try to get their moose. And I know the State
45 made the argument, well, people are getting the moose
46 they need. The records have showed that the harvest is
47 the same. But what it doesn't show is that they're
48 having to put in a lot more effort.
49

50 And so by asking for a longer season it

1 only affects those Federal subsistence users in that
2 immediate area and allows them, if we do have a warm
3 fall, they can wait until the leaves start dropping
4 before they expend their gas to go out and get a moose
5 and increase -- it's not going to change the harvest a
6 lot. And I think we have some obligation to try to allow
7 a longer season of opportunity for local people when it's
8 not going to make a big impact on the harvest, even
9 though it does make a difference between State and
10 Federal regs.

11
12 So we would ask that you seriously
13 consider now, at least the part for the up river
14 Allakaket area. They're at the head of the river where
15 they pay the highest price for gas and they've got
16 conditions in the fall when the water may be low, it may
17 be difficult to get out, giving them a longer season
18 gives them more opportunity to get the moose they need
19 instead of forcing them all to be out during that early
20 season when they're competing with all the hunters in the
21 state, the floaters coming down the river and so on
22 there.

23
24 So I'd ask that you seriously consider
25 that part of this regulation for the area up there on the
26 Federal lands.

27
28 Thank you.

29
30 CHAIRMAN DEMIENTIEFF: Thank you. Staff
31 Committee.

32
33 MR. BOYD: You still have Eastern
34 Interior.

35
36 CHAIRMAN DEMIENTIEFF: I'm sorry,
37 Eastern, I didn't realize, go ahead.

38
39 MS. ENTSMINGER: Thank you, Mr. Chair.
40 Yeah, the Eastern takes it up as a crossover proposal
41 because some of our people have C&Ts in that area and
42 they also support with modification as presented by the
43 Staff and for similar reasons as been outlined by the
44 other Council member.

45
46 CHAIRMAN DEMIENTIEFF: Thank you. YK.
47 Harry.

48
49 MR. WILDE: Mr. Chairman. Yukon-
50 Kuskokwim Delta Advisory Council oppose this proposal.

1 Yukon-Kuskokwim Delta Regional Advisory Council oppose
2 proposal because of Yukon Innoko Moose Management Working
3 and Grayling, Anvik and Shageluk and Holy Cross Fish and
4 Game Advisory Committee did not support this proposal.

5
6 Thank you.

7
8 CHAIRMAN DEMIENTIEFF: Thank you, very
9 much. We also have a recommendation from North Slope and
10 we're going to ask Pete to go ahead and give that.

11
12 MR. PROBASCO: Thank you, Mr. Chair.
13 Vince, were you ready to do it?

14
15 (Pause)

16
17 MR. PROBASCO: Okay, North Slope is to
18 support with modification to apply the extended fall
19 season dates to Unit 24 Federal public lands north and
20 east, but not including the Koyukuk National Wildlife
21 Refuge. And they made no recommendations for Units
22 21(A), 21(B), 21(D) and 21(E).

23
24 Mr. Chair.

25
26 CHAIRMAN DEMIENTIEFF: Thank you. Of
27 course, there will still be ample opportunity for
28 Regional RAC representatives to discuss the matter as we
29 begin the deliberations, so thank you for your opening
30 comments.

31
32 With that we'll go ahead to Staff
33 Committee.

34
35 MR. PROBASCO: Thank you, Mr. Chair.
36 Staff Committee's recommendation on Proposal 34 is to
37 support with modification as recommended by the Western
38 Interior and the North Slope Regional Advisory Council to
39 provide season extensions for Units 21(B), 21(D) and
40 those portions of Unit 24 north and east but not
41 including the Koyukuk CUA or the Koyukuk National
42 Wildlife Refuge. And the recommendation is found on Page
43 309 and 310.

44
45 The justification for this recommendation
46 is the adoption of the modified
47 regulation would provide additional
48 hunting opportunities for those residents
49 that have a positive customary and
50 traditional use determination for moose

1 in portions of Units 21(B), 21(D) and 24.
2
3 Analysis of the results from moose survey
4 data indicate that only the populations
5 in these areas could support an
6 additional, but limited harvest during
7 the proposed season.
8
9 The remaining affected areas do not
10 currently have moose populations that
11 could sustain additional bull harvest
12 expected to occur during the six day
13 extension.
14
15 A State registration permit should be
16 required for the recommended August 22nd
17 to 31st season for 21(D).
18
19 And a final recommended modification is
20 to require a Federal registration permit
21 for the March 1 through 5 season for
22 Units 24(B) north of the Koyukuk River
23 except the John River drainage.
24
25 Thank you, Mr. Chair.
26
27 CHAIRMAN DEMIENTIEFF: Thank you.
28 Department comments.
29
30 MR. HAYNES: Mr. Chairman. This is a
31 complex proposal that addresses several aspects of
32 providing moose hunting opportunity in portions of Unit
33 21 and 24. The Department supports some parts of this
34 proposal that align with Board of Game actions taken
35 earlier this year and which have been supported by the
36 Western Interior Regional Advisory Council, local Fish
37 and Game Advisory Committees and the Yukon-Innoko Moose
38 Management Working Group.
39
40 Specifically, the Department supports
41 adoption of August 22 to 31 season dates
42 for Units 21(B) and 21(D) outside the
43 Koyukuk Controlled Use Area as
44 recommended by the Middle Yukon and Ruby
45 Fish and Game Advisory Committees.
46
47 We recommend no changes for Unit 21(A)
48 and 21(E) as recommended by the Western
49 Interior Regional Council and the GASH
50 and Middle Yukon Fish and Game Advisory

1 Committees.

2

3 And we recommend no changes for Unit 24.

4

5 Primarily for biological reasons the
6 Department does not support the proposed September 26th
7 to October 1 season extensions in Unit 24. The late
8 September hunt would occur during the beginning of the
9 peak rutting period and may result in some level of
10 disruption. Research suggests that populations with low
11 bull/cow ratios that are skewed heavily to yearling
12 bulls, such as those in Units 21(B) and 21(D) may be
13 impacted if normal rutting activities are disrupted.
14 Even though moose population densities in these areas
15 are relatively high, disruption during the rut could be
16 detrimental. The low density moose populations in Unit
17 24 with high bull/cow ratios and relatively few yearling
18 bulls also may be impacted by disruption to normal
19 rutting activities.

20

21 The Department recommends that Federal
22 seasons be aligned with seasons
23 established by the Alaska Board of Game
24 in March of this year. The Board of Game
25 adopted a 10 day season extension -- or
26 10 day season opening from August 22 to
27 31 in Unit 21(B) (ph) outside the Koyukuk
28 and in Unit 21(B), the Board of Game did
29 not adopt a season extension for any
30 other areas covered in this proposal.

31

32 Finally, adoption of the Unit 21(B) parts
33 of this proposal as modified by the
34 InterAgency Staff Committee will not
35 align the State and Federal regulations.
36 The State regulations provide for
37 registration and drawing permit moose
38 hunts in the remainder of Unit 21(B),
39 that portion of the Nowitna River
40 drainage up stream from the little mud
41 river drainage inside a corridor
42 extending two miles on either side of,
43 and including the Nowitna River.

44

45 Very few Federally qualified subsistence
46 users have reported hunting moose in this area during the
47 past five years so we don't believe the Federal Board
48 needs to distinguish this area from other parts of the
49 remainder of Unit 21(B) this next regulatory year,
50 however, the Department may submit a proposal next fall

1 to address this discrepancy and clarify the requirements
2 for Federally qualified subsistence users who may be
3 hunting moose in the upper Nowitna area.

4
5 Thank you.

6
7 CHAIRMAN DEMIENTIEFF: Thank you. Board
8 discussion.

9
10 MS. GOTTLIEB: Mr. Chair.

11
12 CHAIRMAN DEMIENTIEFF: Yes.

13
14 MS. GOTTLIEB: Well, as Terry said and I
15 was going to say this, too, this has been a really complex
16 proposal and I think it's been mulled over and discussed
17 for quite a while and so I commend everybody who's had a
18 part in trying to come to some conclusion here. And I
19 would support what the InterAgency Staff Committee has
20 worked out in conjunction with the three of the four
21 Councils.

22
23 CHAIRMAN DEMIENTIEFF: Thank you. Go
24 ahead.

25
26 MR. OVIATT: This is a complex issue, and
27 I congratulate everybody that sat in and worked through
28 this issue with us all. BLM also supports the
29 recommendation by the Staff Committee for this proposal.

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

33
34 MR. COLLINS: Mr. Chairman.

35
36 CHAIRMAN DEMIENTIEFF: Ray.

37
38 MR. COLLINS: Does the Staff position
39 recommend opening up the 24 area portion in the upper
40 river there, is that part of that recommendation or not?

41
42 MR. PROBASCO: Mr. Chair -- oh, go ahead
43 Gary.

44
45 MR. EDWARDS: Go ahead.

46
47 MR. PROBASCO: Mr. Chair. Mr. Collins,
48 yes, it does.

49
50 MR. COLLINS: Thank you.

1 CHAIRMAN DEMIENTIEFF: Gary, you had
2 something else.

3
4 MR. EDWARDS: Well, Mr. Chairman, I'll go
5 ahead and try to make a motion.

6
7 As recommended by the Western Interior
8 and the North Slope Regional Advisory Council I move that
9 we adopt Proposal 34 with the modifications that they
10 have identified. Instead of trying to go through all of
11 those, I believe those are the ones that would be
12 identified on Pages 309, 310 and 311, and correct me if
13 I'm wrong, and so I won't go through each and every one
14 of those, as they have been said at least three different
15 times. There's a lot here, and there's a lot of
16 individual pieces to all of this. But at least it's my
17 understanding that folks have worked closely on this and
18 I think feel that all these changes, proposed changes and
19 dates and all are appropriate and will not have any
20 conservation concerns and will be of benefit to the folks
21 who use these resources in these various units.

22
23 CHAIRMAN DEMIENTIEFF: We have a motion,
24 is there a second.

25
26 MR. OVIATT: I'll second.

27
28 CHAIRMAN DEMIENTIEFF: Okay, thank you.
29 I just congratulate all the people for all of the work.
30 We've been dealing with this for some time. And even as
31 we progress and I intend to support the motion for all of
32 the reasons you've outlined, Gary, in your making the
33 motion, but as with all of our regulations, as we get
34 further review we have the opportunity to refine but
35 because we haven't been able to get even this far until
36 today then I just believe in us moving forward and we
37 always have the ability to fine-tune later, so we'll
38 cross that bridge as issues come up.

39
40 So that's my rationale for intending to
41 support the motion.

42
43 (No comments)

44
45 CHAIRMAN DEMIENTIEFF: Any other
46 discussion.

47
48 (No comments)

49
50 CHAIRMAN DEMIENTIEFF: Hearing none, all

1 those in favor of the motion please signify by saying
2 aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN DEMIENTIEFF: Those opposed,
7 same sign.

8

9 (No opposing votes)

10

11 CHAIRMAN DEMIENTIEFF: Motion carries.
12 Okay, let's see, Seward Penn doesn't have any proposal on
13 with the withdrawal of 53. Northwest Arctic is on
14 consent. And looking forward North Slope is also on
15 consent -- or consensus, or whatever, so we're going to
16 move into Eastern Interior.

17

18 Go ahead.

19

20 MR. MATHEWS: Mr. Chairman. I don't know
21 if Tom Boyd got a chance to talk to you, that we've been
22 negotiating with representatives of Arctic Village that
23 are en route here, they're supposed to arrive in about 20
24 minutes and they mainly want to talk about Proposal 57,
25 so if the Board would like to hear their testimony, you
26 would have to take Proposal 57 later on on the agenda.

27

28 CHAIRMAN DEMIENTIEFF: We'll honor that
29 request, Vince, that's a long way to travel and so we
30 don't want to have a fruitless trip. So maybe we'll go
31 into 58 then, Staff analysis.

32

33 Go ahead.

34

35 DR. WHEELER: Thank you, Mr. Chair. My
36 name is Polly Wheeler, I work for the Office of
37 Subsistence Management. And I will be presenting the
38 analysis for Proposal 06-58 for you today. You can find
39 it in your hefty Board book on Pages 460 to 472. I have
40 the cheater's version, just the Eastern Interior thing up
41 here, but it's still the same pages.

42

43 I'm not going to go through all of the
44 analysis today, but rather incorporate it by reference,
45 and address a few of the key points here, Mr. Chair.

46

47 This proposal, WP06-58 was submitted by
48 the Eastern Interior Alaska Subsistence Regional Advisory
49 Council. It requests that the positive customary and
50 traditional use determination for moose in portions of

1 Unit 12 be expanded to include all residents of Unit
2 13(C). The Council's rationale for submitting the
3 proposal is that it supports a more comprehensive
4 customary and traditional use determination for Unit 12.
5 Because of the proximity of the Unit 13(C) residents to
6 Unit 12, as well as acknowledge that Unit 13(C) residents
7 have a traditional pattern of hunting moose within Unit
8 12.

9
10 The existing regulation is in your books
11 on Page 462, and the proposed regulation is on Page 464.

12
13 Just a little bit about the regulatory
14 history because it is a little bit confusing and you may
15 not remember from a year ago when you addressed this same
16 area for Chistochina in this same area for the same
17 species but I'll just hit a few of the highlights here.
18 The regulatory history is on Page 464 in your books.

19
20 The customary and traditional use
21 determination for moose in Unit 12 is essentially the
22 same as originally adopted by the Federal Board in 1992
23 from State of Alaska determinations. The State
24 recognized the customary and traditional use of moose in
25 all of Unit 12 by residents of Unit 12 and to address use
26 by residents of other areas, three areas within Unit 12
27 were identified. 1989 State regulations referred to
28 these areas as south, east and north respectively. For
29 the purposes of this analysis and actually if you can
30 follow me on this one you'll be ahead of the game on the
31 next proposal because they refer to the same areas. So
32 for the purposes of this analysis these three areas are
33 labeled as A, B and C in the regulatory language above,
34 that is on Page 464, and are depicted in Map 1.

35
36 In the south or the A portion of Unit 12
37 which encompasses the Nabesna Road area, residents of
38 Unit 12 were recognized as having positive customary and
39 traditional use as were residents of Unit 11 north of the
40 62nd parallel and that's approximately at the junction of
41 the Unit 11 boundary with the Klawasi River (ph). Also
42 residents of Unit 13(A), (B), (C), (D), residents of Dot
43 Lake and Chickaloon. Again, they were included as
44 recognized as having a positive customary and traditional
45 use.

46
47 In the north or C portion of Unit 12,
48 residents of Unit 12 and residents of Dot Lake and
49 Mentasta Lake were recognized as having customary and
50 traditional use of moose.

1 And in the east or B portion of Unit 12,
2 residents of Unit 12 were the only customary and
3 traditional users recognized until 1998 when the Federal
4 Subsistence Board added the residents of Healy Lake to
5 all of Unit 12.

6
7 And, again, at your May meeting last year
8 you probably remember that you added residents of
9 Chistochina to the customary and traditional use finding
10 for all portions of Unit 12 through Proposal 05-21.

11
12 And, again, this proposal asks to add the
13 remaining residents of 13(C) to the C&T determination for
14 moose in all of Unit 12.

15
16 The community characteristics you can
17 find in your book on Pages 464 to 465 but I'll give you
18 just a little summary here. Basically as already noted
19 the community of Mentasta Lake is included in the
20 customary and traditional use finding for moose in the A
21 and C portions of Unit 12, but not in the B portion.
22 Gakona and Slana are also included in the customary and
23 traditional use finding for moose in the A portion of
24 Unit 12, but not in the B or C portion of Unit 12. And
25 people residing along the Glenn Highway and Tok cutoff
26 road are also not included in the customary and
27 traditional finding for moose in the B and C portions of
28 Unit 12.

29
30 The discussion of the eight factors
31 begins on Page 465 to 470 and goes through to 470 in your
32 book, it's a lengthy discussion. Basically the
33 discussion on these five pages indicates that the people
34 in the area demonstrate a long-term consistent pattern of
35 use of moose in the area in question exemplifying the
36 pattern indicated by the eight factors. Again, for a
37 detailed discussion of this pattern I refer you to Pages
38 465 to 470 in your books.

39
40 In terms of effects of the proposal.
41 Adoption of Proposal 06-58 would recognize the remaining
42 residents of 13(C) as customary and traditional users of
43 moose in the remaining portions of Unit 12(B), that is
44 east of the Nabesna River and Nabesna Glacier, south of
45 the Winter Trail from Pickerel Lake to the Canadian
46 Border and C, the remainder of Unit 12. This recognition
47 should not have an impact on other users or the resource.

48
49 Mr. Chair.
50

1 CHAIRMAN DEMIENTIEFF: Thank you.
2 Written public comments.

3
4 MR. MATHEWS:p Yes, Mr. Chairman, there
5 were three written public comments. A summary can be
6 found on Page 461.

7
8 Two were in opposition.

9
10 The AHTNA Subsistence Committee opposes
11 the proposal. This subunit is the AHTNA
12 people's customary and traditional use
13 area.

14
15 The Mentasta Traditional Council also
16 opposed this proposal. They do not
17 support the proposal and would like --
18 well, if it is to pass, they would like
19 to read, Mentasta Lake and Chistochina
20 instead of Unit 13(C) residents. The
21 communities of Mentasta and Chistochina
22 have traditionally used this area and to
23 include all of Unit 13 would include
24 others with no use.

25
26 The Wrangell-St. Elias Subsistence
27 Resource Commission really didn't come up with a position
28 on it because they had a split vote, and they wanted to
29 share both positions.

30
31 Those who supported the proposal noted
32 that people living in Unit 13(C) have
33 well-documented ties to the region at
34 issue. The recommended that rather than
35 using the term Unit 13(C), the regulation
36 should list the designated resident zone
37 communities of Chistochina, Mentasta,
38 Gakona, and Slana.

39
40 Those who opposed the proposal were
41 concerned that not all the communities
42 and areas in Unit 13(C) have demonstrated
43 to have a customary and traditional use
44 of moose in the area in question.

45
46 Mr. Chairman, that's a summary of all the
47 comments.

48
49 Thank you.
50

1 CHAIRMAN DEMIENTIEFF: We have one
2 additional request for public testimony at this time.
3 Donna Pennington.

4
5 MS. PENNINGTON: Thank you, Mr. Chairman.
6 Esteemed members of the Federal Subsistence Board. My
7 name is Donna Pennington. I currently reside in Tok,
8 it's a recent move, but I've lived in Mentasta almost all
9 of my life.

10
11 I want to back up in history just a
12 little bit. When the ANCSA land selections were made we
13 based a lot of our selections primarily on subsistence
14 patterns. The general intent of ANCSA and ANILCA was to
15 protect the traditional subsistence use by Alaska
16 Natives. Subsistence is under constant legal attack by
17 the State of Alaska. This Board faces litigiousness with
18 each decision it makes such as, and the excuses can be
19 used, the insufficiency of information or based on sound
20 science rhetoric used by many non-Native interests. Each
21 proposal proposes threats to the protection of
22 traditional subsistence users based on our history and
23 our custom.

24
25 ANILCA's intent to protect subsistence
26 use erodes with every lawsuit. It costs the Native
27 community too much time, energy, money and just
28 everything to come here to all of these meetings and to
29 defend our traditional rights.

30
31 Customary and traditional determinations
32 should not be automatic. Regulations should be
33 culturally sensitive, and reflect culturally historical
34 use. The historic cultures of Mentasta and Chistochina
35 are ingrained in the place names, the rivers, the towns,
36 those are our original trails since time immemorial. Not
37 every homesteader or community should be able to
38 piggyback off of our history. Many of these places under
39 this proposal will not have to prove their preparation,
40 handling, sharing, potlatching. Slana predominately is
41 successful in the hunt, it's predominately non-Native and
42 our lands are being utilized on these.

43
44 On Proposal 58. I support AHTNA's and
45 Mentasta's comments. I'm concerned about the InterAgency
46 Staff Committee recommendations that C&T in Unit 12(B)
47 and (C), where they state, where there is some support
48 for pattern of use, some support for pattern of use is
49 insufficient to prove C&T.

50

1 The Wrangell-St. Elias National Park
2 Subsistence Resource Committee's comments have well
3 documented ties, that concerns me, too. Having well
4 documented ties does not prove customary or traditional
5 use.

6
7 I must oppose this since all residents of
8 Units 13(C) have not proven C&T as the residents of
9 Mentasta and Chistochina have to do. And I personally
10 don't think they should be able to piggyback off of our
11 Native history and cultural use.

12
13 Slana did not exist 30 years ago. It has
14 not proven C&T and it should go through the process.
15 Also it competes with the actual original traditional
16 users.

17
18 I support Proposal 59 to eliminate the
19 confusion. Support 60 as more and more we're finding
20 restrictions to subsistence users and this has less.

21
22 I oppose 61.

23
24 In general, I support predator control.

25
26 The reason there are even resources to
27 manage and I've stated previously, you know, the
28 traditional AHTNA have taken care of our resources for
29 many, many, many years. And each time we come here we
30 have to defend what we consider traditional use.

31
32 I'm concerned about the eight factors.
33 They need to be revised, where, if we're going to use
34 like the pattern of use and handing down knowledge, you
35 know, everyone can use that excuse but the pattern of use
36 for shared or distributed within a definable community of
37 persons, such as our potlatches, that hasn't been adhered
38 to.

39
40 90 percent of us in Mentasta use, even
41 though we only catch 30 percent of the harvest, we do
42 share with elders, with people who aren't part of the
43 permit system in our potlatches. I don't see those same
44 tests being applied to communities who have not even
45 applied for C&T so I oppose giving them automatically.

46
47 And with that, if there's any questions.

48
49 CHAIRMAN DEMIENTIEFF: Any questions.

50

1 (No comments)
2
3 CHAIRMAN DEMIENTIEFF: Thank you, very
4 much. Appreciate your -- Sue.
5
6 MS. PENNINGTON: Thank you.
7
8 CHAIRMAN DEMIENTIEFF: Sue, go ahead,
9 sure you may.
10
11 MS. ENTSMINGER; Thank you, Mr. Chair.
12 Donna, I watched you grow up down there.
13
14 MS. PENNINGTON: Yes.
15
16 MS. ENTSMINGER: And as time goes on and
17 ANILCA has non-Native people included in rural, do you
18 see a time where we can be joining hands as rural people,
19 the Native and non-Native?
20
21 MS. PENNINGTON: Thank you, Sue, for the
22 question. It is already occurring. We have for years
23 been working hand in hand, I felt with the people that
24 are up there. What we're facing is increasing pressure,
25 an increasing number of people who actually aren't
26 working with the communities that have existed up there.
27 I would like to see a good management plan that allows
28 for protection of subsistence rights without being
29 overrun by others, in my case, that don't qualify under
30 the current regulations that exist.
31
32 CHAIRMAN DEMIENTIEFF: Go ahead.
33
34 MS. ENTSMINGER: Do you have a suggestion
35 on how we could work together, how we could start this
36 joining of hands?
37
38 MS. PENNINGTON: Well, we've had many
39 meetings in response to agencies and other people who
40 submit proposals without reaching out to the Native
41 communities. This is where our fighting arena has
42 become. But what should happen is the agencies Federal
43 and State and other communities could reach out to our
44 Councils, it would eliminate a lot of argument that we
45 have before these Boards. I have testified before many
46 boards on many regulations and it would have been so much
47 easier to be contacted before the proposals were
48 submitted.
49
50 That's one suggestion.

1 MR. EDWARDS: Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Yes.

4

5 MR. EDWARDS: Maybe as a follow up
6 question and I guess I would direct this more to Dr.
7 Wheeler, but based upon the testimony we just heard and
8 kind of looking at the eight factors and all, would you
9 feel that there is a clear-cut delineation here with
10 regards to C&T or is there validity in some of the issues
11 that were raised?

12

13 DR. WHEELER: Mr. Chair. Members of the
14 Board. I think that this is a tough issue. I think we
15 heard some of the same testimony a year ago. I guess
16 I'll remind you that this proposal was submitted by the
17 Eastern Interior Council -- Eastern Interior Subsistence
18 Regional Advisory Council, that Council's viewpoint is
19 that customary and traditional use determinations should
20 be as comprehensive as possible. They discussed this
21 proposal at their fall -- spring 2005 meeting and fall
22 2005 meeting and then when it was before them at their
23 spring 2006 meeting and they were very clear on the
24 record that they felt that residents of 13(C) had a
25 demonstrated pattern of use in this area.

26

27 I based my analysis on a review of the
28 existing data, which, granted is somewhat old, I based it
29 on harvest data, and in my view, as I said in the
30 analysis, I think there is a demonstrated pattern of use.
31 There's always going to be more use, less use, more
32 people, more people, but, again, a read of the
33 regulations, is there a demonstrated pattern of use.

34

35 I guess I would also say that patterns of
36 use change and I think, you know, you sometimes have a --
37 someone's view of a demonstrated pattern of use may not
38 equal another person's view of a demonstrated pattern of
39 use. In the Eastern Interior Council's view, the
40 analysis, you know, addressed the eight criteria in their
41 estimation and that is, I guess, for your decision to
42 make today.

43

44 Has the evidence presented, I've heard
45 this evidence before, I also heard Wilson Justin speak at
46 the Southcentral Regional Advisory Council and he was
47 adamant that people in 13(C) should be included in the
48 customary and traditional use determination for moose in
49 Unit 12 because he felt quite strongly that people do
50 have a demonstrated pattern of use.

1 I don't know if I answered your question,
2 Member Edwards.

3
4 MR. EDWARDS: A follow up. Was that a
5 unanimous vote within the Council?

6
7 DR. WHEELER: I believe it was. It was.
8 I'm getting assurances from my colleagues on either side
9 of me that, yes, it was a unanimous vote on the part of
10 the Council.

11
12 Mr. Chair. Mr. Edwards.

13
14 CHAIRMAN DEMIENTIEFF: Thank you. Any
15 other questions right now or we ready to move on.

16
17 (No comments)

18
19 CHAIRMAN DEMIENTIEFF: Regional Council
20 recommendation.

21
22 MS. ENTSMINGER: Thank you, Mr. Chair.
23 First, I'll just kind of reiterate what you see before
24 you. Eastern Interior recognizes that moose are clearly
25 an important subsistence resource for the residents of
26 13(C) and there is evidence that these communities use
27 moose in the portion of Unit 12. The Council needs to
28 protect similar situated users. The Council has always
29 tried to be inclusive when addressing customary and
30 traditional use determinations, people that live along
31 the road as well.

32
33 I wanted to give just a little bit of
34 history also here. In 1978 the Antiquities Act passed
35 and then in '80 the final ANILCA was passed and during
36 those two years there were meetings and meetings and
37 meetings and meetings in the area that brought in both
38 the two Federal areas in this region that we're talking
39 about, the Park, which is 48 percent of Unit 12, and then
40 the Refuge, the Tetlin Wildlife Refuge. And originally,
41 some of the communities were not included and the
42 meetings and meetings and meetings that people go to, it
43 was unfortunately between Native and non-Native
44 communities, that Native communities were included and
45 non-Native were not, Tok, Slana and Glennallen wanted to
46 be included and then when the final thing passed they
47 were included. And for me, as a mother, and hopefully
48 grandchildren some day, I would like to see these
49 communities join hands, I mean we have a future here that
50 we're looking at. And people that live there, similarly

1 use the resource as the people that have been there a
2 long time, and a lot of the non-Natives have been there a
3 long time. It is a sensitive issue.

4
5 And, I, for one, want to see us be able
6 to work together in the future, I don't want to see us,
7 you know, having these differences and I appreciate
8 Donna coming forth because I think what we need to do is
9 talk to each other first before things come out in the
10 meeting so people feel respected in that light.
11 Sometimes we're overtaxed with these meetings that we're
12 going to and we don't end up doing as much work prior to
13 a meeting.

14
15 So I just wanted to add that to your
16 things to think about.

17
18 Thank you.

19
20 MS. PENNINGTON: Mr. Chairman.

21
22 CHAIRMAN DEMIENTIEFF: You -- go ahead.

23
24 MS. PENNINGTON: If I just may, what I
25 oppose is the blanket customary and traditional
26 determinations given to everyone without proving
27 themselves under the current regulations.

28
29 CHAIRMAN DEMIENTIEFF: Okay, thank you.
30 We're done with public testimony so if you have other
31 issues that you want to bring up, I suggest -- what other
32 people do is work through their RAC representative,
33 which, in your case is, Sue, and it sounds like you guys
34 know each other a little bit, well, and, of course, Sue,
35 you'll have other opportunity during Board discussion and
36 what not, too.

37
38 So I thank you very much, Donna.

39
40 MS. PENNINGTON: Thank you, Mr. Chairman.

41
42 CHAIRMAN DEMIENTIEFF: Okay.

43 Southcentral.

44
45 MR. BLOSSOM: Mr. Chairman. This area is
46 in our district but the animals are going to gather in
47 the eastern district so we deferred this. We had members
48 like Gloria Stickwan who was opposed to this because
49 they're into her area where she hunts and everything, so
50 we had to defer it because we didn't feel we had the

1 right to -- even though it's our area, tell them what to
2 do in their area.

3

4 CHAIRMAN DEMIENTIEFF: And I just note
5 for the two of you, we've been dancing this dance with
6 regard to the two areas for quite a few years, this is
7 not the first go around that we've had on this. And so
8 we, you know, we've been -- just because they're so
9 closely connected. So we're kind of used to it.

10

11 So it's not, like I said, the first time.

12

13 Staff Committee recommendation.

14

15 MR. PROBASCO: Thank you, Mr. Chair. The
16 Staff Committee recommendation is to support the proposal
17 as recommended by the Eastern Interior Regional Advisory
18 Council.

19

20 Moose are clearly an important
21 subsistence resource for residents of
22 Unit 13(C) and there is evidence for
23 these communities using moose in portions
24 of Unit 12, primarily 12(A) for which
25 they are currently included in the
26 positive C&T use determination and 12(B)
27 and 12(C) for which there is some support
28 for a pattern of use.

29

30 Mr. Chair.

31

32 CHAIRMAN DEMIENTIEFF: Thank you.

33 Department.

34

35 MR. HAYNES: Thank you, Mr. Chairman.
36 The Department recommends deferral of action on this
37 proposal and other customary and traditional use
38 determination proposals that would result in a change to
39 the existing finding until the Federal Board has adopted
40 procedures including standards and criteria for making
41 such determinations.

42

43 Thank you.

44

45 CHAIRMAN DEMIENTIEFF: Thank you, very
46 much. Board discussion.

47

48 MS. GOTTLIEB: Mr. Chair.

49

50 CHAIRMAN DEMIENTIEFF: Judy.

1 MS. GOTTLIEB: Thank you. And I agree,
2 this is difficult with the two units adjacent and the
3 road system and so we've been talking about this area for
4 many years and I'm sure we'll continue to have
5 discussions.

6
7 I think one of the important aspects is
8 the effects of this proposal. We're only talking really
9 about relatively few people and the expectations that
10 there would not be a significant impact on current users.
11 And so I think the analysis that was done was quite
12 complete and I would feel comfortable making a motion
13 then in support of the Eastern Interior Regional Advisory
14 Council to adopt this new C&T.

15
16 CHAIRMAN DEMIENTIEFF: Thank you. Is
17 there a second to the motion.

18
19 MR. OVIATT: I'll second.

20
21 CHAIRMAN DEMIENTIEFF: Discussion on the
22 motion.

23
24 (No comments)

25
26 CHAIRMAN DEMIENTIEFF: Again, I intend to
27 support the motion for the reasons that I outlined a few
28 minutes ago that Southcentral and Eastern have worked
29 very hard through the years on working these issues out.
30 And I just, again, congratulate them and let you know
31 exactly where I'm coming from. Because we needed your
32 guidance in the past and we'll probably continue to need
33 it in the future so that's the reason why I intend to
34 support.

35
36 Gary, you had something.

37
38 MR. EDWARDS: Mr. Chairman. I'm going to
39 vote against the motion. I guess I'm not convinced. I'm
40 not sure what it would take to convince me, but at least
41 at this point I'm not convinced that that's the proper
42 action to take.

43
44 CHAIRMAN DEMIENTIEFF: Thank you.
45 Further discussion.

46
47 (No comments)

48
49 CHAIRMAN DEMIENTIEFF: Hearing none, all
50 those in favor of the motion please signify by saying aye.

1 IN UNISON: Aye.

2

3 CHAIRMAN DEMIENTIEFF: Those opposed.

4

5 MR. EDWARDS: Aye.

6

7 CHAIRMAN DEMIENTIEFF: Motion carries.
8 Proposal 59. Staff analysis.

9

10 MR. LAPLANT: Mr. Chairman, for the
11 record Dan LaPlant with OSM. Proposal 59, the analysis
12 for that is in your book on Page 476.

13

14 This proposal was submitted by the
15 Eastern Interior Regional Advisory Council. It requests
16 that Unit 12 moose regulations be changed to make them
17 easier to understand. The proponent states that they're
18 not asking for any substantive changes to the harvest
19 seasons or to the customary and traditional use
20 determinations however they would like to make some
21 adjustments to reduce the confusion that exists with
22 these regulations.

23

24 They say the confusion exists because the
25 unit is divided one way for the purpose of describing
26 customary and traditional use determinations and it's
27 broken up and described another way for the harvest
28 limits and seasons. In each of these two descriptions
29 uses the term, remainder and the remainder is not in the
30 same place for each of these ways of dividing up the
31 area.

32

33 Now, we've got C&T areas described
34 differently than hunt areas in other portions of the
35 Federal Subsistence Regulations in other parts of the
36 state and it is confusing to users. And this one, in
37 particular, is probably the most confusing one we have in
38 the regulation book.

39

40 To help describe the situation here, we
41 use a visual aides here with the maps. If you look on
42 Map 1 on Page 478, it shows the C&T areas that currently
43 exist, and we're using the same A, B, C that the previous
44 proposal used to illustrate where these areas are. Now,
45 the area C on your map, that includes the Tetlin National
46 Wildlife Refuge, that's the area that's described in
47 regulation as being the remainder. Again, this is for
48 C&T determinations.

49

50 If you look on the opposing page, Page

1 479, that's a map that displays how the hunt areas are
2 described in current regulations. And we used 1, 2, 3 to
3 describe those just for the purposes of discussion here.

4
5 In area 3 on this map is what is used --
6 is where the term remainder is used and describes that
7 area, three.

8
9 So you can see the problem that exists
10 when hunters talk about hunting in the remainder area, it
11 depends on whether they're talking about the C&T
12 determination or the hunt area description.

13
14 If you turn the page to Page 480 and look
15 on that map, this is what the proponent proposed
16 regulations look like to reduce that confusion.
17 Actually redescribing the C&T areas to match the hunt
18 areas, the 1, 2, and 3, having an A, B, and C, and
19 actually adding a fourth one, D, and that way the hunt
20 areas and the C&T areas would be described the same in
21 regulation.

22
23 To accomplish that, of course, would
24 require some minor changes in the regulatory language.
25 There's two areas that we need to look at to understand
26 where those changes would occur. As we looked at that,
27 if you look back on Page 478, that first map that we
28 looked at, there is a small area in the Tetlin National
29 Wildlife Refuge that's below the Pickerel Lake trail
30 where the trail comes up into the Refuge and it goes back
31 down into the Preserve, you see there's arrows pointing
32 in that area from both directions. Well, we discovered
33 in our regulations, in our hunt regulations, that that
34 area is actually described in both of those areas, so
35 that's an error in regulations and we've probably been
36 carrying that in our regulations for quite some time.

37
38 But we can change that as we write the
39 descriptions and print the new regulations for the next
40 regulatory year. So that will clean up some of that
41 confusion.

42
43 The other area that needs to be looked at
44 is that cross-hatched area on the northern piece of Area
45 A on the map on Page 478.

46
47 In order to accomplish what the proponent
48 is asking for, we would have to change the C&T for that
49 small area. Specifically the C&T that would have to
50 change, we'd have to add to the C&T for that area,

1 residents of Unit 11, those north of the 62nd parallel,
2 and you've have to add all residents of Unit 13(A),
3 13(B), 13(C) and 13(D) in addition to Chistochina and
4 Mentasta Lake in 13(D) who currently have C&T for that
5 area, and would also include residents of Chickaloon. So
6 they would have to be added to that cross-hatched area in
7 what -- what that's essentially doing is moving that
8 straight line up to the northern boundary of the
9 Preserve. So all those communities that I just named
10 currently have C&T in area A but as a result of this
11 change they would have it in that area to the north of
12 that straight line also.

13

14 That straight line, never have been able
15 to find out the total origin of that, but that's
16 something that was adopted from State regulations.

17

18 Our concern when we first looked at this
19 is that that area, particularly the portion of it that's
20 along the Nabesna River is easily accessible for people
21 traveling up and down the Nabesna River, and it may be a
22 traditional use area and by adding this many people to
23 the C&T for that area, it may be objectionable to the
24 communities that use that area. So we went to the
25 Council with that concern, and coming out of the Council
26 meeting we were of a mind that that is probably is
27 inconsequential.

28

29 The testimony we heard at the Council
30 meeting was that the changes to the regulatory language
31 necessary to accomplish the request is of no concern and
32 otherwise not objectionable to the subsistence users that
33 use that area now.

34

35 So to accomplish what the proponent wants
36 the C&T for that cross-hatched area would need to be
37 changed as I just described, and if that's done, we can
38 actually simplify the regulations even farther.

39

40 If you notice on Page 480 on that map,
41 Area D and 4 there are no Federal lands in that portion
42 of it at all, so that piece can actually be described
43 along with the area to the south and called the
44 remainder, and by doing that we would have the hunt areas
45 and the C&T areas described the same. And, again, to
46 accomplish that, it would involve making the C&T
47 determinations, adding those communities to that small
48 strip in the northern part of that area north of Nabesna.

49

50 Mr. Chairman, thank you.

1 CHAIRMAN DEMIENTIEFF: Thank you.
2 Written public comments.

3
4 MR. MATHEWS: Yes, Mr. Chairman, there
5 were four submitted, all in support.

6
7 The AHTNA Subsistence Committee
8 recognized that this was going to change
9 the customary and traditional use
10 determination, however, they support this
11 proposal to revise that. And the
12 reasoning for support is the more
13 descriptive and clearer and accurate the
14 regulations are it will be easier for
15 them in the field.

16
17 The Mentasta Traditional Council also
18 supported this proposal.

19
20 The Wrangell-St. Elias Subsistence
21 Resource Commission supported it
22 unanimously. The proposed C&T
23 determination change is inconsequential
24 and no one at the meeting testified that
25 the small C&T change necessary to
26 accomplish this proposal is concerned or
27 otherwise objectionable. Without a
28 geographic boundary -- a clear geographic
29 boundary, our people are supposed to find
30 out where they are.

31
32 In addition, making the proposed changes
33 would be a more effective way to deal
34 with the confusion caused by the existing
35 regulation than the alternatives proposed
36 in the Staff analysis.

37
38 Mr. Chairman, the last written public
39 comment came from the Tetlin National
40 Wildlife Refuge. They support the
41 proposal. They believe that the proposed
42 alternate of clearer regulatory language
43 and maps may alleviate some of the
44 confusion.

45
46 The Refuge's main concern is to have
47 regulatory boundaries that are
48 identifiable and more easily interpreted
49 by the affected users. Presently,
50 there's a great source of confusion by

1 local users with the existing regulations
2 as evident by the numerous questions the
3 Refuge receives each year. Aligning the
4 C&T determination and the hunt boundaries
5 would alleviate much confusion.
6

7 The Refuge acknowledges the proposal
8 would affect the current C&T
9 determination, but the amount of area
10 affected is small and located in a fairly
11 remote area.
12

13 Mr. Chairman, that's the summary of all
14 the public comments. Thank you.
15

16 CHAIRMAN DEMIENTIEFF: Thank you. We do
17 not have any additional requests for public testimony at
18 this time.
19

20 Regional Council recommendations. Go
21 ahead.
22

23 MR. BLOSSOM: Mr. Chairman.
24 Southcentral, again, deferred this to the Eastern
25 District. We had public testimony during our meeting
26 that people were in favor of getting this clarified, they
27 said it was confusing and a problem. There, again,
28 because we feel it's their home region we shouldn't be
29 interfering in their decision.
30

31 CHAIRMAN DEMIENTIEFF: Thank you.
32 Eastern.
33

34 MS. ENTSMINGER: Thank you. We support
35 our own proposal for all of the reasons given.
36

37 And I might also add that I went to the
38 Upper Tanana Fortymile Advisory Committee and they also
39 supported it.
40

41 I'm kind of wondering why it isn't in
42 here. But I think that's all I have. I had something
43 else but I forgot.
44

45 CHAIRMAN DEMIENTIEFF: Well, again,
46 you'll have opportunity to come back if you had more to
47 add, we'll certainly accommodate you.
48

49 Staff Committee.
50

1 MR. PROBASCO: Thank you, Mr. Chair. The
2 InterAgency Staff Committee supports the proposal as
3 submitted by the Eastern Interior Regional Advisory
4 Council.

5
6 However, the Staff Committee did some
7 administrative clarification to simplify
8 the language. We feel what we provided
9 does make it a little bit clearer on the
10 intent of the proposal.

11
12 Public comments received on this proposal
13 from local subsistence users have all
14 indicated that the proposed customary and
15 traditional use determination change is
16 inconsequential and that the changes in
17 regulatory language necessary to
18 accomplish this request is of no concern
19 or otherwise objectionable by subsistence
20 users.

21
22 Pretty clean-cut, Mr. Chair.

23
24 CHAIRMAN DEMIENTIEFF: Thank you.
25 Department comments.

26
27 MR. HAYNES: Mr. Chairman. The
28 Department, again, recommends that action on customary
29 and traditional use determination proposals be deferred
30 until the Federal Board has adopted procedures including
31 standards and criteria for making these determinations.

32
33 However, the Department supports in
34 concept the objectives of this proposal as hunt area
35 descriptions that differ from customary and traditional
36 use area descriptions in Unit 12 are confusing to the
37 public and what's being proposed would resolve that
38 problem.

39
40 Thank you.

41
42 CHAIRMAN DEMIENTIEFF: Thank you. Board
43 discussion.

44
45 MS. GOTTLIEB: Mr. Chairman.

46
47 CHAIRMAN DEMIENTIEFF: Yes.

48
49 MS. GOTTLIEB: Thank you. I want to
50 thank Barbara Cellarius from our Staff who's helped to

1 work to make this clear and I think the Board ought to
2 jump at the opportunity to make a clearer regulation any
3 time we can. So we really appreciate all the cooperation
4 by the Councils and individual communities and tribal
5 organizations that went into working through this.

6
7 So I will make a motion consistent with
8 the Eastern Interior Regional Advisory Council's intent
9 to adopt the language as put forward by the InterAgency
10 Staff Committee as shown on 474.

11
12 CHAIRMAN DEMIENTIEFF: We have a motion,
13 is there a second.

14
15 MR. CESAR: There's a second here.

16
17 CHAIRMAN DEMIENTIEFF: Discussion.

18
19 (No comments)

20
21 CHAIRMAN DEMIENTIEFF: I just wanted to
22 point out again and I double checked with our legal
23 Staff, using the existing means that we have to make C&T
24 determinations, our record is still unblemished, so even
25 though we're trying to fine-tune that process, our legal
26 record is still unblemished as far as being, you know, we
27 are in a defensible position.

28
29 So, anyway, I just offer that. I know
30 I've said it before, I can't remember, I think it was a
31 fisheries proposal or something but, you know, I just
32 wanted to point that out again just for the record.

33
34 Okay, further discussion.

35
36 MS. ENTSMINGER: Mr. Chair.

37
38 CHAIRMAN DEMIENTIEFF: Sue.

39
40 MS. ENTSMINGER: Yes, I just wanted to
41 also reiterate, Barbara Cellarius did a lot of work. We
42 sometimes come up with the ideas, what would make
43 something simpler for the user and we don't have the time
44 to develop what it takes and I know she did put in a time
45 for that proposal so I'm really thankful for that.

46
47 CHAIRMAN DEMIENTIEFF: Thank you. Any
48 other discussion.

49
50 (No comments)

1 CHAIRMAN DEMIENTIEFF: Hearing none, all
2 those in favor of the motion please signify by saying
3 aye.

4
5 IN UNISON: Aye.

6
7 CHAIRMAN DEMIENTIEFF: Those opposed,
8 same sign.

9
10 (No opposing votes)

11
12 CHAIRMAN DEMIENTIEFF: Motion carries.
13 Now, let me tell you how we're going to deal with this
14 because Gideon James is on his way from Arctic, so we're
15 going to go and move on with 63 and 64 and then we'll
16 proceed on if he still hasn't got here. We're going to
17 give him every opportunity is what I'm saying, to get
18 here, but we can complete the work on the rest of our
19 agenda and take that up, having giving him every
20 opportunity to get here. So that's what my goal is.

21
22 Proposal 63.

23
24 Go ahead.

25
26 MR. KRON: Mr. Chairman. Members of the
27 Federal Subsistence Board. Council Chairs. My name is
28 Tom Kron with OSM. The analysis for Proposal 63 starts
29 on Page 505 of your Board books.

30
31 WP06-63 was submitted by the Eastern
32 Interior Alaska Subsistence Regional Advisory Council and
33 seeks to provide additional opportunity for subsistence
34 hunters to harvest wolves in the Eastern Interior region.
35 This proposal affects wolf hunting regulations for Units
36 12, 20 and 25. It affects three National Wildlife
37 Refuges, three National Parks and Preserves and BLM lands
38 spread across these three large units.

39
40 In developing this analysis I worked with
41 Staff from each of these Federal land management areas,
42 four ADF&G Wildlife Conservation Division area managers,
43 and the Fairbanks Wildlife Conservation Regional Staff.

44
45 Wolves occur throughout the Eastern
46 Interior region and the populations are healthy. Wolf
47 populations can support the additional harvest that would
48 result if baiting were allowed during the hunting season.
49 While wolves are usually an incidental take during moose,
50 caribou and sheep hunts, it's expected that some hunters

1 would use baiting to target wolves during the hunting
2 season.

3
4 A parallel State proposal, Proposal 121
5 was submitted to the Alaska Board of Game to allow wolf
6 baiting in these same three Interior Alaska units. The
7 State proposal was considered at the Alaska Board of
8 Game's meeting in Fairbanks. Based on Proposal 121,
9 again, it's the State's proposal, the Alaska Board of
10 Game allowed this practice not only in the Interior
11 Alaska -- Eastern Interior region but extended it
12 statewide. They struck a prohibition against intentional
13 feeding of, not only wolves, but also fox, coyote, and
14 wolverine from 5 AAC 92.230, the feeding of game
15 provision in State regs.

16
17 Federal regulations do not contain the
18 feeding of game provision. Given that WP06-63, the
19 Federal proposal and the public notice on the Federal
20 side applies only to wolves, and that it is limited to
21 the Interior Alaska region, Eastern Interior Alaska
22 region, Staff do not believe it is appropriate for the
23 Federal Subsistence Program to extend this allowance
24 statewide or to include three additional species, fox,
25 coyote and wolverine as the Alaska Board of Game did.

26
27 There are special provisions for safety
28 and resource conservation in both State and Federal
29 regulations concerning black bear baiting. For example,
30 these provisions require that black bear baiting sites be
31 a certain distance from a road or a dwelling and that the
32 baiting sites be cleaned up when the hunt is complete.

33
34 However, at the March 2006 meeting, the
35 Alaska Board of Game did not apply those safety and
36 resource conservation provisions to the use of bait for
37 wolves, fox, coyote and wolverine. Application of wolf
38 baiting by hunters is expected to be limited. As such,
39 special provisions may not be needed for wolves at this
40 time. We can expect that a number of wolves will be
41 taken incidentally by hunters that are baiting black
42 bear.

43
44 It has been legal for trappers to shoot
45 free-ranging wolves over bait during the trapping season
46 on BLM and Fish and Wildlife Service lands in the past,
47 however, it has not been legal for trappers to shoot
48 free-ranging wolves over bait during the trapping season
49 on National Park Service lands in the past.

50

1 Thank you, Mr. Chairman. I'd be happy to
2 answer any questions that you may have.

3
4 CHAIRMAN DEMIENTIEFF: Thank you.
5 Written public comments.

6
7 MR. MATHEWS: Yes, Mr. Chairman, they're
8 found on Page 504 in your book.

9
10 There's five of them, two in support, two
11 oppose, and one defer.

12
13 The AHTNA Subsistence Committee supports
14 the proposal. The populations of wolves
15 is over abundant and allowing baiting
16 would increase the chance of harvesting
17 more wolves.

18
19 The other one in support was from the
20 Wrangell-St. Elias National Park and
21 Preserve Subsistence Resource Commission.
22 They supported it because the proposal
23 would provide additional opportunity to
24 hunt wolves. We are losing moose and
25 caribou to predators and this proposal
26 would help manage these important
27 resources.

28
29 The Denali Subsistence Resource
30 Commission, who you do have the vice chair here if
31 there's any questions on theirs, that would be Ray
32 Collins.

33
34 They deferred on this proposal. Baiting
35 of wolves is not a traditional
36 subsistence activity in the Denali
37 National Park area and, therefore, this
38 proposal would have little affect on
39 subsistence users.

40
41 The two in opposition, one is the
42 National Park Conservation Association, and it's a little
43 bit lengthy, but basically they're point is that if there
44 was a parallel proposal submitted to the Board of Game to
45 provide this similar hunting opportunity, as this
46 proposal suggests:

47
48 I becomes questionable whether the true
49 intent of this proposal can be considered
50 subsistence. The NPCA's concern, the use

1 of bait to increase the wolf kill in this
2 area, which includes Wrangell-St. Elias
3 and Denali National Park and Preserve,
4 and all of Yukon-Charley, by providing
5 additional opportunity for its hunters is
6 nothing more than predator control in
7 disguise and should not be considered.
8
9 NPCA does not feel the intent is to
10 provide for subsistence opportunity but,
11 rather, is to make killing of wolves
12 easier. The opportunity to kill wolves
13 exists under current regulations.
14 Killing wolves for the sake of reducing
15 the population is not consistent with the
16 Congressional intent, that units of the
17 National Park Service should provide for
18 natural and healthy populations.
19
20 This proposal should not be adopted.
21
22 We do have a full copy of their letter in
23 your packet.
24
25 The other in opposition was the Alaska
26 Defender's of Wildlife.
27
28 They oppose it.
29
30 1. Liberal seasons and no bag limits in
31 three units at present allow sufficient
32 opportunity for subsistence uses of
33 wolves. Baiting is not justified.
34
35 2. Even if justification was offered for
36 baiting, the proposal offers no system to
37 administrate or limit baiting practices
38 such as provided in State regulations.
39
40 3. There's a serious question about
41 whether baiting as it is commonly
42 practiced is customary and traditional
43 subsistence activity under Section .803
44 of ANILCA.
45
46 4. Again, this type of proposal is
47 primarily a predator control measure for
48 which there is no authorization in
49 Federal subsistence law except that it's
50 a responsibility as the individual land

1 managing agencies.
2
3 Mr. Chairman, that's a summary of all the
4 public comments.
5
6 CHAIRMAN DEMIENTIEFF: Thank you. We
7 have no additional requests for public testimony at this
8 time.
9
10 Regional Council recommendation.
11 Eastern.
12
13 MS. ENTSMINGER: Well, I can keep it
14 simple, we support our own proposal.
15
16 CHAIRMAN DEMIENTIEFF: Western.
17
18 MR. COLLINS: Yeah, Western had opposed
19 that because it wasn't a traditional practice in our
20 area, but I'm also on the Denali and we deferred to the
21 region that was more directly affected.
22
23 CHAIRMAN DEMIENTIEFF: Thank you.
24 Southcentral.
25
26 MR. BLOSSOM: Yeah, Mr. Chair, we again
27 deferred it to the Eastern Council as they're the ones
28 that brought it up and we figured we need to let them
29 decide.
30
31 CHAIRMAN DEMIENTIEFF: Staff Committee.
32
33 MR. PROBASCO: Thank you, Mr. Chair. The
34 InterAgency Staff Committee supports this proposal with
35 modification as recommended by the Eastern Interior with
36 additional modification to allow the use of bait to hunt
37 wolves only on Fish and Wildlife Service and BLM lands in
38 Units 12, 20 and 25.
39
40 As far as it applies to National Park
41 Service lands, there are special provisions for safety
42 and resource conservation in both the State and Federal
43 regulations concerning black bear baiting. However, at
44 the Board of Game's March 10th to 20th, 2006 meeting, the
45 Board of Game did not apply similar provisions for the
46 use of bait for wolf hunting, therefore, for safety
47 reasons, the InterAgency Staff Committee recommends not
48 providing for wolf baiting on National Park Service lands
49 and restricting the regulation to Bureau of Land
50 Management and Fish and Wildlife Service managed lands.

1 And, Mr. Chairman, Mr. Collins already
2 captured the Western Interior's intent.

3
4 Mr. Chair.

5
6 CHAIRMAN DEMIENTIEFF: Thank you.
7 Department.

8
9 MR. HAYNES: Mr. Chairman. The
10 Department is neutral on this proposal.

11
12 If baiting of wolves is authorized under
13 the Federal Subsistence hunting regulations on Federal
14 public lands in Units 12, 20 and 25, we doubt that it
15 will result in much increased harvest and it's not
16 expected to create any conservation concerns.

17
18 The Eastern Interior Regional Council
19 submitted a companion proposal to the Board of Game that
20 was addressed at its March 2006 meeting. The Board
21 concluded that no action was necessary on that proposal,
22 as the State hunting regulations already allow the
23 baiting of wolves and there was some revisions of the
24 language in the State regulations to make that
25 clarification.

26
27 Thank you.

28
29 CHAIRMAN DEMIENTIEFF: Thank you. Board
30 discussion.

31
32 MR. EDWARDS: Mr. Chairman.

33
34 CHAIRMAN DEMIENTIEFF: Gary.

35
36 MR. EDWARDS: I'm kind of a little
37 unclear on maybe why this proposal is necessary, at
38 least, and I may be wrong, I didn't think that we
39 currently prohibited hunting of wolves over bait on
40 National Wildlife Refuges, so if it's currently not
41 prohibited, what does this do that's not currently
42 already allowed?

43
44 CHAIRMAN DEMIENTIEFF: Tom.

45
46 MR. KRON: Mr. Chairman. Mr. Edwards.
47 Bait is allowed during the trapping season with a
48 trapping license on Federal lands.

49
50 There is a slight difference there. If

1 the wolf is not caught in a trap, if you're on Fish and
2 Wildlife Service and BLM lands and you have a trapping
3 license and you're trapping, you can shoot it because the
4 definition of a trap includes rifle in that case.
5 However, on Park Service lands, again, with a trapping
6 license, during the trapping season, you cannot shoot it.

7
8 But what this proposal is about is the
9 hunting season, the hunting portion of the regulations.
10 And the Eastern Interior Council was seeking to allow
11 basically the use of bait during the hunting season and,
12 again, there are some differences between the hunting and
13 trapping season.

14
15 Thank you, Mr. Chair.

16
17 MR. EDWARDS: I'm not still sure you
18 answered my question. So you're saying that currently on
19 National Wildlife Refuges it's illegal during hunting
20 season to hunt wolves over bait, and I'm not aware that
21 that's the case, so if you can show me where it is I'd
22 appreciate it.

23
24 MR. KRON: Mr. Chairman. That is
25 correct. If you happen to possess both a hunting and
26 trapping license, like a lot of people do, you could
27 basically shoot the wolf, but you would be doing it under
28 the trapping portions of the regulations.

29
30 CHAIRMAN DEMIENTIEFF: Further
31 discussion.

32
33 MR. EDWARDS: Mr. Chairman. I guess
34 before I'm -- I'd like to see that in writing. I'm not
35 aware that that's the case, so if somebody can show it to
36 me in writing then I'd be much more inclined to vote on
37 this.

38
39 MR. HAYNES: Mr. Chairman.

40
41 CHAIRMAN DEMIENTIEFF: Yes.

42
43 MR. HAYNES: I notice that that language
44 is on Page 17 of the Federal regulations.

45
46 MR. EDWARDS: Under subsistence regs or
47 under.....

48
49 MR. HAYNES: Under general provisions of
50 the Federal Subsistence Regulations there's reference to

1 what is and is not allowed.

2

3 MR. EDWARDS: So then the prohibition
4 would only apply to -- on Refuge lands only apply to
5 subsistence hunters and not to sporthunters?

6

7 MR. HAYNES: What I read on Page 17,
8 under subsistence restrictions:

9

10 When taking wildlife for subsistence
11 purposes, you may not, and it says, use
12 bait for taking an ungulate, bear, wolf
13 or wolverine except for black bears when
14 authorized in unit specific hunting
15 regulations and under a hunting license.

16

17 You may use bait to take wolves and
18 wolverines if you have a trapping
19 license.

20

21 That's the reference in the handy-dandy
22 regulations to the question you're raising.

23

24 MR. EDWARDS: Not to belabor this, but if
25 it's okay to do it under sporthunting and you need a
26 license anyway, why wouldn't you just do it?

27

28 CHAIRMAN DEMIENTIEFF: Tom.

29

30 MR. KRON: Mr. Chairman. Mr. Greg Boss
31 helped to clarify the question for me and, you know,
32 basically Mr. Edwards is correct, essentially with a
33 State hunting license, under State regs, that individual
34 would be able to do this on Federal public lands.

35

36 MS. ENTSMINGER: Mr. Chairman.

37

38 CHAIRMAN DEMIENTIEFF: Yes, Sue.

39

40 MS. ENTSMINGER: Thank you, Mr. Chairman.
41 Again, this comes down to it's subsistence, and it's more
42 restrictive than the State and our Council doesn't like
43 to see regulations in place that makes it more
44 restrictive and we just put in for our Eastern Interior,
45 we could have put in statewide but we just put it in for
46 Eastern Interior.

47

48 And, you know, through this discussion it
49 brings up questions to me, I mean, we like to see also a
50 law that says that you can or can't do something, and

1 this does say that it cannot on Page 17.

2

3 CHAIRMAN DEMIENTIEFF: Thank you.
4 Further discussion.

5

6 (No comments)

7

8 CHAIRMAN DEMIENTIEFF: Seeing none, is
9 somebody prepared to offer a motion.

10

11 (Pause)

12

13 MS. GOTTLIEB: Mr. Chair.

14

15 CHAIRMAN DEMIENTIEFF: Judy.

16

17 MS. GOTTLIEB: I will move on Proposal 63
18 that we support the Eastern Interior RAC's
19 recommendation, however, I will add the exemption for
20 National Park Service lands as recommended by the
21 InterAgency Staff Committee.

22

23 CHAIRMAN DEMIENTIEFF: Thank you. Two
24 part motion but I think we can deal with it all at once.

25

26 Is there a second to the motion.

27

28 MR. EDWARDS: I second.

29

30 CHAIRMAN DEMIENTIEFF: Discussion.

31

32 MR. EDWARDS: Mr. Chairman. One of the
33 things I'm going to follow up on, it does seem to me, at
34 least in if what we're saying is correct with regards to
35 the use of hunting of wolves by non-subsistence hunters,
36 if that's good across all of our Refuges, it seems to me
37 at some point you would want to expand this to -- I don't
38 see why we would have differences between the non-
39 subsistence and the subsistence hunters harvesting the
40 same resource. So that might be something worth
41 consideration.

42

43 CHAIRMAN DEMIENTIEFF: Thank you.
44 Further discussion on the motion.

45

46 (No comments)

47

48 CHAIRMAN DEMIENTIEFF: Seeing none, I
49 guess we're prepare to vote. All those in favor of the
50 motion please signify by saying aye.

1 IN UNISON: Aye.

2

3 CHAIRMAN DEMIENTIEFF: Those opposed,
4 same sign.

5

6 (No opposing votes)

7

8 CHAIRMAN DEMIENTIEFF: Motion carries.

9 Okay, I see our guest from Arctic has arrived, but what
10 I'm going to do is allow him time to get prepared for his
11 testimony so we'll go ahead and complete our work on 64
12 and then we'll go back to 57.

13

14 So Staff analysis on 64.

15

16 MR. DEMATTEO: Mr. Chair. Proposal 64
17 was submitted by the Eastern Interior Regional Council
18 and they request that the closing dates of the wolf
19 hunting seasons in Units 12, 20 and 25 be changed from
20 April 30 to the closing date of May 31st.

21

22 The proposed regulatory change would
23 provide an additional 31 days of opportunity for
24 Federally qualified users to harvest wolves in the
25 affected areas. The proponent of this proposal would
26 like to see additional opportunity for qualified
27 residents to harvest wolves in the Eastern Interior
28 region.

29

30 A parallel proposal was submitted to the
31 Alaska Board of Game to allow wolf hunting in Units 12,
32 20 and 25 during the proposed 31 day extension. That
33 proposal was adopted by the Alaska Board of Game at its
34 March 2006 meeting.

35

36 Because wolves are generally harvested by
37 incidental take during the hunting seasons, the affected
38 wolf populations can support an additional harvest that
39 may occur during the proposed season extension in
40 Proposal 64. But if this proposal is adopted by the
41 Board, adoption of the proposed season extension could
42 cause the inadvertent harvest of adult wolves with pups
43 resulting in the abandonment of young at the den site and
44 subsequent additional mortality.

45

46 Although the harvest of wolves by firearm
47 generally is through incidental take, the proposal would
48 allow for taking wolves during a period when wolf pup
49 survival could be impacted from the harvest of the
50 respective parent wolves and other members of the pack

1 that provide protection for the pups at the den site.

2

3 Also wolf hides during the month of May
4 are considered to be of less monetary value due to their
5 subprime condition do to shedding.

6

7 Harvest of wolves during the proposed
8 season extension would not provide Federally qualified
9 users with additional opportunity to harvest wolves with
10 prime pelts for the making of clothing and handicrafts.

11

12 And that's all I have, thank you, Mr.

13 Chair.

14

15 MR. PROBASCO: Written public comments.

16

17 MR. MATHEWS: Yes, Mr. Chairman, they're
18 found on Page 514 of your book. There were five written
19 comments. Two in support and three in opposition.

20

21 The AHTNA Subsistence Committee supported
22 this proposal to extend the season in the
23 area in question. The wolf population is
24 abundant and can sustain a longer hunting
25 season.

26

27 The Wrangell-St. Elias Subsistence
28 Resource Commission also supported it.
29 The proposed change will provide
30 additional opportunity to hunt wolves.
31 Additional opportunity will help address
32 the problems with predation on the
33 ungulates which we depend on for
34 subsistence needs. Pelt quality in May
35 is not significantly different from when
36 in August when the season opens and
37 subsistence users make use of the pelts.

38

39 The two in opposition.

40

41 The Alaska Defenders of Wildlife oppose
42 this proposal.

43

44 1. The harvest of wolves in May
45 constitutes a wasteful taking under
46 Section .802 and .804 of ANILCA. At this
47 time the pelt is of poor quality.

48

49 2. The taking of wolves in May during
50 the critical denning time is inconsistent

1 with sound management principles and is a
2 threat to the conservation of healthy
3 populations of wildlife and, therefore,
4 is prohibited under Section .802.
5

6 3. This is primarily a predator control
7 measure for which there is no specific
8 authorization in subsistence law. Such
9 activity is the responsibility of the
10 individual agency.
11

12 4. In State regulations all Interior
13 Game Management Units are closed to the
14 taking of wolves on April 30th. To add
15 another month in these three units in
16 Federal regulations would create serious
17 enforcement problems.
18

19 The Alaska Regional Office for The
20 National Parks and Conservation
21 Association also opposes it. Their
22 concern is that the pelts lose most of
23 their useful value as the winter turns
24 into summer, as such, an extension of the
25 season cannot be considered to benefit
26 subsistence purpose and is another ill-
27 conceived attempt to kill more wolves to
28 benefit wolves in caribou populations.
29

30 NPCA does not feel the intent is to
31 provide for a subsistence opportunity but
32 rather it is just making killing of
33 wolves easier. The opportunity to kill
34 wolves exists under current regulations.
35 Killing wolves for the sake of reducing
36 wolf population is not consistent with
37 Congressional intent.
38

39 The Denali National Park Subsistence
40 Resource Commission also opposed it.
41 Wolf hides during the month of May are
42 considered to be of low economic value
43 because of their subprime condition due
44 to shedding. The Commission does not
45 support of harvest of wolves during a
46 time when they may have pups.
47

48 Mr. Chairman, that's a summary of all the
49 public comments.
50

1 CHAIRMAN DEMIENTIEFF: Thank you. We
2 don't have any additional requests for public testimony
3 at this time.

4
5 Regional Council recommendations.
6 Eastern.

7
8 MS. ENTSMINGER: Thank you, Mr. Chairman.
9 The Eastern Interior supports the proposal. The Alaska
10 Board of Game passed the parallel proposal submitted by
11 the Council. Passage of this proposal would align with
12 the actions of the Board of Game. The Board of Game
13 adopted the proposal as a predator control measure but
14 the Council does not have any control over discussion and
15 actions of the Board of Game.

16
17 The Council submitted both the State and
18 Federal proposals to provide additional subsistence
19 opportunity for hunters to hunt wolves when hunting
20 bears. The wolf populations are abundant. Passage of
21 this proposal would not have a significant impact on the
22 wolf populations.

23
24 Skin sewers can and do make good use of
25 hides of wolves harvested during the month of May. The
26 wolf populations are healthy and can support additional
27 harvest if the proposal was passed.

28
29 I wanted to add that I am a skin sewer,
30 I've been sewing fur for 29 years and I've seen bears
31 that are taken in that month and the difference is the
32 length of hair is there, the undermat is usually gone, so
33 I guess I would disagree about the quality of the hide,
34 it's just a lesser thickness in my experience.

35
36 CHAIRMAN DEMIENTIEFF: Thank you.
37 Eastern -- no, Western, I'm sorry.

38
39 MR. COLLINS: Yeah, Mr. Chair, as noted
40 in there, we opposed it because we felt in our area there
41 that subsistence hunters didn't seek wolves at that time
42 and it might jeopardize our other subsistence activities.
43 In other words, we'd be defending or asking for something
44 that we didn't have a strong subsistence reason for in
45 our area at least when they were of poorer quality.

46
47 CHAIRMAN DEMIENTIEFF: Thank you.
48 Southcentral.

49
50 MR. BLOSSOM: Mr. Chair. Southcentral

1 did not discuss this proposal at all but deferred it to
2 the home region.

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

6
7 MR. PROBASCO: Thank you, Mr. Chair.
8 Staff Committee's comments are on Page 513 and 514.

9
10 Briefly, we oppose the proposal and as
11 contrary to the recommendation of the Eastern Interior
12 Subsistence Regional Advisory Council.

13
14 The main factor is that this proposal is
15 contrary to sound principles of wildlife management and
16 will not contribute to the satisfaction of subsistence
17 needs. You'll note in the next paragraph that the
18 concerns of harvesting wolves during the month of May is
19 against sound principles of wildlife management, has an
20 affect on the alpha's pairs offsprings, being able to
21 teach the pups. Also the hides of wolves taken in May
22 are not prime and are not suitable for the making of
23 clothing and handicrafts, although some handicrafts are
24 made from non-prime hides with short hides, those hides
25 are taken in autumn. And passage of this proposal will
26 constitute wasteful take and not contribute to the needs
27 of subsistence users.

28
29 Mr. Chair.

30
31 CHAIRMAN DEMIENTIEFF: Thank you.
32 Department.

33
34 MR. HAYNES: Mr. Chairman. The
35 Department is neutral on this proposal.

36
37 As has been discussed the Alaska Board of
38 Game adopted a companion proposal submitted by the
39 Eastern Interior Regional Advisory Council at its March
40 2006 meeting.

41
42 Extending the closing date of wolf
43 hunting seasons on Federal public lands in Units 12, 20
44 and 25 from April 30th to May 31st is not likely to
45 result in much increase in harvest and is not expected to
46 create conservation concerns.

47
48 Pelt quality may be an issue with wolves
49 harvested late in the season.

50

1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. Board
4 discussion.

5

6 MR. EDWARDS: Mr. Chairman. To some
7 extent it seems that our actions, at least, on Fish and
8 Wildlife Service lands and BLM lands, they're somewhat
9 moot given what the actions that the Board of Game did
10 because folks can go out then and hunt during that
11 period, they just can't do it under subsistence regs. So
12 one could argue that it really doesn't matter what we do
13 because it's not ultimately going to affect what people
14 do -- maybe I should say can do.

15

16 CHAIRMAN DEMIENTIEFF: Further
17 discussion.

18

19 MS. GOTTLIEB: Mr. Chair.

20

21 CHAIRMAN DEMIENTIEFF: Yes.

22

23 MS. GOTTLIEB: I would, however, think we
24 ought to address this proposal. And, again, knowing what
25 Sue said before, that people do want to fish or fish or
26 trap under Federal regulations, but in this case I can't
27 support what Eastern Interior is recommending.

28

29 And would make a motion then to support
30 what Western Interior said, which would be to oppose the
31 proposal, because we see it as a wasteful use of
32 resources and not necessarily contributing to the needs
33 of subsistence users.

34

35 CHAIRMAN DEMIENTIEFF: Thank you. We
36 have a motion, is there a second.

37

38 MR. BREWSTER: I'll second.

39

40 CHAIRMAN DEMIENTIEFF: Moved and
41 seconded. Further discussion on the motion or any
42 discussion. Gary.

43

44 MR. EDWARDS: Yeah, Mr. Chairman, I
45 wasn't suggesting that we don't act upon it. I think
46 that the motion is the proper one to do.

47

48 Certainly, you know, this is a period
49 when pups are heavily dependent upon the adults and it
50 doesn't seem to me that it's a good precedent for us to

1 take, you know, to permit that. My only point was is
2 that whether -- they'll still get taken if people in
3 those units want to take them, they'll just do it under
4 other regulations.

5
6 CHAIRMAN DEMIENTIEFF: Further
7 discussion.

8
9 MR. PROBASCO: Who did the second?

10
11 CHAIRMAN DEMIENTIEFF: Let me see who did
12 it?

13
14 MR. PROBASCO: Who did the second, Paul.

15
16 CHAIRMAN DEMIENTIEFF: Yeah.

17
18 (No comments)

19
20 CHAIRMAN DEMIENTIEFF: No further
21 discussion.

22
23 (No comments)

24
25 CHAIRMAN DEMIENTIEFF: All those in favor
26 of the motion, please signify by saying aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN DEMIENTIEFF: Those opposed,
31 same sign.

32
33 (No opposing votes)

34
35 CHAIRMAN DEMIENTIEFF: Motion carries.
36 Okay, we're going to go ahead and go on to Proposal 57
37 and you'll let me know when it's 3:00 o'clock and we'll
38 take a break then, but we'll get as far into it as we can
39 at this time.

40
41 So Staff analysis.

42
43 MR. DEMATTEO: Mr. Chair. The analysis
44 of Proposal 75 [sic] begins -- I'm sorry, 57 begins on
45 Page 455 of your book.

46
47 Proposal 57 was submitted by the Alaska
48 Department of Fish and Game and this proposal would
49 eliminate the Federal regulatory closure restriction for
50 sheep hunting in the Arctic Village Sheep Management Area

1 in Unit 25(A) during the August 10 through April 30
2 season.

3

4 And, Mr. Chair, in the analysis on Page
5 456 there's a fairly decent map indicating the sheep
6 management area.

7

8 The proponent feels that without evidence
9 of any significant use of the closure area by local
10 resident hunters, maintaining the closure to continue
11 subsistence use of sheep in the area cannot be used to
12 justify maintaining the closure.

13

14 The Federal closure regulations for the
15 management area have been in existence since the
16 1991/1992 regulatory year. The management area was
17 expanded in 1995 to include the Cane Creek and Red Sheep
18 drainages, which you can see at the top of the map
19 indicated within the sheep management area.

20

21 The residents of Arctic Village,
22 Chalkyitsik, Fort Yukon, Kaktovik and Venetie have a
23 positive C&T use determination for sheep in Unit 25(A).
24 Sheep population surveys have not been conducted within
25 the management area since 1991 and consequently estimates
26 of sheep abundance is not available at this time. Also
27 information concerning the sheep populations of the
28 Eastern Brooks Range is limited. Some surveys have been
29 conducted in adjacent areas. Sheep populations in the
30 Eastern Brooks Range have somewhat recovered from the
31 declines seen in the early 1990s and remain below numbers
32 observed in the 1980s. These populations are currently
33 considered to be relatively stable. Also little harvest
34 information is available for sheep in the management
35 area. Federal permits have been available since the
36 1995/1996 year. The Office of Subsistence Management
37 harvest records indicate that from the year 2000 to
38 present six hunters obtained permits for Federal hunt
39 S596, however no harvest reports have been returned
40 during that period.

41

42 Mr. Chair, if Proposal 57 is adopted it
43 would eliminate the Federal closure regulations for the
44 sheep management area. Federal subsistence hunters would
45 be able to harvest two rams of any size August 10 through
46 April 30th and an additional sheep October 1st through
47 April 30th under the State regulations for a combined
48 total of up to three sheep.

49

50 Non-subsistence hunters would be able to

1 harvest one full-curl ram August 10 to September 20th
2 season and an additional one sheep October 1st through
3 April 30th season for a combined total of up to three
4 sheep.

5
6 All hunters taking sheep under State
7 regulations during the October 1 through April 30 would
8 be prohibited from using aircraft to hunt sheep. Areas
9 adjacent to the management area are lightly to moderately
10 utilized by non-Federally qualified users who hunt sheep
11 under the State regulations.

12
13 Mr. Chair. Once again, here's another
14 proposal that was not easy to analyze because the
15 biological analysis only leads us to take a look at the
16 current conditions of the sheep population and the
17 numbers of sheep taken by the local residents.
18 Unfortunately we don't have a good handle on that
19 information at this time.

20
21 Because of this the analysis steers us to
22 the conclusion that the closure is no longer necessary
23 based on the available information of the biological
24 information, also harvest. But because Staff did not
25 have much to go on we are left hanging with the question
26 of what is the status of the sheep population and how
27 many sheep are taken by affected communities within the
28 management area.

29
30 And with that, Mr. Chair, I'll stop there
31 and answer any questions.

32
33 CHAIRMAN DEMIENTIEFF: Thank you.
34 Written public comments.

35
36 MR. MATHEWS: Yes, Mr. Chairman, since
37 the publication of the book in front of you we've
38 received quite a few public comments on Proposal 57.
39 I'll try to summarize them. I don't know if the Arctic
40 Village Council representatives will speak from them so
41 hopefully I will get it as accurate as I possibly can.

42
43 The Arctic Village Council submitted a
44 resolution dated April 27th opposing this
45 proposal. The Council believes there is
46 no baseline data to justify the opening
47 of sheep hunting to non-Federally
48 qualified users with the entire Arctic
49 Village Sheep Management Area and
50 therefore the impacts of opening on rural

1 residents and users cannot be accurately
2 estimated.

3
4 The rural residents and traditional
5 subsistence users of wildlife resources
6 in this area rely on these resources for
7 their primary livelihood and food source,
8 which includes sheep, caribou, moose,
9 bears and small game.

10
11 The Gwich'in Tribal Council submitted a
12 resolution in opposition. They oppose it
13 due to the lack of sufficient population
14 data and the environmental impact on the
15 local traditional harvest and also the
16 lack of documentation of the sacred
17 traditional cultural sites and caribou
18 fences.

19
20 Lifting the closure will increase air and
21 guiding activities to this sensitive
22 area.

23
24 The Gwich'in Tribal government also
25 submitted a letter in opposition. The
26 local residents and traditional Natives
27 have and still been relying on wildlife
28 resources for thousands of years for
29 their primary way of life and food
30 source. By opening the Arctic Village
31 Sheep Management Area will invite
32 increased hunting pressure, airplane
33 traffic and guiding activities, which
34 presently are problems with local
35 residents in the Arctic National Wildlife
36 Refuge.

37
38 The Yukon Flats Advisory Committee, who
39 represents Arctic Village and Unit 25
40 residents has not been informed of this
41 proposal.

42
43 We received a letter in opposition from
44 the Council of Athabaskan Tribal
45 Governments, the Natural Resources
46 Department, on April 27th. The current
47 closure has been in place since 1991 and
48 the Arctic National Wildlife Refuge has
49 supported the closure and provided data
50 related to the high air traffic and

1 guiding activities that disturb the sheep
2 populations. Rural residents and
3 traditional users of the area have been
4 relying on these resources for thousands
5 of years for their livelihood and for
6 food sources. Opening the closure will
7 have a negative impact on the resource
8 impair the ability of traditional users
9 to meet their subsistence needs.

10
11 Alaska Department of Fish and Game
12 submitted this proposal with no sheep
13 population or harvest data for over 10
14 years. Past proposals to open closures
15 were rejected by the Board due to the
16 lack of data and the lack of dialogue
17 between Alaska Department of Fish and
18 Game, the Fish and Wildlife Service and
19 the affected tribes.

20
21 CATG Natural Resources also suggests that
22 before such a proposal is considered in
23 the future, Alaska Department of Fish and
24 Game present the appropriate population
25 and user data and further consults with
26 local residents utilizing the resources.

27
28 The Venetie Village Council submitted a
29 resolution dated May 12th. They oppose
30 the lifting of the closure because of the
31 lack of sufficient data. The
32 environmental impact it will have on
33 local traditional harvest and also the
34 lack of documentation of the scared
35 traditional cultural sites and caribou
36 fences.

37
38 The protection of the sacred traditional
39 sites and caribou fences in the proposed
40 area is paramount to local people. There
41 is more than enough area to hunt sheep
42 outside the Arctic Village Sheep
43 Management Area.

44
45 This morning we received by fax from
46 Edward Sam of Arctic Village, it's -- I'll try to just
47 get the highlights of it because he covers the history of
48 the Arctic Village Sheep Management Area.

49
50 He explains in here how his mother

1 explained to him about the plenty of
2 sheep around the Wind River and now there
3 are so few and he goes on to say that
4 some would call them extinct. It takes
5 12 years cycle to develop a full-curl
6 ram. Overharvest is the factor for not
7 seeing full-curl rams. He has been
8 hunting sheep for the last 26 years. He
9 is going on his 27th year in and around
10 the Red Sheep Creek area. He has seen
11 over 40 to 50 sheep a year but no full-
12 curl. There are some rams but most are
13 three-quarter or smaller with no adult
14 rams to breed. There are smaller sheep
15 breeding and that's like -- well, I think
16 I'll leave it at that.

17
18 And then he goes on, we have -- it's hard
19 to read some of this -- we put food on
20 the table, the cost of living in the
21 small community is very, very high. For
22 instance, one gallon of gas cost \$6 with
23 a quart, \$4 and he lists different other
24 items bought from the store that are
25 extremely expensive.

26
27 He wanted to share with the Board a brief
28 history about the Red Creek Sheep area as
29 far back as his great-great-grandmother
30 is buried on the north side of the Red
31 Sheep Creek. The first drainage my --
32 his other great-aunt is buried at the
33 mouth of -- and we are not sure if this
34 is Winter Creek or Water Creek, it's hard
35 to make out, but it's one of the creeks
36 along the Yunit (ph) River. This is the
37 history of our hunting area, which is
38 being disturbed by hunting guides and
39 hunters.

40
41 To the Board members he requests, please
42 take this consideration and leave the
43 Arctic Village Sheep Management Area as
44 is.

45
46 Mr. Chairman, that concludes that and I
47 will be providing a copy for the administrative record of
48 his complete fax.

49
50 Thank you.

1 CHAIRMAN DEMIENTIEFF: Thank you. We
2 have one additional request for testimony, Gideon James.
3 And I'll just let the Board know that we're going to
4 complete testimony and then we'll take a short break
5 right after this. So Gideon.

6
7 MR. JAMES: You got to bear with me, I
8 got a cold and my voice is not very good.

9
10 But, Mr. Chairman, and the Board I want
11 to briefly review what was read on that proposal there
12 and some of the things that are missing is some of our
13 elders that are over 70 years old and there are just very
14 few of them left in our area. And they testified that,
15 you know, that any lost -- a large quantity of sheep
16 (ph) in that area, they know, and -- and I also recall
17 when I was a little boy, my dad and -- and some of the
18 parents and the men in the village, they go out to a
19 certain area to hunt sheep in certain time of the year
20 during the winter time, and I remember, even that time,
21 but we haven't seen that much ram or the full-curl sheep.
22 So what -- that's really the one that's missing in that
23 written statement, and that's why we recommend a survey
24 and do the study. And I don't know how many times that
25 we bring that up and it hasn't happened yet.

26
27 And one thing, too, in a rural area of
28 Alaska, there's many of them, that we live out there, we
29 depend on our animals and depend on the land and the fish
30 and we don't waste those resources like that and we only
31 have selected hunters that goes out to hunt for food. We
32 do this because some of our people are working or doing
33 something else but there are many -- there are some
34 people that are really expert in hunting, you know,
35 that's their knowledge about their land and the animals,
36 so this is why we only have selected hunters that go out
37 and that's been the practice for many years. And we
38 don't -- not every household goes out and hunts.

39
40 Another thing, too, that we all know, in
41 the last several years that fuel price has gone up, so
42 every time we go out we have to do a fuel plan and go out
43 and do hunting. And sometimes we don't get nothing, so
44 we have to do -- we have to make another plan and do
45 things like that.

46
47 And so people think that we're just
48 running up and down the river, we don't do that.

49
50 And our people have been up in that area

1 for 10,000, many years of generations. And this is why
2 we make this point about, you know, about the resource
3 management. I think the State of Alaska or whoever
4 proposing to open that up to sportshunting, I think it's
5 wrong. State of Alaska needs to concentrate on something
6 else that would benefit our kids through education and
7 other needs that we do have, that we need today.

8
9 And our history, in this state, we never
10 did manage our resource wisely, we know that today. Look
11 at Prudhoe Bay, you know, even -- they said that 30 years
12 ago that we would have a better outlook on life in 30
13 years and that didn't happen, so many times the State
14 resources are being ripped off by rich people or big
15 corporation. We need to really clearly understand that
16 fact, that whatever little exists near these communities,
17 we need to leave it alone.

18
19 Let that community manage it and use it.
20 We have generations out there. We have many generations
21 but you come in and we just don't like to be ripped off
22 by some rich people.

23
24 Now, that's a lot to say. I don't have a
25 written testimony but I just want to remind you that
26 these little small patches of resources that we have
27 today, the State is trying to use it and it's going to be
28 gone if we don't, you know, if we don't put a restriction
29 on it.

30
31 Mr. Chairman, thank you.

32
33 CHAIRMAN DEMIENTIEFF: Thank you. Is
34 there any questions.

35
36 Gary.

37
38 MR. EDWARDS: Mr. Chairman. Thank you
39 very much for your testimony. Maybe you could tell us,
40 if you do know, what's your.....

41
42 MR. JAMES: Could you speak up a little
43 louder?

44
45 MR. EDWARDS: Yeah, I'm trying to
46 understand what the village is currently -- what would
47 you estimate their annual harvest of sheep out of the Red
48 Sheep Creek and the Cane Creek drainage, how many sheep
49 are they taking out of their annually now?

50

1 MR. JAMES: The question -- I mean the
2 elder -- returning to that, I just mentioned earlier
3 about, you know, depletion of these resources. And I
4 know that, you know, in the last several years we got --
5 we don't even get that mu -- we don't hunt that many --
6 that much sheep because there is caribou around all the
7 time then we were able to get some other animals.

8
9 But I'm telling you, I told you about the
10 selected hunters, those people that go out every year to
11 hunt sheep and they do get sheeps, but I don't think, you
12 know, anybody got any rams, or any, you know, I don't
13 think so.

14
15 MR. EDWARDS: Of those selected hunters,
16 how many of them would you estimate would annually take
17 animals from the Red Sheep Creek or Cane Creek drainages?

18
19 MR. JAMES: The thing that I wanted to
20 bring out, too, is that ever since, you know, this
21 management area been closed there's some other animals
22 that came and used that area like moose and sometimes in
23 the wintertime you have caribous that goes into that area
24 so I think a lot of disturbance has a lot of things to do
25 with it.

26
27 MR. EDWARDS: Thank you, very much.

28
29 CHAIRMAN DEMIENTIEFF: Any other
30 questions.

31
32 CHAIRMAN DEMIENTIEFF: Thank you, Gideon
33 for taking the time.....

34
35 MR. JAMES: Thank you, Mr. Chairman.

36
37 CHAIRMAN DEMIENTIEFF:to come down
38 here. At this time we're going to break and we'll take
39 up with the Regional Council recommendations and so on
40 and complete our work on 57.

41
42 (Off record)

43
44 (On record)

45
46 CHAIRMAN DEMIENTIEFF: If everyone would
47 make their way to their seat we'll get -- we'll zoom.

48
49 (Pause)

50

1 CHAIRMAN DEMIENTIEFF: Okay, we'll go
2 ahead and call the meeting back to order. Regional
3 Council recommendations. Eastern and North Slope is what
4 I have down.

5
6 Go ahead.

7
8 MS. ENTSMINGER: Thank you, Mr. Chairman.
9 At the Eastern Interior meeting we opposed this proposal.

10
11 The Council needs sheep population
12 surveys before considering reopening the closure to non-
13 Federally qualified hunters. The people of Arctic
14 Village are totally dependent upon the land for the food
15 and their nutritional and cultural needs. The managers
16 cannot only depend on harvest tickets for harvest
17 information.

18
19 There is a problem with transporters
20 throughout the region. Transporters bring people up to
21 this area and they do not clean up after themselves. The
22 Council heard testimony from Arctic Village residents
23 during the meeting that sheep have been harvested but not
24 reported by subsistence users in the area.

25
26 There is a need for a meeting with the
27 people of Arctic Village, a need for more work on this
28 issue before this area is open to non-Federally qualified
29 sheep hunters.

30
31 There is no biological reason given to
32 support the proposal.

33
34 Here is an opportunity for people in our
35 area to work with the non-subsistence users before
36 submitting a proposal.

37
38 I just wanted to add that we were on a
39 teleconference call with six people from Arctic Village
40 at that time and it just came out to some of the Council
41 members, that when you start asking for more information
42 about harvest and population dynamics, they felt like
43 they needed more information regarding what's out there
44 and what's going on, than what we were given at that
45 time.

46
47 I did want to mention that I had asked
48 one of the people, I don't remember which one it was, I
49 have a copy of the people that spoke there, there were
50 six of them, if in the future there was a population of

1 sheep that could be sustained, would they still be
2 opposed to having it opened, and that one person had said
3 on the teleconference that, no, they would not. They
4 said that they would prefer people talk to them, to the
5 village people, and some consideration be given for meat
6 coming back to the village.

7
8 And I just wanted to add that because it
9 wasn't in our minutes.

10
11 Thank you.

12
13 CHAIRMAN DEMIENTIEFF: Thank you. North
14 Slope.

15
16 MR. PROBASCO: Mr. Chair.

17
18 CHAIRMAN DEMIENTIEFF: Yes.

19
20 MR. PROBASCO: I'll do the North Slope.

21
22 CHAIRMAN DEMIENTIEFF: Okay.

23
24 MR. PROBASCO: The North Slope recommends
25 to defer action. The North Slope Subsistence Regional
26 Advisory Council voted to defer a decision on this
27 proposal to get more information on sheep population and
28 more harvest information.

29
30 The Council would feel very uncomfortable
31 making a decision that might be detrimental when there's
32 a lack of information.

33
34 Mr. Chair.

35
36 CHAIRMAN DEMIENTIEFF: Thank you. Staff
37 Committee.

38
39 MR. PROBASCO: Thank you, Mr. Chair. The
40 InterAgency Staff Committee recommends to support with
41 modification. This is contrary to the recommendations of
42 the Eastern Interior and North Slope Regional Advisory
43 Councils to allow non-Federally qualified users to hunt
44 sheep in the drainages of Red Sheep Creek and Cane Creek
45 and to defer action on the proposal with the respect to
46 the remainder of the Arctic Village Sheep Management
47 Area.

48
49 Justification for this recommendation,
50 Section .815, Subsection (3) authorizes

1 restrictions on the taking of fish and
2 wildlife for non-subsistence on the
3 public lands only if necessary for the
4 conservation of healthy populations of
5 fish and wildlife to continue subsistence
6 uses of such populations, for reasons of
7 public safety or administration or
8 pursuant to other applicable law.
9

10 No information has been brought forward
11 to indicate that maintaining a closure to
12 non-subsistence hunting of sheep in the
13 Red Sheep Creek and Cane Creek drainages
14 is necessary for conservation of a
15 healthy sheep population, nor that
16 allowing non-subsistence use of sheep in
17 these drainages would prevent continued
18 subsistence use of sheep.
19

20 Allowing hunting by non-Federally
21 qualified hunters in Red Sheep and Cane
22 Creek drainages would not significantly
23 reduce harvest opportunities to Arctic
24 Village residents, although some Arctic
25 Village residents have testified that
26 they are uncomfortable hunting in the
27 area where non-subsistence hunters have
28 been hunting. The non-subsistence
29 hunters usually waste meat and leave
30 garbage in the field. And that the use
31 of aircraft associated with non-
32 subsistence hunting disturbs sheep and
33 other wildlife.
34

35 The sheep population of these drainages
36 can support harvest by both subsistence
37 and non-subsistence hunters.
38

39 There's very little hunting effort by
40 Arctic Village residents in these
41 drainages and very few sheep have been
42 reported to be harvested.
43

44 Deferral of the proposal with respect to
45 the remaining and much larger closure
46 area of the original Arctic Village Sheep
47 Management Area is recommended for
48 conservation reasons because there's a
49 greater uncertainty regarding the status
50 of the sheep population and potentially

1 greater impacts of a liberalized winter
2 season and harvest limit in the more
3 accessible portions of the management
4 area.

5
6 Deferral for up to two years is
7 recommended to enable the need for a
8 sheep surveys and harvest assessments to
9 be completed.

10
11 Mr. Chair.

12
13 CHAIRMAN DEMIENTIEFF: Thank you, very
14 much. Department comments.

15
16 MR. HAYNES: Mr. Chairman. This
17 Department proposal requests that the closure to sheep
18 hunting by non-Federally qualified subsistence users in
19 the Arctic Village Sheep Management Area be removed as no
20 substantive biological or other evidence has been
21 presented to warrant its continuation.

22
23 Our position is consistent with the
24 Office of Subsistence Management recommendation in its
25 Federal Wildlife Closure Review of the Arctic Village
26 Sheep Management Area, to quote:

27
28 Initiate a proposal to modify or
29 eliminate the closure because without
30 evidence of any significant use by local
31 subsistence hunters, the justification to
32 continue subsistence use of such
33 populations cannot be used for
34 maintaining a closure.

35
36 Mr. Chairman, we acknowledge the public
37 testimony and written comments provided by residents of
38 Arctic Village concerning their sheep hunting activities
39 in Unit 25(A) and support additional sheep harvest and
40 use data being recorded for this area. If this closure
41 is removed, the Department also recognizes that the
42 existing sheep hunting regulations, the State sheep
43 hunting regulations in Unit 25(A) will need to be
44 evaluated to determine if changes may be needed to ensure
45 conservation of sheep in this area.

46
47 I know Mr. Regelin had a number of
48 questions he wanted to ask regarding biological data that
49 the Federal agencies might have to warrant continuation
50 of a closure of all or part of this area. But he and I

1 discussed the Staff Committee recommendation and that is
2 to reopen Red Sheep and Cane Creek drainages and defer
3 actions on the remainder of the Arctic Village Sheep
4 Management Area for two years. And we're comfortable
5 with supporting the Staff Committee recommendation at
6 this time.

7
8 However, we would like some assurance
9 that this two year deferral will -- at the end of this
10 two year deferral there will be additional biological and
11 harvest data to evaluate to determine if closure of the
12 remainder of the area is warranted or if other regulatory
13 or management action may be needed.

14
15 Thank you.

16
17 CHAIRMAN DEMIENTIEFF: Thank you. Board
18 discussion.

19
20 MR. EDWARDS: Mr. Chairman. I guess I do
21 have one question for the Regional Advisory Council. In
22 your deliberation on this proposal and kind of looking at
23 the .815 criteria with regards to closure, how did that
24 discussion go?

25
26 MS. ENTSMINGER: Well, we probably did
27 not talk about exactly the .815 as, you know, as it's
28 written. We ended up, you know, it was read out to us
29 and then we got into the public testimony and then we
30 discussed, like the whole unit, not, you know, separating
31 out those two drainages up north, we ended up talking to
32 the whole thing. And we kind of, actually some of the
33 Council members were really hung up on the fact that on
34 the data, the lack of hard data saying how the population
35 was doing at that time, since it was so long since the
36 data, you know, any surveys were done.

37
38 MS. GOTTLIEB: Mr. Chairman.

39
40 CHAIRMAN DEMIENTIEFF: Yes, Judy.

41
42 MS. GOTTLIEB: And I guess I had two
43 questions relating to the data. One either for the
44 Department or for Fish and Wildlife Service, when do we
45 expect to get more data in this area?

46
47 MR. HAYNES: Mr. Chairman. It sounds to
48 me as though the Federal agencies, or someone is making a
49 commitment, if there's a two year deferral being
50 proposed, it's our assumption that the Fish and Wildlife

1 Service may be planning to do some additional data
2 collection.

3

4 CHAIRMAN DEMIENTIEFF: Gary.

5

6 MR. EDWARDS: Mr. Chairman, the Refuge
7 has made a, particularly as it applies to the deferral,
8 has made a commitment to increase surveys this summer and
9 I've told them that I plan to hold them accountable to
10 doing that.

11

12 CHAIRMAN DEMIENTIEFF: Thank you.

13

14 MS. GOTTLIEB: Mr. Chair.

15

16 CHAIRMAN DEMIENTIEFF: Judy.

17

18 MS. GOTTLIEB: And then my other question
19 was, Terry, on the last sentence of your comments, if
20 this closure is removed, the Department also recognizes
21 that the existing regs will need to be evaluated to
22 determine if changes may be needed, so can you say what
23 kinds of changes you might take a look at?

24

25 MR. HAYNES: Mr. Chairman. Judy. That
26 statement applied to reopening of the entire Arctic
27 Village Sheep Management Area and we recognize that if
28 the area outside of Red Sheep and Cane Creek drainages
29 was reopened, that given the existing harvest limits in
30 that area, we would need to take a close look and see if
31 reopening that area would be likely to result in
32 increased harvest pressure and if so, in the absence of
33 good biological data to tell us what the population is
34 doing, we would have to consider submitting a proposal to
35 the Board of Game to maybe impose some type of reduction
36 in harvest limit or shorter season or something like
37 that.

38

39 But, again, that was a comment that
40 applied to the remainder of the Arctic Village Sheep
41 Management Area, and if that is not opened at this time
42 then we would just wait and see what type of information
43 results from the Fish and Wildlife Service work this
44 summer and in the future.

45

46 CHAIRMAN DEMIENTIEFF: Sue.

47

48 MS. ENTSMINGER: Yeah, Mr. Chairman, I
49 would also like to add in the Council discussion there
50 was talk of guides being a problem in the past and then

1 the discussion involved that it really wasn't the guides
2 and even the people in Arctic Village reiterated that,
3 that it was more of the transporter issue. And we ended
4 up bringing in the Refuge Manager to talk about how the
5 Refuge deals with guides and transporters. And guides
6 are limited and transporters are not. And I think that
7 our Council felt that some of the problem might -- that
8 it might be a perception problem, that it's not really
9 the non-resident guided stuff, it's more a transporter
10 problem in that area in the past.

11

12 So I felt that this was more information
13 that we discussed and I believe everybody agreed.

14

15 CHAIRMAN DEMIENTIEFF: Thank you. I
16 think I recall when we first did this, too, that we had
17 the same problem and basically we made the decision that
18 we made to err on the side of conservation of the
19 resource and that's how we originally made the original
20 decision. So, you know, I'm glad that we're going to get
21 some work done finally because we were in a vacuum then
22 and we're apparently still in the same vacuum but if
23 we're getting some good information then it certainly
24 will give us a well founded reason to make our decision.

25

26 I don't know where the Board is going to
27 move on this but anyway those are my thoughts and I just
28 wanted to point that out historically why we are where we
29 are.

30

31 MR. EDWARDS: Mr. Chairman. If I may ask
32 the State another question, and that is if these two
33 drainages were open, what do you anticipate or would you
34 project would be the level of use, both during the fall
35 hunt as well as during the winter hunt?

36

37 MR. HAYNES: Mr. Chairman. Gary. That
38 area has been closed for a number of years to non-
39 Federally qualified hunters so it would be hard for me to
40 estimate if the use levels would resemble what they were
41 prior to the closure. It is a remote area. It is an
42 accessible area by aircraft at the same time. I don't
43 anticipate that initially there would be a large movement
44 of sheep hunters into that area. It might take some time
45 for people to become area of it being open.

46

47 But I would hate to speculate at this
48 point.

49

50 MR. EDWARDS: It's my understanding,

1 though, that during the winter hunt, use of aircraft
2 would not be permitted; is that correct?

3

4 MR. HAYNES: Under the State regulations?

5

6 MR. EDWARDS: Yes.

7

8 MR. HAYNES: I would have to look and
9 refresh my memory.

10

11 (Pause)

12

13 MR. HAYNES: You are correct, the use of
14 aircraft for access to hunt sheep and to transport
15 harvested sheep is prohibited in the Unit 25(A) sheep
16 hunt except into and out of Arctic Village and the
17 Kaktovik airports.

18

19 CHAIRMAN DEMIENTIEFF: Yes.

20

21 MR. CESAR: As I recall and you were
22 mentioning the last time we did this a number of years
23 ago and the reason we initially closed it was because
24 there was a lot of concern by the local folks that, in
25 fact, what Sue is characterizing as transport problems
26 was more characterized as guided hunts going on there and
27 there was a lot of information about folks being impacted
28 in their own hunting activities out there and a lot of
29 concern about that. And I can't help but assume that it
30 was a reasonably popular place because it is accessible
31 to planes and folks would, again, take up guiding there.
32 I guess I do not -- I'm not sure either, but my
33 assumption is it's going to -- once it's known, will
34 begin to pick up.

35

36 MR. HAYNES: Mr. Chairman. Niles. If I
37 remember correctly there were only one or two guides
38 operating in that area and out of the outstrips up in
39 that area prior to the closure. How many clients they
40 were bringing in each year, I don't recall, but
41 certainly, you know, it's a finite number of guides that
42 could operate out of that area.

43

44 MR. EDWARDS: But I believe we don't
45 allow any guides -- permit any guides to guide hunters
46 into that area so it's a non-guided area, right, and if
47 necessary certainly we can -- all the transporters have
48 to be permitted and so there's certainly mechanisms to
49 control that.

50

1 CHAIRMAN DEMIENTIEFF: Sue.

2

3 MS. ENTSMINGER: Yeah, and I'd also add
4 that the State requires they have to have a guide. So if
5 the Federal people are not issuing a guide use area,
6 there will be no guiding, it will just be the residents
7 of Alaska that can hunt.

8

9 CHAIRMAN DEMIENTIEFF: Thank you. Any
10 other discussion. Yes.

11

12 MR. BREWSTER: I guess as I read through
13 all of this I still find myself confused as to whether
14 there is any better data for these two drainages than
15 there is for the rest of the unit. Is the recommendation
16 of the Staff Committee based on just judgment or what
17 they see as comparing to other drainages in the Brooks
18 Range or is there actually some better data for those two
19 drainages then there is for the area south?

20

21 MR. PROBASCO: Mr. Chair. Mr. Brewster.
22 No, you captured it correctly. For Red Sheep Creek and
23 Cane Creek, they're looking at similar drainages in the
24 area that are adjacent to this area to make that
25 recommendation and the recommendation is based on healthy
26 sheep populations for those other areas but no specific
27 surveys that would say that a Red Sheep Creek or a Cane
28 Creek survey.

29

30 Mr. Chair.

31

32 MR. EDWARDS: Maybe just to elaborate on
33 that, you know, based upon our Refuge's understanding of
34 what they view is currently limited hunting there now as
35 well as harvest by Federally recognized subsistence
36 hunters and comparing it to other drainages, they have no
37 reason to believe that there is any problems with the
38 populations in there and that it would be what you would
39 expect to find in similar drainages.

40

41 CHAIRMAN DEMIENTIEFF: Further
42 discussion.

43

44 (No comments)

45

46 CHAIRMAN DEMIENTIEFF: Is somebody
47 prepared with a motion.

48

49 MR. EDWARDS: I'll start one to get the
50 discussion going.

1 Mr. Chairman, I move to adopt with
2 modification Proposal 57, this is contrary to the
3 recommendations of the Eastern Interior and the North
4 Slope Regional Advisory Council, and the modification
5 would remove the closure to non-subsistence sheep hunters
6 in the Red Sheep Creek and Cane Creek drainages of the
7 Arctic Village Sheep Management Area and would defer
8 actions on the proposal with respect to the remainder of
9 that management area.

10
11 Over the last several weeks I've had
12 several discussions with our Refuge folks on this issue
13 to sort of get their understanding of it. In talking to
14 our Refuge -- sheep biologist for the Refuge, she feels
15 that by hunting by non-subsistence hunters for a full-
16 curl ram would probably pose no conservation concerns in
17 the drainage.

18
19 If you look now, certainly the Federally
20 recognized subsistence users do have a meaningful
21 preference. They're currently allowed to take two rams
22 of any size. And it's my understanding that in the
23 winter they could take additional sheep under the State
24 regulations.

25
26 As we discussed the opening to non-
27 Federally recognized users would be limited to one sheep
28 being full-curl, and as was pointed out, that would occur
29 during the fall hunt and recognizing that the limits are
30 broader in the winter. The fact that you can't use
31 aircraft to get into the area or you cannot -- and my
32 understanding is also you cannot use snowmachine to go
33 from the highway, then the only way you could get into
34 that area would be to fly directly into Arctic Village
35 and then it's a pretty -- my understanding, but never
36 being there, it's a pretty good hike to even get into
37 sheep country and considering during the winter, I think
38 the expectation would be that there would be very limited
39 take occurring in the winter and if any would occur it
40 would be during the fall with a one sheep limit, full-
41 curl ram.

42
43 CHAIRMAN DEMIENTIEFF: Thank you. We do
44 have a motion, is there a second.

45
46 MR. OVIATT: I'll second.

47
48 CHAIRMAN DEMIENTIEFF: Discussion on the
49 motion.

50

1 (No comments)

2

3 CHAIRMAN DEMIENTIEFF: Well, I'm going to
4 vote against the motion based on the recommendations of
5 the RACs and plus given the fact that the State is also
6 willing to wait for additional biological data, which is
7 forthcoming, before we make a move with regard to it.

8

9 So I just want to state my reasons for
10 why I'm going to vote against.

11

12 Further discussion on the motion.

13

14 MR. EDWARDS: Mr. Chairman. Another
15 thing I want to add and it was kind of news to me, what
16 was sort of just said and I would like to follow it up.
17 But, if, in fact, we don't have any guides in there and
18 non-residents cannot hunt sheep without guides, then
19 essentially what we would be doing is only opening this
20 area to resident non-Federally subsistence hunters. I
21 don't want to say that's totally true because I haven't
22 seen it but it appears that it probably is.

23

24 MS. GOTTLIEB: Mr. Chair.

25

26 CHAIRMAN DEMIENTIEFF: Yes.

27

28 MS. GOTTLIEB: Certainly at the RAC
29 meeting there was a great deal of discussion, especially
30 when the Arctic Village residents were on the phone about
31 increased communication and, I guess, I'll say education,
32 but really increased exchange of information between the
33 agencies and this program and the people in the village,
34 so I hope we can commit to doing that especially if we're
35 going to make a change like this. So I hope we have the
36 Board's backing on that as well.

37

38 CHAIRMAN DEMIENTIEFF: Thank you.
39 Further discussion on the motion. Sue.

40

41 MS. ENTSMINGER: Yeah, I may have spoke
42 out of turn because I based what I said on what you had
43 said earlier, that the Refuge people handle in each
44 Refuge who guides in that area and if -- and I thought
45 you said that they didn't have that one open.

46

47 MR. EDWARDS: That's my understanding.

48

49 MS. ENTSMINGER: Okay.

50

1 MR. EDWARDS: So if my understanding's
2 correct, and what you said is correct then it would
3 be.....
4
5 MS. ENTSMINGER: And what I said is
6 correct, you must have a.....
7
8 MR. EDWARDS: Right. So then it would be
9 restricted to resident hunters only.
10
11 MS. ENTSMINGER: And this did not come up
12 at our meeting either.
13
14 MR. EDWARDS: I'm just going on what I've
15 heard, I haven't seen that in writing so that's, at
16 least, my understanding.
17
18 MS. ENTSMINGER: Okay.
19
20 CHAIRMAN DEMIENTIEFF: Okay. Further
21 discussion on the motion.
22
23 MR. PROBASCO: Mr. Chairman.
24
25 CHAIRMAN DEMIENTIEFF: Pete.
26
27 MR. PROBASCO: Mr. Chairman, I was going
28 to look over at Terry for correction, but I believe that
29 non-residents can still hunt in the area if it's first of
30 kin. In other words, I could take my father if he was a
31 non-resident in there for hunting.
32
33 Mr. Chair. Is that correct, Terry?
34
35 MR. HAYNES: Mr. Chairman. The State
36 regulations provide that non-residents who hunt dall
37 sheep must be accompanied in the field by an Alaska
38 licensed guide or be accompanied in the field by an
39 Alaska resident 19 years or older who is within the
40 second degree of kindred. So there could be some non-
41 resident guided hunting occur under that provision
42 without use of a guide. However, I suspect that would
43 be fairly limited.
44
45 CHAIRMAN DEMIENTIEFF: Further discussion
46 on the motion.
47
48 MR. BREWSTER: Mr. Chair.
49
50 CHAIRMAN DEMIENTIEFF: Yes.

1 MR. BREWSTER: I think I will also join
2 you in voting against this. It seems that with what I've
3 heard about how little use this area gets that waiting
4 until, and in light of what the Council has said, waiting
5 until there is this better data available that we can
6 deal with this at one time.

7
8 CHAIRMAN DEMIENTIEFF: Thank you.
9 Further discussion. Go ahead.

10
11 MR. CESAR: Mr. Chairman. I will also
12 vote against the motion. I think that I see no urgency
13 to solve this particular problem without first getting
14 the benefit of a further look at this issue.

15
16 So I think it's been closed for awhile, I
17 don't see where maintaining the status quo until we get
18 further information -- in light of the fact that it gets
19 very little pressure to begin with so I plan to vote
20 against it.

21
22 CHAIRMAN DEMIENTIEFF: Thank you.
23 Further discussion.

24
25 MR. EDWARDS: I guess, Mr. Chairman, my
26 only comment, you know, based upon the recommendation
27 we've gotten from our biologist who's on the ground out
28 there, you know feels that we would not have a
29 conservation issue with regards to opening it up to a
30 full-curl ram. It just seems to me that we shouldn't be
31 restricting other users.

32
33 CHAIRMAN DEMIENTIEFF: Further
34 discussion.

35
36 (No comments)

37
38 CHAIRMAN DEMIENTIEFF: Seeing none, all
39 those in favor of the motion, please signify by saying
40 aye.

41
42 MR. OVIATT: Aye.

43
44 MR. EDWARDS: Aye.

45
46 MS. GOTTLIEB: Aye.

47
48 CHAIRMAN DEMIENTIEFF: Those opposed,
49 same sign.

50

1 MR. CESAR: Aye.
2
3 MR. BREWSTER: Aye.
4
5 CHAIRMAN DEMIENTIEFF: Aye. So it's
6 three, motion dies for a lack of a majority and the
7 regulation stands as it is.
8
9 At this time we're going to move on to
10 the consensus agenda. I'm going to have Tom read the
11 numbers. I know of no requests for withdrawal so we're
12 going to read the numbers off and then at that time the
13 Chair will entertain a motion to adopt the consensus
14 agenda, and I suggest whoever the maker of the motion is
15 ask for a unanimous consent in the making of the motion.
16 So Tom, if you'd go through the list, please.
17
18 MR. BOYD: Mr. Chair. The consensus
19 agenda and I'll read the number, the consensus agenda
20 includes:
21
22 WP06-06, 10, 11a, 11b, 12, 03, 04, 05,
23 13, 14, 15, 18, 21, 22, 23, 24, 25, 26, 28, 33, 35, 36,
24 69, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49,
25 50, 51, 52, 54, 55, 56, 61, 62, 65, 66, 67a and 67b.
26
27 Mr. Chair.
28
29 CHAIRMAN DEMIENTIEFF: Thank you. At
30 this time the Chair will entertain a motion to adopt the
31 consensus agenda.
32
33 MR. CESAR: I so move, Mr. Chairman.
34
35 CHAIRMAN DEMIENTIEFF: Is there a second.
36 That's with unanimous consent, isn't it?
37
38 (No comments)
39
40 MS. GOTTLIEB: I'll second it.
41
42 CHAIRMAN DEMIENTIEFF: Okay, it's been
43 moved and seconded. Discussion on the motion.
44
45 (No comments)
46
47 CHAIRMAN DEMIENTIEFF: Hearing none, all
48 those in favor signify by saying aye.
49
50 IN UNISON: Aye.

1 CHAIRMAN DEMIENTIEFF: Those opposed,
2 same sign.

3
4 (No opposing votes)

5
6 CHAIRMAN DEMIENTIEFF: Motion carries.
7 That completes our regulatory work. We do have some
8 other business. That guy is slippery, where did that
9 Marty Myers go anyway, is that him outside the door, he
10 keeps slipping in here, we just have a couple different
11 acknowledgements.

12
13 The guy with the phone in his ear, Mary
14 Myers is retiring from enforcement after 34 years of
15 service to us and it's special for us to, on the record,
16 acknowledge your significant achievements to your job and
17 let you know how much we appreciate it. So Marty, we
18 appreciate that.

19
20 (Applause)

21
22 MR. MYERS: Working up here has been the
23 highlight -- I have to put it on the record.....

24
25 (Laughter)

26
27 MR. MYERS: Thank you, Mr. Chair and
28 Board and guests here. This is, nine years in Alaska
29 coming from the Lower 48 but working with the Subsistence
30 Program up here in Alaska has been the highlight of my
31 career up here and I am pleased and glad to be able to be
32 a part of it and I got a lot out of it and I hope to see
33 you continue to succeed and provide necessary means for
34 people to get what they need for rural residents.

35
36 So thank you very much.

37
38 CHAIRMAN DEMIENTIEFF: Thank you again.
39 Also I wanted to recognize Dr. Dolly Garza who is
40 retiring after 23 years of working at the University and
41 is moving away so will also be ending her tenure with
42 the Regional Council, so Dolly we also very much thank
43 you for your years of service to the University as well
44 as to our program. So I just wanted to acknowledge these
45 on the record.

46
47 (Applause)

48
49 CHAIRMAN DEMIENTIEFF: And I wanted to do
50 these today because we don't know how many people are

1 going to be here tomorrow because we're completed with
2 our regulatory so I'm just interrupting to do this.

3

4 We also have one more acknowledged
5 person, so I asked Judy to read this because at the end
6 of the meetings I'm pretty well wore out.

7

8

Go ahead, Judy.

9

10

MS. GOTTLIEB: Thank you, Mr. Chairman.
11 As Mitch has said, when he's handed something that's
12 prepared for him, he really doesn't like to read it, but
13 this one was really something that the Board had no
14 trouble coming to unanimous and very quick consent on.

15

16

So we have resolution of the Federal
17 Subsistence Board honoring Mr. Thomas H. Boyd on the
18 occasion of his retirement;

19

20

Whereas; Mr. Thomas H. Boyd has honorably
21 and capably served the Federal
22 Subsistence Program since its inception
23 in 1989, first as the Bureau of Land
24 Management's representative, then as
25 Deputy Assistant Regional Director for
26 the Fish and Wildlife Service, and
27 finally as Assistant Regional Director
28 for the U.S. Fish and Wildlife Service;

29

30

Whereas, Tom's unwavering commitment to
31 excellence, unparalleled managerial
32 abilities and strong and inspirational
33 leadership has enabled coordination and
34 consistency in program implementation
35 across the five participating Federal
36 agencies;

37

38

Whereas, Tom's collegial approach to
39 problem-solving has led to innovative
40 resolution of many difficult issues
41 facing this program;

42

43

Whereas, Tom's compassion and ability to
44 listen and relate to people has endeared
45 him to his colleagues in the Office of
46 Subsistence Management, the five
47 participating Federal agencies, the
48 Federal Subsistence Board, Regional
49 Advisory Councils, I'll add the
50 Solicitor's office as well;

1 Whereas, Tom is officially retiring from
2 Federal service after May 27th, 2006;

3
4 Be it resolved that the Federal
5 Subsistence Board praises and commends
6 Mr. Thomas Boyd to the fullest in
7 achieving the highest standards of
8 excellence in public service;

9
10 Be it further resolved on this date, May
11 17th, 2006, that the Federal Subsistence
12 Board wishes Mr. Boyd a long and blessed
13 retirement as he begins this new phase in
14 his life.

15
16 (Applause)

17
18 MR. BOYD: Well, like Marty and others
19 before me it's been a real opportunity for me to have the
20 role that I've had the last several years and it's been
21 an honor and a pleasure to serve with the people that
22 I've worked with in OSM and to all of us to have the
23 privilege and honor to serve the people of the State of
24 Alaska, the rural residents. Our role is to support the
25 Council and also to serve the Board. And it's been a
26 challenge, it's been a really stretching experience for
27 me and I know a lot of other folks. I hope we've lived
28 up to the fine words that you've put on this piece of
29 paper, and I guess I can't back away now I've got to go
30 ahead and retire.

31
32 (Laughter)

33
34 MR. BOYD: But I intend to do that. They
35 say you're not supposed to look back, but I'm definitely
36 going to be looking back and I'm going to be remembering
37 all the people that I've met and the places I've been and
38 the things that we've done together because I think those
39 are very good memories.

40
41 You know, this 11 years that I've served
42 at the Fish and Wildlife Service sitting at this table
43 I've sat right by this guy the whole time and it's really
44 been a pleasure, Mitch, you've been a joy to work with,
45 we've had a lot of fun together and we've done a lot of
46 good work.

47
48 Anyways, just thank you very much, my
49 heart's just filled with gratitude.

50

1 (Applause)
2
3 CHAIRMAN DEMIENTIEFF: Yeah, just a final
4 little thought on that, you know, Tom and I have worked
5 real hard together during that whole tenure but we've
6 always tried to take a little time to have fun, if
7 nothing else, stress relief, share a little joke or
8 something so we could relax and we can't be all frowning
9 around all the time so we've tried to have fun, so I
10 agree with that Tom.
11
12 Thank you.
13
14 Okay. And we did all that with no tears.
15
16 (Laughter)
17
18 CHAIRMAN DEMIENTIEFF: Okay, we're going
19 to go ahead and move on with the management plan reports
20 and try to get those in today. How long do we have?
21
22 (Pause)
23
24 CHAIRMAN DEMIENTIEFF: We're going to go
25 to 4:30 and maybe a little sooner if we get done with
26 these management plan reports, we might even break up a
27 little bit earlier because that's a high traffic time to
28 be trying to get out to Kincaid Park, and we'll probably
29 -- by the time we get through with these we'll probably
30 have our meeting with the Council Chairs in the morning
31 and give us all a chance to relax and then pick that up
32 in the morning.
33
34 So with that, we'll call on Randy for the
35 Yukon Innoko Moose Management Plan. Go ahead.
36
37 MR. ROGERS: Thank you, Mr. Chairman.
38 Members of the Board. My name is Randy Rogers and I'm a
39 wildlife planner for the Department of Fish and Game in
40 Interior. I appreciate this opportunity to present this
41 plan to you, and it's going to be a little tough act to
42 follow with the celebration there. Congratulations Mr.
43 Boyd.
44
45 I've tried to make these presentations as
46 straight and short to the point as I possibly could, but
47 I'm more than happy to answer any questions you may have
48 and go into more detail if you'd like.
49
50 Okay, I'm going to start with the Yukon

1 Innoko Moose Management Plan which covers game management
2 subunits 21(A) and 21(E).

3

4 This is a map of the planning area.
5 Initially we started off to focus on just Game Management
6 Unit 21(E). The working group requested that we expand
7 the effort to 21(A), the portion of the 21(A) in the
8 Innoko drainage because it has an important influence on
9 moose populations and hunting in 21(E).

10

11 Before I go too far also, I'd like to
12 point out that the plan that you have in your books is
13 marked draft at the top, it was simply put as draft until
14 it was considered by both the State and Federal Boards.
15 The State Board has acted on it and once you folks have
16 had a chance to review it there's no regulatory
17 proposals, but then we will turn it into a final plan for
18 distribution to the participants and others interested.

19

20 Next slide please.

21

22 Just briefly this shows the -- it's kind
23 of cutting off a little bit of it, but the participants
24 in the Yukon Innoko Moose Management Working Group and
25 it's composed of folks involved in the local Fish and
26 Game Advisory Committee. We had representatives of two
27 Regional Councils, Bob Aloysius represented the Y-K Delta
28 Regional Council and Robert Walker from Anvik represented
29 the Western Interior Council. We also had a
30 representative of the lower Yukon Advisory Committee.
31 Non-local hunters from Bethel and Wasilla, and two
32 transporters.

33

34 Some of the key Staff involved was Beth
35 Leonard who is the acting McGrath area biologist; Roy
36 Nowlin, management coordinator; Caroline Brown,
37 subsistence resource specialists; Steve Kovach, wildlife
38 biologist for Innoko Refuge; Polly Wheeler,
39 anthropologist for Office of Subsistence Management; and
40 Jeff Denton, wildlife biologist for the Bureau of Land
41 Management.

42

43 I'd like to point out that we do have a
44 new McGrath area biologist now, is Roger Seavoy moved
45 from Bethel so he's pretty experienced in some of the
46 issues in this region.

47

48 For a quick summary of the planning
49 process we condensed this one down fairly tightly. We
50 had four working group meetings conducted between January

1 and November 2005, one in each of the villages in Unit
2 21(E). The draft recommendations were sent out for
3 public review and comment in the Yukon Innoko Moose
4 Planning News Fall 2005. The draft plan was reviewed and
5 endorsed by the GASH Fish and Game Advisory Committee in
6 February 2006 and then endorsed by the Western Interior
7 Council in March 2006. I don't believe that the Y-K
8 Delta Council made any official action on the plan.

9

10 Just a little bit of background
11 information to set the context of this. First of all
12 during the planning process we had some very important
13 new information available.

14

15 First off, the Division of Subsistence
16 conducted household surveys of harvest of big game
17 species in Unit 21(E) for the years 2002 to 2003 through
18 2004/2005. This was funded by a grant from the Office of
19 Subsistence Management and this was really important
20 information to set a better understanding of what the
21 local harvest in the area was.

22

23 Second, as we started the planning effort
24 off, we were using moose population data from the year
25 2000. Folks basically felt that they were going to be
26 unable to make good recommendations without having a
27 better idea of the moose population status. Department
28 of Fish and Game didn't have funding alone to do another
29 survey, however, through a suggestion originally from
30 Mike Smith with Tanana Chiefs Conference, we were able to
31 pool efforts with Department of Fish and Game, the Innoko
32 Refuge, BLM and the Tanana Chiefs Conference also chipped
33 in and also a little support from AVCP in Bethel and we
34 accomplished a survey, which really helped this planning
35 process.

36

37 Going into the planning process and for
38 several years before we started this up, local residents
39 had reported the moose populations had declined and their
40 concerns about possible increase in hunting pressure. We
41 seen restrictions in many of the areas around Unit 21(E)
42 and as you know there's a moose moratorium in Unit 18,
43 there's been increasing restrictions in Unit 19(A) and
44 there's a special action request before you to even
45 further tighten harvest in 19(A). There's concern that
46 these actions in the area will force more use into 21(E).

47

48 The current estimation of the moose
49 population size is 7,000 to 9,000 moose. The two surveys
50 that we have between the year 2000 and this one we

1 completed in 2005 didn't show a statistically different
2 result so it appears the moose population is fairly
3 stable, although, you know, it's likely that it declined
4 in the '90s before that and there may be some changes in
5 moose distribution that explain the concerns of the local
6 residents.

7
8 Twinning rates in the area between 2000
9 and 2004 have ranged 20 percent to 38 percent and this
10 suggests that the moose are in good condition and
11 habitat's pretty good.

12
13 Let's go a couple more slides, please,
14 yeah, to this one.

15
16 This is just a quick slide to show the
17 moose harvest pattern there. And the black bars that you
18 see standing up high are harvest from Unit 18 residents,
19 and you can see that that's declined in recent years and
20 this coincides somewhat with the increase in moose in the
21 lower Yukon down in Unit 18, it may also be influenced by
22 the closure of the State winter season.

23
24 At this point we haven't seen a major
25 increase in hunting in the area, although we want to be
26 proactive in this plan and prepare for it.

27
28 The bars to the right, the extended red
29 bars show the data that has come in from the household
30 survey and give a much more accurate reflection of what
31 the total local harvest is than what we had based on
32 harvest tickets alone before this.

33
34 So the current situation with the
35 harvestable surplus of moose in Unit 21(E), the
36 population estimate of 7,000 to 9,000 moose and using a
37 harvest rate of four percent, the estimated harvestable
38 surplus is 280 to 360 moose. The average estimated
39 harvest, looking at all different sources of harvest and
40 using this household survey data is about 357 moose. So
41 the key point here is that harvest right now is right
42 near the upper end of what the harvestable surplus is.

43
44 During the working group we initially
45 discussed using a harvest rate of five percent. Our
46 working group members wanted to be very conservative in
47 harvest and protect the moose population in this area,
48 and not allow it to be driven down. So our biologist,
49 Beth, worked with our research staff, did some modeling
50 of the moose population and suggested that if we want to

1 be conservative with harvest it should be less than five
2 percent and we agreed to use four percent.

3
4 For a brief look at Unit 21(A), the
5 Department has no moose surveys in the area. The Innoko
6 National Wildlife Refuge surveys have indicated a decline
7 from '98 to 2002, we've extrapolated a moose population
8 estimate of 4,300 to 6,480 moose. Over the period of
9 years harvest success rates have been declining and that
10 suggests there's reason for concern about the moose
11 population in that area and we really need to have better
12 moose population data for 21(A).

13
14 One more please.

15
16 Just for a brief overview of what's in
17 the Yukon Innoko Moose Management Plan.

18
19 To start with, with this slide, that
20 shows one of our planning meetings in Grayling, I
21 believe, or perhaps this one is Shageluk. I wanted to
22 take a moment to thank the village councils and the
23 residents of these communities for their hospitality
24 during the planning process. By having the meetings in
25 these villages we had good participation from the elders
26 and folks in the communities, we had evening sessions.
27 We had the youth, each of the schools came in and
28 participated in the meetings. We took time to go visit
29 the classrooms. I think, overall, this was a really good
30 way to do it to get more people in the community
31 involved.

32
33 It was a lot of hard work but I think we
34 had some fun at it, we had some good community meals
35 together. Each of the tribal councils sponsored a
36 community meal and really helped people to get to know
37 each other better.

38
39 The mission of the plan is to maintain
40 healthy and abundant moose populations by proactively
41 managing moose, predation and habitat and keeping moose
42 harvest within sustained yield so that subsistence needs
43 for moose are met on an annual basis and there's
44 sufficient moose to provide for personal and family use
45 of Alaska residents and some non-resident hunting
46 opportunity for generations to come.

47
48 A couple of the key recommendations for
49 moose harvest management.

50

1 Limit growth in non-resident moose
2 hunting in Unit 21(E) by reducing the
3 season length and establishing a drawing
4 permit system.
5

6 Limit harvest of antlerless moose in the
7 winter to no more than 40 cows annually
8 by keeping the State winter season
9 closed. And this is consistent with
10 action taken by GASH Advisory Committee
11 in 2003.
12

13 Because we're so close to the maximum
14 harvestable surplus, if the population declines it may be
15 necessary to address restriction in resident hunting and
16 that could be much more difficulty. Hopefully we could
17 have a proactive program to prevent that.
18

19 An issue that has been of major concern
20 to this Board over the years is the Federal customary and
21 traditional determination for moose in Unit 21(E). This
22 wasn't identified by the working group by the working
23 group as a major issue to be addressed in the plan.
24

25 Recommendation 1.9 in the plan, however,
26 states that if the Federal customary and traditional
27 determination for Unit 21(E) is revised to make a large
28 number of additional communities eligible, the Federal
29 winter season should be closed. So that's something to
30 keep in mind down the line.
31

32 Now, there's also a provision in the plan
33 about how moose harvest management might change when
34 conditions change. And first is Strategy 1C, implement a
35 more restrictive harvest management program if needed to
36 stay within the harvest rate of four percent and/or to
37 provide for subsistence uses. But 1D on the other side
38 states, we want to increase opportunities for moose
39 harvest if the moose population is documented to have
40 increased and productivity is high.
41

42 In terms of predation management. The
43 group established a goal of managing the effects of
44 predation on moose to maintain an abundant moose
45 population that can provide for high levels of human
46 consumptive uses, consistent with the intensive
47 management population and harvest objectives. And
48 initially the group started off strongly advocating wolf
49 control program and then as we discussed the situation in
50 Unit 21(E) relative to other areas of the state, some of

1 the political legal complications involved, the group
2 kind of backed off and focused more on what kinds of
3 things could we do through hunting and trapping seasons
4 to manage the level of predation. In the last meeting
5 when we took a look at close we are right on the edge of
6 the maximum harvestable surplus the group basically
7 insisted on a recommendation of advocating intensive
8 management for Unit 21(E).

9
10 An important outgrowth of the planning
11 effort was cooperative effort to identify survey plans.
12 So this slide, which hopefully you have the handouts in
13 front of you, we've laid out that we had an InterAgency
14 Staff meeting last fall in McGrath when the Western
15 Interior Council met there and so between the Department
16 of Fish and Game, Fish and Wildlife Service and BLM we
17 charted out what we think we could realistically expect
18 and we do hope to have a spring 2008 population survey in
19 Unit 21(A) and it may be 2010 before we can get another
20 one in 21(E). And I'd just point out that it's very
21 difficult right now to get the number of surveys really
22 needed to carefully monitor the moose population. But
23 the plan has really helped to coordinate the efforts.

24
25 Actions taken by the Alaska Board of Game
26 this March, they did adopt the proposal to reduce the
27 non-resident moose hunting season in Unit 21(E) and (A)
28 by five days.

29
30 They established a non-resident permit
31 system for Unit 21(E) which will begin in fall of 2007.

32
33 They passed proposals to liberalize the
34 seasons and bag limits for taking bears and wolves but
35 did not adopt a wolf predation control plan.

36
37 And the Board of Game endorsed the Yukon
38 Innoko Moose Management Plan.

39
40 Down the line we'll need to continue
41 working to develop an intensive management plan to
42 consider the options for 21(E), but I can't say for sure
43 when we'll be able to do that, the Department is
44 stretched pretty tight on resources for this right now.

45
46 In terms of a couple conclusions, the
47 Yukon Innoko Moose Management Plan is intended to
48 establish a proactive management program that will help
49 to maintain an abundant moose population to provide for
50 subsistence and other uses.

1 There are no Federal regulatory proposals
2 related to the plan at this time.

3
4 The Yukon Innoko Moose Management Working
5 Group would appreciate the endorsement and support of the
6 Federal Subsistence Board for this cooperative management
7 plan.

8
9 And I'd also like to express my thanks
10 for the support provided by the Office of Subsistence
11 Management for this planning effort. We may not have
12 been able to do this plan at all without that support,
13 and I really think there's been some great improvements
14 over the last year, as both Innoko Refuge, BLM and our
15 Department have really placed an effort to work closer
16 with residents of these communities. I think we have
17 much better communication and understanding now than we
18 did four or five years ago, however, to maintain that
19 benefit we all need to keep up the effort and keep
20 working with the local folks and other users in that
21 area.

22
23 That concludes my presentation.

24
25 Thank you.

26
27 CHAIRMAN DEMIENTIEFF: We have a
28 resolution before you, what's the pleasure of the Board.

29
30 MR. EDWARDS: Mr. Chairman. I guess
31 first I'd like to congratulate the working group, I mean
32 I think this is just another great example of when we try
33 to get all the affected players together and the agencies
34 who have management responsibilities sort of in the same
35 room, that they not only can come up with good plans, but
36 apparently can have fun in the process, so I want to
37 congratulate everybody for that and certainly give our
38 thanks and I'm sure it represents the thanks of the
39 entire Board for the time and effort that people put into
40 this. My guess is, is that people worked beyond the call
41 of duty in order to come up with these recommendations.

42
43 So with that I guess that we move post-
44 haste to adopt and approve the resolution expressing our
45 support for the Yukon Innoko Moose Management Plan.

46
47 CHAIRMAN DEMIENTIEFF: Is there a second
48 to that motion.

49
50 MR. OVIATT: I'll second. I'd also like

1 to express my appreciation to the group for producing
2 this plan and all of the hard work that was done.

3

4 MS. GOTTLIEB: Mr. Chair.

5

6 CHAIRMAN DEMIENTIEFF: Yes.

7

8 MS. GOTTLIEB: Because of our Board's
9 policy on predator control and intensive management, I am
10 not minimizing the work of the group, I think they've
11 done an excellent job, but I throw my caution in on this
12 and because no Park Service lands are involved under this
13 discussion, I will abstain.

14

15 CHAIRMAN DEMIENTIEFF: Thank you. Other
16 discussion.

17

18 (No comments)

19

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

22

23 IN UNISON: Aye.

24

25 CHAIRMAN DEMIENTIEFF: Those opposed.

26

27 (No opposing votes)

28

29 CHAIRMAN DEMIENTIEFF: Any abstentions.

30

31 MS. GOTTLIEB: Aye.

32

33 CHAIRMAN DEMIENTIEFF: Okay. The
34 resolution has been adopted.

35

36 I think we'll go ahead and recess until
37 the morning, I think we're all pretty well done. And
38 we'll take up Fortymile before we have our meeting with
39 the Council Chairs. I know of no other business -- oh,
40 I'm sorry, Marianne.

41

42 MS. SEE: Mr. Chair, if I may, Deputy
43 Commissioner Regelin had wanted to make this point of
44 information for the Council and since there were a number
45 of announcements about transition this seems an
46 appropriate time to do so on his behalf.

47

48 As you know agencies reassign things from
49 time to time and we have a lead liaison function at Fish
50 and Game for subsistence coordination with the Federal

1 program as well as a core group of liaisons from each
2 division and I sort of wear two hats in that regard as
3 the subsistence division person and the lead Departmental
4 person. I will be handing off the hat off the
5 Departmental person very soon to Sara Gilbertson, who is
6 behind us, Sara, would you stand please. Sara is
7 currently with the Commissioner's office as a special
8 assistant and will be assuming some of the Federal
9 coordination duties associated with this program and
10 other issues and we really welcome her involvement in
11 this, she's a real asset to us. I will retain my role as
12 the subsistence division point person for Federal issues.

13

14 I just want to thank the Councils -- all
15 the Councils and the Board for all your help in educating
16 me and I will try to pass on the things I've learned to
17 Sara in regards to the broader array of issues.

18

19 So that concludes that announcement. And
20 I'm not going anywhere, by the way, I'm not retiring.
21 I'm also the assistant director of Subsistence Division
22 and it's really necessary for me to devote more time to
23 that function so that's really part of the shift.

24

25 Thank you.

26

27 CHAIRMAN DEMIENTIEFF: Thank you. And
28 I'd also like to thank you, you've been a valuable help
29 to the program so, you know, we wish to also express our
30 appreciation. And while we're doing so, I moved way at
31 the end of the regulatory process and I forgot something
32 that we normally do, which is thank all of the hard work,
33 because it takes a lot of hard work by everybody
34 involved, from Boards, RACs, Staff and I am seriously
35 amiss in not thanking them so I want to do that on the
36 record, to make sure that we get all those people thanked
37 for all their hard work in helping us to get through the
38 regulatory process.

39

40 MR. BOYD: Thank you, Mitch. I wanted to
41 also add to what you said about Marianne. Marianne has,
42 for several years, worked very closely with the Office of
43 Subsistence Management and my Staff and team and coming
44 to countless meetings, Marianne is always prepared and
45 very professional and very courteous in her demeanor and
46 I think she's added a lot to the discourse, and the
47 collaborative work that we have to do because of the dual
48 management system, and she's done it with great dignity
49 and great competence and I just want to personally thank
50 you for the work that you've done with us Marianne.

1 I knew this was coming but I didn't know
2 when it was going to be officially announced, so I just
3 want to say thanks from OSM and I know Pete and I and
4 everybody else that's worked with you, it's been a joy.
5

6 CHAIRMAN DEMIENTIEFF: Also I should
7 note, we do have that Avian Flu report on the agenda but
8 it's a written update on the work that has been done, and
9 it's an FYI thing but I do feel the need to address it on
10 the agenda. There's no action item, it's just an FYI.
11

12 Okay, so we'll pick up in the morning at
13 8:30 and Dolly's promised us six hours of Regional
14 Council issues from Southeast. She may have to do them
15 alone.
16

17 Let's make sure that we get out to
18 Kincaid Park at 6:00 o'clock for Tom's party, and then I
19 know people are out there setting up right now, but,
20 anyway, that will be the real fun part of the retirement
21 party so we're looking forward to that. Quite a number
22 of things going on so make it.
23

24 Okay, with that, we'll recess for the day
25 and we'll see you at 8:30 in the morning.
26

27 (Off record)
28

29 (PROCEEDINGS TO BE CONTINUED)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

C E R T I F I C A T E

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 146 through 297 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME II taken electronically by Nathan Hile on the 17th day of May 2006, beginning at the hour of 8:30 o'clock a.m. at the Marriott Hotel 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 29th day of May 2006.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/2008