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FEDERAL SUBSISTENCE BOARD  
PUBLIC REGULATORY MEETING

VOLUME III

MILLENNIUM HOTEL  
ANCHORAGE, ALASKA

MAY 21, 2004  
8:30 o'clock a.m.

Recorded and transcribed by:

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P R O C E E D I N G S

(Anchorage, Alaska - 5/21/2004)

CHAIRMAN DEMIENTIEFF: Well we'll go ahead and call the meeting back to order, or some remote resemblance of order. We will be moving on to Proposal 65, as we get ready....

MR. EDWARDS: Mr. Chairman.

CHAIRMAN DEMIENTIEFF: Yeah, I'll be right with you Gary. As we get ready to go, as we look outside at this beautiful weather, and stupid us are in here, lets get this thing going.

Go ahead Gary, I'm sorry.

MR. EDWARDS: Mr. Chairman. I would ask that given, kind of the complexity of this particular proposal, we do have Mike Spindler, the Refuge manager present today, and I'd like him to join the OSM Staff. I think he will -- as part of that presentation, I think he will be able to do a good job of maybe clarifying many of the questions that I know exist among some of the Board Members.

CHAIRMAN DEMIENTIEFF: Paul.

MR. TONY: Yeah, before we go into this, Mr. Chairman. I wonder if I could offer -- I've been talking with the RAC Chairs from some of the affected regions on Proposal 1, WP04-1. I would like to make a motion to reconsider that, and in light of some of my discussions with them and some of the other Staff members, I'm going to change my vote on that as well.

CHAIRMAN DEMIENTIEFF: There's a motion for reconsideration on Proposal 1 is there a second.

MS. GOTTLIEB: I'll second it.

CHAIRMAN DEMIENTIEFF: Okay. We have a motion for reconsideration on Proposal 1. All those in favor of the motion signify by saying aye.

MR. EDWARDS: Mr. Chairman. Can we have a discussion please.

CHAIRMAN DEMIENTIEFF: Yes.

1 MR. EDWARDS: I'm more than willing to  
2 bring this up for reconsideration. I would like to  
3 postpone it towards the end, so we can have some of our  
4 law enforcement folks present, to address some of the  
5 potential issues, associated with it.

6  
7 CHAIRMAN DEMIENTIEFF: Well, yeah we can  
8 bring it up for reconsideration and schedule the follow  
9 up discussion until you get the people here that you  
10 want, basically. But we just need to get it up on the  
11 table for reconsideration. That is the motion that, you  
12 know, I will schedule it accordingly, so you just give me  
13 the high sign when you've got your people here, and we  
14 will go with it at that time.

15  
16 So that is the motion for  
17 reconsideration. All those in favor signify by saying  
18 aye.

19  
20 IN UNISON: Aye.

21  
22 CHAIRMAN DEMIENTIEFF: Those opposed same  
23 sign.

24  
25 (No opposing votes)

26  
27 CHAIRMAN DEMIENTIEFF: Okay. So we will  
28 schedule reconsideration at the appropriate time. Gary  
29 has made, for those of you who haven't had the chance to  
30 talk with him this morning, and just as he said, he has  
31 some people here that he wants to be involved in the  
32 discussion so we will wait until we get all of our  
33 resources here, to again try and make the best decision  
34 that we possibly can.

35  
36 With that let's go back to 65. Staff  
37 analysis.

38  
39 MR. LAPLANT: Morning Mr. Chairman.  
40 Members of the Board. Again for the record my name is  
41 Dan LaPlant, with Office of Subsistence Management. The  
42 analysis for Proposal 65 is in your book on Page 581, and  
43 we also have some maps related to that proposal in that  
44 map -- supplemental map packet that was handed out. So  
45 maybe you may want to refer to those, we'll also have  
46 those same maps displayed up on the screens here at the  
47 appropriate time.

48  
49 Proposal 65 was submitted by  
50 Koyukuk/Nowitna National Wildlife Refuge Staff. It asks

1 that fall antlerless season be closed and opened only by  
2 the authority of the Refuge manager. And it asks that  
3 the December, February, and March seasons become a 10 day  
4 winter season, also to be announced by the Refuge  
5 Manager. Because Units 21(D) and 24, the moose  
6 populations have been in decline, and a more conservative  
7 management approach is required. In the spring of 2000,  
8 the Fish and Game Department and the Koyukuk Moose  
9 Hunters Working Group, developed a five year management  
10 plan to establish guidelines, for managing harvest when  
11 conservative measures are need. Federal agencies  
12 participated and supported this process, And both the  
13 Western Interior Regional Advisory Council and the  
14 Federal Subsistence Board endorsed the Koyukuk River  
15 Moose management plan.

16  
17 Action Number 1.3.1, in the plan outlines  
18 the approach for reducing antlerless moose hunting,  
19 reducing these opportunities when conservative management  
20 approach is need. That's this action, this proposal is  
21 intended to implement that recommended action from the  
22 plan.

23  
24 Again antlerless moose harvest in the  
25 affected area, can support present -- excuse me,  
26 antlerless moose harvest in the affected area can be  
27 supported by present moose populations on a limited basis  
28 only in some specific areas. Special action closures of  
29 the fall antlerless moose season were implemented the  
30 past two falls, in 2002 and 2003. So because of poor  
31 recruitment, and potential declines, additional declines  
32 and population additional measures to conserve cow moose  
33 that must be taken at this time so we don't have to be  
34 using special action proposals during this time of  
35 population recovery.

36  
37 Analysis of results from cooperative  
38 moose surveys in 2003, conducted by the Department and  
39 the Fish and Wildlife Service Staff, in Units 21(D) and  
40 Unit 24 indicate three successive years of poor calf  
41 survival and recruitment. We have Mike Spindler with us,  
42 the Refuge manager of Koyukuk/Nowitna National Wildlife  
43 Refuge, and I'll let him go through the biology on the  
44 analysis of the survey data in a moment so I won't go  
45 into the details of that at this time.

46  
47 The bottom line is that there's  
48 considerable evidence that the moose population is in  
49 decline due to poor recruitment. Both area residents and  
50 resource managers are concerned that current predation

1 rates on moose could result in additional further  
2 population declines. Local concerns of current predation  
3 rates favor this more intensive management plan or this  
4 action that's identified in the plan. Harvest data  
5 collected by the Subsistence Division of the Department,  
6 supports the conclusion that moose harvest in Unit 21(D)  
7 and 24 have remained consistent for local residents.  
8 However comparing the '99/2000 data with the more recent  
9 2002/2003 data, survey of the hunters reveals that local  
10 residents are meeting their subsistence needs only  
11 through increased hunting effort. So increased effort  
12 has been needed to maintain that level.

13  
14 The serious potential for declining  
15 trends derived from analysis of surveys conducted during  
16 the last four years supports the recommended action of  
17 the plan, again to reduce the cow moose harvest. However  
18 the proposed changes in winter seasons are not likely  
19 favorable the local users, it may not fit their  
20 preferences. Depending on the dates set for the winter  
21 season some subsistence hunters may find the timing of  
22 the proposed winter seasons less desirable and fruitful  
23 than the existing seasons.

24  
25 The State has taken action to address  
26 this situation by adopting new regulations in their March  
27 meeting and those new regulations will go into effect in  
28 July. Under the new State regulations their fall  
29 antlerless season will be opened only through emergency  
30 order authority and when the conditions are appropriate.  
31 They've eliminated the February and the March antlerless  
32 season, they've created a December 1 through 10 season  
33 for bulls only. They will require registration permits  
34 for areas adjacent to the controlled used area. We have  
35 a map that shows those adjacent areas, you see a  
36 controlled use area in the center and there's four areas  
37 primarily outlined around the controlled use area. While  
38 the State has passed regulations that will require  
39 registration permits and drawing permits, I just need to  
40 point out there's an error on the map. The upper right-  
41 hand unit, that Northeast boundary should extend over to  
42 the Kanuti controlled use area instead of following that  
43 drainage line that it does, so there is a error on the  
44 map I just wanted to point that out.

45  
46 After all the recommendations are  
47 presented, Mr. Chairman, we do have a table that will  
48 help the Board compare the different options that are  
49 presented.

50

1                   So at this time I would like to turn it  
2 over to Mike Spindler to go over the biology of the  
3 Koyukuk/Nowitna moose.

4  
5                   CHAIRMAN DEMIENTIEFF: Go ahead Mike.

6  
7                   MR. SPINDLER: Thank you, Mr. Chairman,  
8 fellow Board members. My name is Mike Spindler, I'm the  
9 Refuge Manager at Koyukuk/Nowitna Wildlife Refuge. I  
10 have conducted most of the moose survey data that go back  
11 into the long-term data bases back to 1990 when I first  
12 started working there. Also germane to this discussion,  
13 as a volunteer for the local public radio station for  
14 about six years I spent a considerable amount of time  
15 gathering oral history data and traditional environmental  
16 knowledge from elders in the region. I know about the  
17 reliance on moose, particularly on cow moose, in the  
18 winter time. As a resident of the area I also share the  
19 pain of the people when they have to give up harvest  
20 opportunity. But I have to go back to our mandates from  
21 ANILCA.

22  
23                   Foremost our job isto conserve the  
24 resources, and provided that we conserve the resources  
25 then provide for long-term subsistence opportunity. And  
26 I want to stress long-term subsistence opportunity in  
27 this whole discussion.

28  
29                   The conservation concerns are that we  
30 have an overall stable population, in the overall area  
31 that you saw in that map recently. However in areas  
32 where most of the hunting occurs we have declining  
33 populations. It's a general principle of wildlife  
34 management that cow harvest are sustainable only when the  
35 population's growing. Our population is not growing, in  
36 fact, in areas where most of the hunting occurs it's  
37 declining. The current harvest rate on cows is estimated  
38 at three to four percent, the current potlatch and  
39 illegal harvest exceeds one percent. This is something  
40 that we probably aren't going to be able to address with  
41 management regulations in our population modeling studies  
42 both done by Fish and Wildlife Service and independently  
43 by Alaska Department of Fish and Game. Even a one  
44 percent annual harvest rate on cows has a dramatic affect  
45 on turning the population from stability to decline.

46  
47                   Just to review the Board of Game actions  
48 that the State Board of Game took to address this  
49 situation, the February and March antlerless moose  
50 seasons in Unit 21(D) and 24 were closed. The concerns

1 were due to productivity has declined and survival has  
2 declined. The winter hunt opportunity has been moved to  
3 December and it's bulls only for 10 days in December and  
4 in 24 that was a long time season and people did utilize  
5 it, not to a large degree, the preference was for the  
6 March season. In 21(D) the season was for the February  
7 season.

8  
9                   The State Board reduced the number of  
10 drawing permit hunts in the controlled use area from 250  
11 down to 50. It created additional drawing permit hunt  
12 areas around that surround the Koyukuk controlled use  
13 area. The drawing permit hunts will reduce the numbers  
14 of non-local hunters coming out to the area, it will  
15 reduce the competition between the local and the non-  
16 local hunters. Fish and Wildlife Service Refuge Staff  
17 agrees with the area biologist that a reduction in  
18 competition will shift the reliance of the local people  
19 back towards the fall season away from the winter season.  
20 In the winter season about 60 to 70 percent of the  
21 harvest is cow harvest, and it's roughly in proportion to  
22 the numbers in the population. If we can shift that  
23 harvest and reliance back to the fall season it can  
24 target bulls. The modeling efforts indicated that we can  
25 take a huge number of bulls compared to the number of  
26 cows, it's just the general principle in wildlife  
27 management.

28  
29                   The different colored areas, the gray is  
30 the original Koyukuk controlled use area, which was  
31 according to the Koyukuk River Moose Management Plan the  
32 first area that had the antler sawing as a disincentive  
33 for non-local hunters to come in and take advantage of  
34 the registration and permit hunt. The local hunters,  
35 based on their testimony, at the AC meetings and at the  
36 RAC meetings do like the antler sawing provision because  
37 it does act as an disincentive. If people want to keep  
38 the antlers they have to apply for a drawing permit, and  
39 compete. There has been some dislike of the antler  
40 sawing in that it doesn't allow the person to sell the  
41 entire 100 percent of the antler weight to an antler  
42 buyer. They have to forfeit a quarter of the antler to  
43 the State.

44  
45                   The long-term population picture is best  
46 portrayed by a survey that goes back to 1981 at Three Day  
47 Slough, and this is just to give you a long-term picture  
48 of what's going on. The taller bars are total numbers  
49 and the shorter bars are the cow numbers. If you average  
50 the last 10 years on the shorter bars, you can see that

1 the cow population is going down.

2

3 A more comprehensive look at a much wider  
4 area is provided by the new GSPE Census Method. We were  
5 unable to conduct a census in 2003, but we did conduct a  
6 census in 2001. If we just take the trend areas that  
7 were done with the GSPE Grid and compare them in 2001 and  
8 2003, I want to call your attention to the tallest bars  
9 there in the middle, showing that we had 2,500 cows  
10 approximately in both years. Again the emphasis here is  
11 that the numbers of cows are not increasing therefore we  
12 cannot have a cow harvest. I will also call your  
13 attention to in the last year we do seem to have seen a  
14 reversal in the productivity trend. I mentioned that  
15 productivity had been declining, we know that  
16 productivity increased in 2003. We know that survival  
17 looks like it increased in 2003 with the yearling numbers  
18 increase. We suspect that this turnaround might have  
19 occurred in 2002, although we had only very limited  
20 survey data available in 2002 due to snow conditions.

21

22 Looking at the composition ratios, again  
23 the green bars are the 2001 data which are typical of  
24 what we had in that year and the prior years, with very  
25 low calf productivity, 15 calves per 100 cows. In 2003  
26 we saw a improvement up to 27, yearling survival also  
27 increased, not quite where we want it above 10 but it's  
28 getting there.

29

30 This is for 21(D) and it just summarizes  
31 the local harvest reported, and these numbers are from  
32 Glenn Stout, the local area biologist, in Galena. The  
33 green top of the bar is the local reliance on the winter  
34 hunt in 21(D). The orange bars are the local reliance on  
35 the fall hunt. So as you can see the number of moose  
36 we're talking about in the winter hunt is pretty small  
37 compared to the fall hunt.

38

39 This is the crux of where we're at today.  
40 The results of a modeling effort done by Brad Scotten on  
41 our Staff, supervisory wildlife biologist using the best  
42 available data that we have the most realistic data. He  
43 did many, many different model scenarios, this is the one  
44 that he chose as being the most realistic. It starts out  
45 with the actual values observed in 2001 and models it to  
46 the present time. And then changes the productivity to  
47 our recent values which are 28 calves per 100 cows. Even  
48 with zero cow harvest the model shows a decline. The  
49 present estimated cow harvest in Unit 21(D) and 24 area  
50 that we are talking about, is a 190 per year and you can



1 see the decline is much more rapid.

2

3

4 So our conclusions from the modeling  
5 effort is that without a significant improvement in calf  
6 productivity and in survival this population cannot  
7 sustain cow harvests. Given the current level of  
8 predation, additional harvest of cows even two to three  
9 percent by humans is additive to the mortality and will  
10 cause declines in the cow populations. There were very  
11 weak cohorts in the years '99, 2000, and 2001, these  
12 animals born at that time the cows should be the core of  
13 our productive segment of the population right now.  
14 They're just not there because they weren't produced. So  
15 we are dealing with the repercussions of those three  
16 years of poor productivity on into the future. We  
17 believe that the declining productivity trend did turn  
18 around in 2002, as I mentioned we had very limited data  
19 for 2002, we did see some sign of turnaround then. In  
20 2003 we had high quality data area-wide and it certainly  
21 showed an improvement in productivity. However the  
22 modeling shows that even with the current levels of calf  
23 -- I mean yearling survival, survival has not improved  
24 enough to allow a wide spread cow harvest. Both the area  
25 biologist and our supervisory biologist believe that  
26 predation combined with a human cow harvest is what  
27 appears to be regulating this population and causing it  
28 to go down.

28

29

30 The land management issues in this area  
31 are complex, and when we are talking about a Federal  
32 subsistence hunting opportunity we need to be looking at  
33 the areas that don't have colors on the map. I'm going  
34 to go through each of the specific villages just so you  
35 can have a sense of what area's this area would effect.  
36 So if I could have the fellows follow the cursor with  
37 what I do with the laser pointer.

37

38

39 Down in Kaltag, I want you to just focus  
40 on the areas within a few miles of the river, because  
41 these historically have been the main areas during the  
42 winter hunt. We put circles around each villages 20  
43 miles because in March we figured that going out 20 miles  
44 killing a moose and butchering it and bringing it back,  
45 that's about what you could work during a day in March.  
46 But historically the winter hunter hunt has been within  
47 five miles of the village. So within Kaltag there are no  
48 areas of Federal land that are good moose habitat near  
49 the village. There's this one block here it's bog,  
50 that's bog, that's bog, so there's no good riparian  
51 habitat near Kaltag.

1                   Near Nulato there's one block here at  
2 Ninemile Island that's good moose habitat, this is bog,  
3 this is bog, this is all uplands. Near Koyukuk there's  
4 one block that's good moose habitat, right here, the  
5 remainder is not at all good moose habitat. Near Galena  
6 there's no good moose habitat near Galena, except for  
7 this one tiny square just north of the village, there's  
8 essentially no area available.

9  
10                   Near Huslia, again, the 20 mile circle,  
11 the purple line is the controlled use area, anything  
12 south of that is the controlled use area. Within the 20  
13 mile circle the only good moose habitat is in the  
14 northeast section near Treat Island and near the mouth of  
15 the Dulbi River and the Dulbi Slough at the southern end.  
16 Our local employee in Huslia, Orville Huntington, has  
17 told me that people would probably choose to hunt up here  
18 or down here, but he wanted to emphasize people have  
19 generally hunted within the five mile circle around  
20 Huslia or the 10 mile circle in the winter hunt.

21  
22                   And then use, this regulation would only  
23 apply inside the Koyukuk Refuge boundary, which is this  
24 black line here. So the only area available to the  
25 Hughes people would be right in this area at the 20 mile  
26 limit along the Koyukuk River, which is some decent moose  
27 habitat but low density.

28  
29                   In collusion cow harvest are detrimental  
30 to the population recovery, if we want this population to  
31 recover allowing cow harvest is the wrong thing to do.  
32 We know there will be a reduced need for cow harvest,  
33 based on the Board of Game actions, because of the  
34 drawing hunts. Based on what happened in the Koyukuk  
35 when the Koyukuk controlled use area went to drawing  
36 hunt, the competition reduced greatly. A lot of hunters  
37 from Kaltag, Nulato and Koyukuk gave up on hunting on the  
38 Koyukuk, started going back to the Koyukuk because there  
39 was less competition. As you may recall from the maps  
40 the accessible Federal lands that are also good moose  
41 habitat, near the villages is extremely limited. The  
42 limited March opportunity that we're talking about inside  
43 mixed land jurisdiction has a potential to create a lot  
44 of law enforcement problems with the local hunters. The  
45 State has indicated that they will be enforcing this  
46 winter hunt on State and private lands.

47  
48                   Allowing the past harvest levels of cows  
49 to continue is going to reduce future subsistence  
50 opportunity. As Refuge Manager, I can't responsibly

1 recommend that we allow this trend to continue. We also  
2 need to recognize that there's a substantial ongoing  
3 harvest of moose for potlatches, this we know will  
4 continue to go on and we support it. But we have to  
5 factor that into the population studies, we have to  
6 factor that into the decisions we make on discretionary  
7 cow harvest. There's also an illegal cow harvest that  
8 continues to go on.

9  
10 My recommendations as the Refuge Manager  
11 are to bite the bullet now instead of later, approve the  
12 Staff Committee recommendation. We're asking for in-  
13 season authority to grant to the Refuge Manager to  
14 provide a limited localized opportunity for cow harvests  
15 in March, if the conditions permit. That would be based  
16 on what the fall surveys say, normally the surveys are  
17 done in November, we have the data available in late  
18 December, early January and we can make a decision in time  
19 for our March survey similar to the in-season salmon  
20 management adjustments. I'll tell you up front right now  
21 that a unit-wide opening for antlerless moose in 21(D)  
22 and 24 may not be sustainable for many years to come.  
23 The predation is the main trend, the main force that's  
24 driving this. Until we address the predation we're not  
25 going to be able to turn this around.

26  
27 I also encourage the Board and all the  
28 other partners and stakeholders to begin efforts to renew  
29 and update the Koyukuk River Moose Management planning  
30 process. This is a manor in which we can solve some of  
31 these problems at the local and regional level, and hash  
32 out a lot of the things so we don't end up with a lot of  
33 complicated proposals.

34  
35 Thank you, Mr. Chairman -- thank you and  
36 fellow Board members. I'll answer any questions that you  
37 may have.

38  
39 CHAIRMAN DEMIENTIEFF: Thank you.  
40 Please stay at the table so if we do have questions we  
41 can come back to you. Written public comments.

42  
43 MR. RIVARD: Mr. Chair, there are no  
44 written public comments for this proposal. Thank you.

45  
46 CHAIRMAN DEMIENTIEFF: We have no request  
47 for additional public testimony at this time. Regional  
48 Council recommendations, we have two, Western and North  
49 Slope.

50

1 MR. SAM: Thank you, Mr. Chairman.  
2 According to the Wildlife Refuge manager we have little  
3 if any moose habitat. Yet Unit 21(D), lower end of Unit  
4 24, according to the latest aerial survey we have six to  
5 seven moose per square mile verses .6 to .7 per square  
6 mile up in the Allakaket/Alatna area. The moose are  
7 there, there are no conservation or biological concerns  
8 at this time. When you can issue 50 trophy permits  
9 within this area there is no need to eliminate the cow  
10 season within the 21(D) and the lower 24 Unit. The  
11 population is there and this decline has been going on  
12 for the last five or six years and we were aware of this.  
13 This decline is due mostly to predation, and the trophy  
14 moose hunt that we instigated through the permit system.  
15

16 A few years ago we were issuing 750 or  
17 somewhere around that obscene number, registration permit  
18 hunts. We are now down to -- well we carry -- we issued  
19 250 permits last year, we issued 250 permits the year  
20 before, this year we're going down to 50. If we can  
21 continually issue registration/trophy hunts we can  
22 continually harvest a small percentage of cow in the  
23 March season.  
24

25 During the December bull only hunt that  
26 is being proposed, it is 40, 50 and 60 below and about  
27 three or four hours of daylight time. In order to  
28 harvest and take care of that moose in that cold weather  
29 you need about five or six snowmachines with the lights  
30 on to just try and take care of one moose in that limited  
31 amount of time before it freezes. I have harvest one  
32 bull moose in December in my whole life, that wasn't by  
33 design, that darn thing charged me and it just tripled it  
34 up from the rut and it was inevitable, there's about four  
35 or five gallons of gangrene and puss and a lot of them  
36 are like that. Hopefully the predation -- you hope that  
37 the predators would take care of those being weak, but  
38 they do not. They eat the healthy moose in their area  
39 because of the snow and the terrain. There was some  
40 concern, I can't remember if it was in 21(D) or lower 24,  
41 about the bull moose population and the bull cow ratio  
42 which we depend on pretty heavily, yet we are issuing  
43 bull moose registration trophy hunt permits and if you  
44 institute a December 1 through December 10 subsistence  
45 bull moose hunt you are going about attaining that goal  
46 bull preservation the wrong way. You are further  
47 reducing the number of the breeding stock.  
48

49 We have always harvested cow moose in 24  
50 and 21(D). We would like to continue to do so. I've

1 been traveling to the State Board of Game, since back in  
2 '72 with Roy Furington out of Nulato, who is the chairman  
3 of the Middle Yukon Advisory Committee. We have always  
4 fought for cow moose harvest in March and little if any  
5 in August. We fought for -- before the State Board of  
6 Game and they granted us that request, hence that cow  
7 moose season in March and sometimes in August. We have  
8 never agreed to totally eliminate the cow season, we need  
9 the cow season in order for -- for moose populations to  
10 sustain. Because is you run out of bulls all you'll have  
11 is cows, it doesn't make to much sense but it works. As  
12 far as from what you've heard that will be totally, I  
13 mean we'll have little or no sustainable yield, within  
14 this area that's in question.

15  
16                               However we are going through it in the  
17 upper Unit 24, because of the terrain there we do not  
18 harvest predators as proficiently as residents of Huslia,  
19 Koyukuk, Nulato. We do consume black bears as I stated  
20 they are for consumption purposes we eat them, so does  
21 the whole Koyukuk River and a good portion of the middle  
22 Yukon by the way. We depend on that for meat and  
23 potlatches, the bear meat. In this area one person alone  
24 and he is Tom Kriska, I talked with him before I came  
25 down to this meeting to get his permission to use his  
26 name, on this harvest of subsistence wolves, within the  
27 last three years this one person alone harvested 79  
28 wolves, and 7 grizzlies. Yes, he is a guide and he is a  
29 Western Interior Council member. Nineteen wolves alone  
30 since our March 9th meeting at Huslia, and he harvested  
31 these between Huslia and Koyukuk after our March meeting  
32 that's when he likes to trap them.

33  
34                               Within the village of Huslia alone, the  
35 residents there I talked with Fred Bifelt, before I came  
36 down here, he estimates 30 wolves harvested within the  
37 village of Huslia, and these numbers are way down.  
38 Simply because this year was a super bad year to begin  
39 with as far as the trappers are concerned. We usually  
40 have a snowmachine trail and our out traveling from mid  
41 to late October, we used to have our traplines in,  
42 hunting cabins in out looking for caribou. Trails down  
43 to Hughes and or Bettles, late October, this year we  
44 couldn't put in those trails until right around  
45 Thanksgiving and the only reason we did that was to meet  
46 residents of Hughes because of our traditional practices  
47 of having memorial potlatches in November. So this year  
48 the only reason the wolf harvest numbers are down is  
49 because we couldn't go out there and trap them early,  
50 there's open water, overflow and then because of the

1 global warming trend that we are going through we  
2 couldn't use our snowmachines very late this year either.

3  
4                   So a lot of factors -- you have a lot of  
5 things to factor in on this proposal. Again I talked  
6 about the Koyukuk River Moose Working Group, and I asked  
7 that it be funded again in order to operate, even in the  
8 Koyukuk River Moose Working Group plan, it does not call  
9 for elimination of the cow harvest. If we agreed to  
10 place some restrictions as needed on the cow harvest, but  
11 it does not call for elimination, and as Taylor Brelsford  
12 can tell you I could go on and on testifying about the  
13 winter hunt and everything at our meeting down at Huslia  
14 that first night, we opened up the floor for local and  
15 elders to testify. Our meeting didn't get out until  
16 after 11 that first night, we met until about 10 to 10:30  
17 the second night and then we just met until our plane  
18 landed to pick us up. One of their main concerns and  
19 biggest part of their testimony is to retain the moose  
20 March hunt, moose of either sex.

21  
22                   I could go on and on, but at this time  
23 I'll stop there. Thank you.

24  
25                   CHAIRMAN DEMIENTIEFF: Thank you. Don  
26 Rivard and if you can North Slope also weighed in on this  
27 and we need to get their -- even though we have it in the  
28 book if you could summarize it would help.

29  
30                   MR. RIVARD: Yes, Mr. Chair. The North  
31 Slope Regional Advisory Council are in favor -- support  
32 this proposal, they favor some modifications which would  
33 help prevent further declines in productivity and  
34 yearling bull recruitment. Season harvest limit  
35 modifications may be needed to protect moose populations  
36 from further declines in Unit 21(D) and part of Unit 21.  
37 That's the North Slope Regional Advisory Council  
38 recommendation.

39  
40                   I ask the Chair if he would like me to  
41 also read the specifics of the Western Interior Regional  
42 Councils recommendation.

43  
44                   CHAIRMAN DEMIENTIEFF: Thank you, Staff  
45 Committee. Oh I'm sorry what, I was getting ahead of  
46 myself here, I'm sorry could you repeat?

47  
48                   MR. RIVARD: Well, I was wondering if you  
49 might want the Western Interior Regional Advisory  
50 Council's recommendation, read into the record as well.

1 Mr. Sam did touch on it but I think there's some details  
2 that maybe should be read into the record here on Page  
3 275.

4  
5 CHAIRMAN DEMIENTIEFF: Well, actually I  
6 think they are on record, then basically, you know, Ron  
7 was highlighting some of the points he thought of. They  
8 are a matter of record so we have not that much to worry  
9 about I just wanted to make sure we had North Slope's in  
10 there.

11  
12 Staff Committee.

13  
14 MR. BOS: Thank you, Mr. Chair. Greg  
15 Bos, Fish and Wildlife Service. This is probably the  
16 most complicated proposal that will come before you at  
17 this meeting. The proposal and the recommendations that  
18 have been developed by the Regional Council and the Staff  
19 Committee address significant issues that are very  
20 important to local subsistence users as well as to the  
21 Federal Land Managers. In review and developing -- in  
22 reviewing this proposal and developing this  
23 recommendation the Staff Committee attempted to balance  
24 subsistence needs with conservation concerns.

25  
26 The Staff Committee's recommendation is  
27 to modify the proposal to replace the February either sex  
28 winter season in Unit 21(D) with a December 1 to 10 bull  
29 season and a March 1 to 5, to be announced either sex  
30 season. And to replace the December 1 to 10 and March 1  
31 to 10, either sex seasons in Unit 24 with a December 1 to  
32 10 bull season and a March 1 to 5 to be announced either  
33 sex season, with in the Koyukuk control use area. Cow  
34 moose accompanied by calves would not allowed to be  
35 taken.

36  
37 The March seasons would be opened by  
38 joint announcement of the Refuge Manager of the Koyukuk  
39 National Wildlife Refuge and the District Manager of the  
40 Bureau of Land Management if the Moose population with in  
41 the affected areas can support a antlerless moose  
42 harvest, consistent with the Koyukuk River Moose  
43 Management Plan, and after consultation with the  
44 Department of Fish and Game, area biologist, the Chairs  
45 of the Western Interior Advisory Council and the Middle  
46 Yukon Fish and Game Advisory Committee.

47  
48 The modified proposal as recommended by  
49 the Staff Committee also requires subsistence hunters to  
50 hunt under provisions of a State registration permit

1 during the fall season. And under provisions of a  
2 Federal registration permit during the March season. The  
3 Staff Committee's recommendation then differs from that  
4 of the Western Interior Regional Council's  
5 recommendation. And it proposes adoption of a December 1  
6 to 10 bulls only season, in addition to a March 1 to 5  
7 antlerless season. It requires a State registration  
8 permit for the fall season in portions of the area  
9 adjacent to the Koyukuk controlled use area as well as  
10 within it. It requires a Federal registration permit for  
11 the March 1 to 5 antlerless season and it authorizes the  
12 Koyukuk National Wildlife Refuge Manager in consultation  
13 with other affected agencies and local advisory bodies to  
14 announce a cow -- announce cow moose quotas and to close  
15 portions of the area to cow moose hunting during the  
16 March 1 to 5 season if that's necessary for conservation  
17 purposes.

18  
19                   The regulatory wording for the Staff  
20 Committee's recommendation is found on Pages 576, 577 and  
21 578. I won't repeat some of the biological information  
22 that was presented to you by Mr. Spindler except to say  
23 that productivity was significantly affected in the late  
24 '90's through the year 2001. There has been some  
25 improvement in the last year or so, but there are  
26 continuing declines in a number of cows and bulls in the  
27 moose population. While the winter cow harvest have  
28 provided additional subsistence opportunity in addition  
29 to bull harvest in the fall in recent years continued  
30 harvest at current levels will likely jeopardize  
31 stabilization of the moose population and could  
32 participate an accelerated decline. Therefore it is  
33 necessary in the Staff Committee's view to protect the  
34 moose population from declining further. A reduced cow  
35 harvest would be consistent with restrictions in the  
36 Koyukuk River Moose Management Plan because the State  
37 recently modified it's regulations for this area to  
38 replace the winter antlerless moose hunts with a December  
39 1 to 10 bull only hunt.

40  
41                   The current Federal December season for  
42 bulls only will minimize confusion in the regulations for  
43 local residents and allow for a bull harvest to occur  
44 also under Federal regulations. The requirement for a  
45 State registration permit for the fall season within the  
46 Koyukuk controlled use area in the current regulations is  
47 expanded to areas adjacent to the controlled use area.  
48 In alignment with the newly adopted State regulation,  
49 alignment of these permit provisions will avoid confusion  
50 with regulations and inadvertent violations, by



1 subsistence users. These expanded permit provisions are  
2 intended to further reduce non-local hunting effort in  
3 the area to the benefit of local subsistence hunters.

4  
5                   Again the Staff Committee is proposing a  
6 March season 1 to 5, March, subject to area closures and  
7 set quotas, which would be delegated to the Refuge  
8 Manager, to address conservation concerns. The proposed  
9 March season only for Federal lands may be confusing for  
10 subsistence hunters given the patchwork land ownership in  
11 the area. The amount of Native owned land in the  
12 vicinity of the villages, subject to State jurisdiction,  
13 potentially could place subsistence hunters at risk of  
14 inadvertent violations of State regulations and  
15 consequent enforcement actions.

16  
17                   Federal Staff would work to minimize  
18 enforcement issues associated with the March season,  
19 through the mechanism of a Federal registration permit.  
20 Subsistence hunters would be informed of the location of  
21 Federal Lands open to hunting, the differences between  
22 Federal and State Regulations, additionally registration  
23 permits would enable Federal Managers to monitor the  
24 harvest closely for conservation purposes. Cow harvest  
25 quotas may be established for different portions of the  
26 area based on fall moose survey information and harvest  
27 would need to be reported with in 24 hours to enable time  
28 closures when quotas are reached. Considerable village  
29 outreach effort will be conducted by Federal Staff to  
30 inform local residents to the status of the moose  
31 population, differences in Federal and State regulations  
32 and the need for the permit provisions.

33  
34                   That concludes my presentation, Mr.  
35 Chair.

36  
37                   CHAIRMAN DEMIENTIEFF: Thank you very  
38 much. Department comments.

39  
40                   MR. HAYNES: Thank you, Mr. Chairman.  
41 I'm going to repeat a number of things that Mr. Spindler  
42 and Mr. Bos have stated just to reintegrate the real  
43 issue we have here of harvesting cow moose.

44  
45                   The Department supports this proposal  
46 with modification. That is to amend the proposal to  
47 establish a December 1 to 10 winter moose season with a  
48 harvest limit of one bull in Units 21(D) and 24,  
49 consistent with action taken by the Board of Game at it's  
50 meeting earlier this year in Fairbanks. Antlerless moose

1 harvest in the Koyukuk controlled use area can be  
2 supported by current moose numbers on a limited basis  
3 only, that is to support the ceremonial harvest that  
4 occurs consistently, which the Department supports and we  
5 expect that will continue. Beyond that we are very  
6 concerned about authorizing any cow harvest.

7  
8                   Fall 2001 trend count surveys suggest  
9 static or declining moose numbers in the Three Day  
10 Slough, Kaiyuh Slough, Pilot Mountain and Squirrel Creek  
11 trend count areas. Population estimation surveys in  
12 northern Unit 24 in 1999 and in southern Unit 24 in 2001  
13 suggest a population decline is occurring. Calf, cow and  
14 yearling cow ratios indicate that recruitment rates are  
15 declining and that more conservative harvest of cows is  
16 needed throughout the area. Surveys conducted in March  
17 1999 and March 2000 found a increasing wolf population  
18 that was also impacting moose recruitment in Unit 24.

19  
20                   Conservative management strategies have  
21 been implemented for Units 21(D) and 24 in a step wise  
22 progression as outlined in the March 2001 Koyukuk River  
23 Moose Management Plan. Objective 1.3 specifies that,  
24 once reasonable opportunity for subsistence harvest of  
25 moose has been provided allow resident and non-resident  
26 general hunting of moose while insuring the total harvest  
27 is sustainable and within harvest and other management  
28 objectives. To carry out this objective, action 1.3.1  
29 calls for first restricting cow harvest in the general  
30 hunt then in the fall subsistence hunt and finally in the  
31 winter hunt. Consistent with these provisions the State  
32 regulations no longer authorize the hunting of cows in  
33 the general and fall subsistence hunts.

34  
35                   The fall antlerless moose seasons in  
36 Units 21(D) and 24 were closed by emergency order for the  
37 third time last year. Poor recruitment and continuing  
38 population declines required that additional measures be  
39 taken to protect cow moose. Annual harvest of cows  
40 during winter seasons is estimated at 120 in Unit 21(D),  
41 and 70 in Unit 24. As moose populations decline and  
42 local hunters success declines during the fall season,  
43 more local hunters may shift their efforts to the winter  
44 season where a larger portion of the harvest will be  
45 cows. The Department has addressed this concern about  
46 the decline in local hunter success consistent with the  
47 provisions in the Moose Management Plan through an 80  
48 percent reduction in the number of drawing permits that  
49 will be issued for the fall hunt in the Koyukuk  
50 controlled use area. The Board of Game adopted a

1 proposal that expanded the limited drawing permit  
2 provisions to additional areas of Units 21(B), 21(C),  
3 21(D) and 24. These actions demonstrate the State's  
4 commitment to restricting non-subsistence uses when  
5 necessary for conservation purposes and to provide for  
6 continued subsistence opportunities. However even  
7 substantial reductions in the harvest of bulls cannot  
8 offset the impact associated with the current cow  
9 harvest, because mortality in the cow segment of the  
10 population can cause or accelerate the overall population  
11 decline.

12  
13                   Regarding the modified proposal as  
14 recommended by the Interagency Staff Committee. The  
15 Department supports implementation of the December 1 to  
16 10 bull seasons in Units 21(D) and 24. The proposed  
17 March 1 to 5 antlerless seasons to be administered by  
18 Federal registration, likely will result in additional  
19 cows being harvested at a time when conservation of cows  
20 is important. We appreciate the provision stating  
21 Federal managers will open the March seasons, quote if  
22 the moose population with in the affected areas can  
23 support an antlerless moose harvest consistent with the  
24 Koyukuk River Moose Management Plan, end quote, and after  
25 consultation with the Department and with the Chairs of  
26 the Western Interior Regional Council and the Middle  
27 Yukon Fish and Game Advisory Committee.

28  
29                   Further clarification and discussion of  
30 this provision is important. As we interpret it to mean  
31 that the March season may not be opened in some or all of  
32 the hunt areas under consideration.

33  
34                   Finally the Staff Committee justification  
35 points out that the patchwork land ownership pattern in  
36 the hunt area may be confusing for Federally-qualified  
37 subsistence hunters. A concern that the Federal Board  
38 has consistently recognized in the past when considering  
39 proposals that would create different State and Federal  
40 Regulations, in the Koyukuk River Region. Having  
41 different State and Federal regulations in areas of mixed  
42 jurisdiction may adversely affect local rural residents  
43 in the hunt areas. Consequently, if the Federal Board  
44 implements March seasons in Units 21(D) and 24 we urge  
45 that the Federal Staff commit to conducting the outreach  
46 effort that will be needed to educate and inform local  
47 residents.

48  
49                   Thank you, Mr. Chairman.

50

1 CHAIRMAN DEMIENTIEFF: Thank you.

2 Discussion.

3

4 MR. SAM: Yeah, I would just like to read  
5 this in the record. That the State instituted predator  
6 harvest -- predator controlled measures within the  
7 McGrath and the Nelchina area, showed some signs of  
8 success because they did -- I got these numbers from  
9 someone around here, but they did harvest 39 wolves in  
10 the McGrath area and 37 within the Nelchina area. As far  
11 as the Koyukuk River 21(D) and Unit 24 there was 107  
12 wolves harvested last year in 2002 in 21(D), there was 70  
13 in Unit 24. So these people deserve that March cow  
14 season and either sex season. They have been managing  
15 and conserving their area for a good long time. I think  
16 the wolf subsistence harvest started a few years back  
17 when the efficiency of the snowmachine evolved to where  
18 you could darn near do anything with it. And that's when  
19 this wolf harvest started within the Huslia area.

20

21 We, under the Federal program,  
22 subsistence program are supposed to be providing for  
23 subsistence first and commercial sports, secondary or  
24 thirdly. With the moose population being what it is in  
25 21(D) and lower 24 there should be no biological or  
26 conservation concern.

27

28 I would ask that you institute this March  
29 1 through March 5 in the book -- which I wanted to  
30 clarify -- that I think Don wanted it to be read in the  
31 book that the March 1 through March 5 either sex harvest.

32

33 Thank you.

34

35 CHAIRMAN DEMIENTIEFF: Gary you had  
36 something.

37

38 MR. EDWARDS: Yeah, Mr. Chairman. I have  
39 several questions I guess. But before I get into that I  
40 would offer, as Mr. Bos said this is a pretty complex,  
41 you know, proposal and we have passed out a matrix. It  
42 might be helpful if Greg would kind of walk through that  
43 so Board members can kind of fully understand what are  
44 the existing regulations, what's being proposed, what is  
45 the Western Interior Council is recommending, you know,  
46 what is the Staff Committee recommending and sort of what  
47 is the State so we can kind of see what the playing field  
48 is. Then I'd like to ask some questions, please.

49

50 (Pause)

1 CHAIRMAN DEMIENTIEFF: Thank you.

2

3 MR. BOS: Thank you, Mr. Chair. I guess  
4 the way to eat an elephant is one bite at a time, and I'm  
5 suggesting that we take this proposal in pieces and work  
6 through it, I think so we don't get too tangled up in it.

7

8 As Gary said, the chart does show the  
9 existing regulation, what the original proposal requested  
10 and then what the Regional Advisory Council and the Staff  
11 Committee recommended. The original proposal was only  
12 for the Koyukuk controlled use area, but it was expanded  
13 through modifications by the Regional Advisory Council  
14 and by the Interagency Staff Committee in response to  
15 first request by local Federal Manager, to address  
16 biological concerns in the remainder of Unit 21(D) that  
17 is Unit 21(D) outside of the Koyukuk controlled use area.  
18 If we can have the map of the areas so people can see  
19 what we're talking about one more time.

20

21 Secondly, in response to regulatory  
22 changes made by the State of Alaska, the expansion makes  
23 look more complicated than it really is. I think it  
24 would be helpful if you agree to first consider the  
25 recommendations for the Koyukuk controlled use area and  
26 then we can move to the expanded areas. The Koyukuk  
27 controlled use areas straddles two Units, the unit  
28 boundary between 21(D) and 24 basically divides the  
29 controlled use area in two. There are some differences  
30 in the existing regulation, between those units with  
31 respect to the winter seasons. But the recommendations  
32 of the Regional Advisory Council are the same for both  
33 pieces of the controlled use area. And the Staff  
34 Committee's recommendations are also the same for both  
35 pieces although they differ from the Regional Advisory  
36 Councils recommendation.

37

38 So I think we passed around this chart  
39 with the shaded columns and I would suggest that we just  
40 focus on the two right-hand columns that is the Regional  
41 Advisory Council recommendation and the Staff Committee's  
42 recommendation and those shaded cells are those where  
43 there are differences between the two recommendations and  
44 we can address those. There are really three things  
45 involved in these differences.

46

47 One is whether or not the State  
48 registration permit for the fall season would be  
49 required. Secondly whether or not during the March 1 to  
50 5 season that the Refuge Manager be delegated authority

1 to open or close portions of the area, and to establish  
2 harvest quotas for cows. Thirdly whether or not there  
3 should be a December 1 to 10 bulls only season. I think  
4 if we cover those three differences with respect to  
5 controlled use area, I think it will really largely  
6 affect the outcome for the expanded areas, and we can  
7 move through this fairly expeditiously.

8  
9                   So I suggest Mr. Chair we take these  
10 things up one at a time. I could start off with the  
11 State registration permit, I think is a fairly non-  
12 controversial issue. The State registration permit has  
13 been a requirement in the regulation. For some reason it  
14 was not included in the proposal that came before the  
15 Council and then the Council didn't specifically address  
16 that question when it made it's recommendation. The  
17 Staff Committee's recommendations is to reinstate that  
18 requirement or continue that requirement in the control  
19 use area for the registration permit. The reason for  
20 that is because without that requirement we would have  
21 the potential for violations of State regulations when  
22 local hunters are hunting on village lands or on State  
23 jurisdiction lands. By having the requirement for a  
24 State registration permit they can hunt on any lands and  
25 be free of that risk.

26  
27                   I believe that if I may ask Ron I don't  
28 think the Council would object, I know you've supported  
29 having the registration permit requirement in the fall  
30 season in the past.

31  
32                   MR. SAM: The requirement to -- I kind of  
33 misunderstand you there.

34  
35                   MR. BOS: During the fall moose season on  
36 the Koyukuk there's a requirement that hunters have a  
37 State registration permit.

38  
39                   MR. SAM: Yes, within the Koyukuk control  
40 use area, and that's as far as that extends on the  
41 Koyukuk, just below Allakaket, and that's what we're  
42 basing our proposals on, I mean that limited number of  
43 amount of permits and with the majority of them going to  
44 the locals, those are guaranteed.

45  
46                   MR. BOS: So, Mr. Chair. I think the  
47 question is, is it within the intent of the Regional  
48 Council to continue the registration permit requirement  
49 during the fall season.

50

1 MR. SAM: I'm not sure if I understand  
2 the question, maybe that's a hold up. Are you saying  
3 that the permit system is going out or what? Can you  
4 help me out there Mike?  
5

6 MR. BOSS: Let me pose it another way.  
7 There has been a requirement in the regulation for  
8 several years that subsistence hunters hunting under  
9 Federal regulations utilize the State registration  
10 permit. That's in the regulations right now, however,  
11 the proposal that your Council took action on, did not  
12 address that question and did not have the registration  
13 permit requirement in the wording in the proposal that  
14 you adopted. The question is if we want to continue  
15 having that requirement for a State registration permit,  
16 then we would put that back into regulation.  
17

18 MR. SAM: No, at this time I think the  
19 only issue before us is the March 1 to March 5 cow hunt  
20 season. We did not address that issue at our meeting,  
21 because the only portion that we are worried about or  
22 concerned about is the March 1 to March 10th -- excuse me  
23 March 1 to March 5, cow harvest or either sex harvest at  
24 this time.  
25

26 CHAIRMAN DEMIENTIEFF: Any other  
27 discussion.  
28

29 (No comments)  
30

31 CHAIRMAN DEMIENTIEFF: Are you done Greg?  
32

33 MR. BOS: On that point yes. I think  
34 then that we have an understanding that we would, I  
35 believe, a tentative understanding that we would continue  
36 with the registration permit requirement for the fall  
37 season. Then we come to the difference, regarding the  
38 March 1 to 5 antlerless season. The Regional Council is  
39 recommending March 1 to March 5 antlerless season for the  
40 entire area with out any qualifications. The Staff  
41 Committee is recommending that the Board delegate to the  
42 Refuge Manager the authority to open or close portions of  
43 the area to antlerless hunting, to cow hunting and if  
44 necessary to establish quotas on the number of cows that  
45 can be taken in these areas. That determination would be  
46 made as a result of fall moose composition surveys that  
47 will be conducted this year before the winter season to  
48 determine the status of the moose population and what  
49 those quotas might be.  
50

1                   CHAIRMAN DEMIENTIEFF: Thank you. Ron.

2

3                   MR. SAM: Thank you, Mr. Chair. I would  
4 be against establishing a quota. I think that it was  
5 clearly stated by most of the elders at Huslia that if  
6 you need meat you need meat and that's it. That was the  
7 bottom line, this quota system I don't think would work,  
8 it may even be abused out rightly if it was introduced  
9 into this proposal.

10

11                   CHAIRMAN DEMIENTIEFF: So I know you have  
12 done extensive work on this issue Ron, is it fair to say  
13 that irregardless of what action the State Board may take  
14 or the Federal Board may take that there is going to be  
15 cow harvest.

16

17                   MR. SAM: Thank you, Mr. Chair. Yes,  
18 there will be, but very limited because if you go back to  
19 the numbers what, two or three percent, but then people  
20 have been backing off. There have been some reports of  
21 one village against another at Huslia and Allakaket and  
22 that in itself is a deterrent. They were turned in, for  
23 what purpose I don't know, but that in itself is quite a  
24 deterrent and I do not think that it will be abused as  
25 much as Mr. Spindler or Glen Stout, the Department  
26 biologist at Galena -- I think some of their numbers are  
27 inflated and ours maybe deflated but like I said when one  
28 of your own people report you as getting a moose out of  
29 season that in itself is a deterrent. With that I'll  
30 tell you that a cow and a calf came between the villages  
31 of Alatna and Allakaket and stayed there until before the  
32 first of March and then returned after the cow season is  
33 closed, so it's like they seem to know. So nobody  
34 harvested those animals, they were there throughout the  
35 winter.

36

37                   CHAIRMAN DEMIENTIEFF: Yeah. The part  
38 about no calf, cows with last years calf, you know the  
39 big ones, the ones that are going to go out, this coming  
40 fall I know they're going to make it the big calves.  
41 Actually to be realistic about this whole thing, this  
42 winter there was a cow with a big calf, the big calf was  
43 so fat it drove me nuts all winter long every time I seen  
44 it, I wanted to get it, I didn't and I don't think  
45 anybody else did. I think it was just driving all of us  
46 nuts. So there is an exception to the cow with the calf  
47 theory because a calf born previous, you know, will make  
48 it. Like one born this past spring, probably wouldn't  
49 make it so there is a differing point there.

50



1 MS. GOTTLIEB: Mr. Chair.  
2  
3 CHAIRMAN DEMIENTIEFF: Go ahead.  
4  
5 MS. GOTTLIEB: Mr. Chair. I just have  
6 one question for Ron or Greg because of one of the  
7 differences between the Staff Committee and something Ron  
8 had said.  
9  
10 Ron, I was wondering if I could follow up  
11 on what you said. You said the December hunt was just  
12 not practical, but it's recommended by the Staff  
13 Committee to include it, but I wondered if your comment  
14 on suggestion meant take that out.  
15  
16 MR. SAM: Yes. I would exclude it all  
17 together, because it is not only impractical the moose is  
18 also inedible. We just can't see any reason for going  
19 out -- again when I spoke of having four or five machines  
20 with engines running, with the lights on in order to  
21 avoid wanton waste. What happened there is people if  
22 they get one accidentally, you could say, you know, they  
23 just come back to village and get help to make sure it's  
24 not wasted out in the woods. We do that all the time.  
25  
26 Thank you.  
27  
28 CHAIRMAN DEMIENTIEFF: Steve.  
29  
30 MR. KESSLER: Greg or Ron, I just want to  
31 make sure I understand on the March 1 through 5th  
32 proposal. The area that could actually be hunted say  
33 around Huslia is just that one small block of land that's  
34 Federal land, it's not -- maybe we could bring that map  
35 back up again and take a look at that, if I understand  
36 correctly it's just that very one small block of land, I  
37 think it was to the east of Huslia, in the case of  
38 Huslia, is that correct?  
39  
40 UNIDENTIFIED SPEAKER: Do you have that  
41 mic, I mean map Mike.  
42  
43 MR. SPINDLER: There's one area about 10  
44 to 15 miles northeast and there's another area about 10  
45 to 15 miles south. Those are the only areas that are  
46 good moose habitat that are within a practical distance  
47 on Federal Lands.  
48  
49 MR. KESSLER: So do you have any estimate  
50 or sort of percentage of the good moose habitat in the

1 area that could be reached by people from Huslia? What  
2 percentage of the good habitat would be open to harvest  
3 through this regulation? Is it a very small percentage,  
4 it looks like it is on there, but I can't tell how much  
5 of that is good moose habitat.

6  
7 MR. SPINDLER: I'll circle the good moose  
8 habitat.

9  
10 MR. KESSLER: What I'm trying to get to  
11 is, you know, what percentage of the area, you know, are  
12 we really talking about, is it a very small percentage of  
13 the good habitat of moose with in reach of.....

14  
15 MR. SPINDLER: Right, the village  
16 corporation selections pretty much took up most of the  
17 good moose habitat. The only good moose habitat is  
18 probably about 10 to 15 percent of that circle that I  
19 described. The other problem is that the typical  
20 scenario in that winter hunt whether it's in February or  
21 March, typically is that people will leave the village  
22 and they'll head out and the first moose they come to  
23 they shoot. And so they're not going to be looking at a  
24 GPS, they're not going to be looking at a moving map on a  
25 GPS, knowing where they are. This is a very complex  
26 situation for the hunters to face knowing exactly where  
27 they are because they will inadvertently be shooting  
28 moose on State Lands, State jurisdiction Lands. That's  
29 our real concern here.

30  
31 CHAIRMAN DEMIENTIEFF: Yes, John.

32  
33 MR. LITTLEFIELD: Mr. Chair. We don't  
34 have a vested interest in this at all of course from  
35 Southeast. But we have a similar situation that's why  
36 I've been trying to follow this is the U2, the Unit 2  
37 deer, which often times people have suggested that  
38 perhaps we looked at the Koyukuk River Moose Management  
39 Plan as an example of how we would form something in  
40 Southeast to work for us for those residents. Some of  
41 the things I hear are really troubling to me, because I  
42 know our Council would not buy off on reasonable  
43 opportunity which has been mentioned, when we're talking  
44 about Federal Lands. That's not the standard by which  
45 the Federal Plan is figured, not reasonable opportunity.  
46 You have all those residents in that area that have  
47 positive C&T and it's been their custom and tradition to  
48 take cows. Yet, you're reducing that at the same time  
49 that the Chair of the Western Regional says that you're  
50 having a 50 bull trophy hunt.

1                               To me that seems -- I don't think our  
2 Council's going to come out with a U2 deer plan that  
3 allows something like that, because our mission as  
4 Regional Advisory Council is fairly clear. We are to  
5 provide the subsistence opportunity in preference for the  
6 rural residents, in this particular case, the rural  
7 residents have a positive C&T already. So a proposal  
8 could have come forward to limit the moose hunting in the  
9 area and all the Federal Lands to residents with a  
10 positive C&T only and maybe that would have got more  
11 action out of people, but it seems like the subsistence  
12 people are being asked to bear an undo burden here. I'm  
13 just -- at least that's the way it seems to me and maybe  
14 the Western Interior would like to comment on that,  
15 because I know that this model has been suggested to us  
16 and I've been trying to follow it closely.

17

18                               Thank you.

19

20                               CHAIRMAN DEMIENTIEFF: Ron.

21

22                               MR. SAM: Thank you, Mr. Chair. Again I  
23 disagree with our Refuge Manager that they shoot the  
24 first moose they see. I believe that is wrong, this hunt  
25 for the people that really do use it is planned out  
26 pretty much like the fall hunt. You go out there early,  
27 you know where the moose are, you know what kind of moose  
28 is in that area, which kind you hunt and that'd be the  
29 only ones that are really successful, and I just totally  
30 disagree with that statement that says, they shoot the  
31 first moose they see. It's not always the case, and I  
32 would like -- I just didn't want to see that on record.

33

34                               Thank you.

35

36                               CHAIRMAN DEMIENTIEFF: I think, Ron,  
37 personally I agree with you, that even in the fall time,  
38 we look at a whole bunch before we take the one that we  
39 want at home. I know it's a common practice in all the  
40 villages.

41

42                               Greg did you have something else.

43

44                               MR. BOS: Yes, I just wanted to add a  
45 comment or a clarification on Ms. Gottlieb's question  
46 about the December hunt.

47

48                               Because the State has a December 1 to 10  
49 bulls only hunt local residents will be able to hunt on  
50 Federal lands and off Federal lands under that hunt. The

1 only reason the Staff Committee was recommending adding  
2 that to the regulations on the Federal side was so that  
3 the regulations would be identical and cause less  
4 confusion. We're not suggesting that the December hunt  
5 would substitute for the March season or provides any  
6 significant additional opportunity. Some hunters may  
7 wish to take advantage of that, it's simply to keep the  
8 regulations identical, and I think that's consistent with  
9 the Boards approach in this area in the past, because of  
10 the patchwork land ownership and jurisdiction problems,  
11 as much as possible if we could keep the regulations the  
12 same it would reduce that confusion.

13

14 Now we're going to have that problem with  
15 the March 1 to 5 season, because there is not comparable  
16 State season and we're just going to have address that  
17 through a real concentrated effort on outreach.

18

19 CHAIRMAN DEMIENTIEFF: Ron.

20

21 MR. SAM: Thank you. Again, Mr. Chair, I  
22 have no problem with leaving it on the books, for  
23 jurisdictional and enforcement problems. I just don't  
24 see where it will be really utilized, the residents in  
25 this area, the moose population being what it is and the  
26 fall hunt just a few months before December they hunt one  
27 to three days to fill their freezer, whereas up in the  
28 Allakaket area we hunt 10 to 14 days. So I don't see  
29 that -- well I don't see that the December 1 through the  
30 December 10 season being utilized. There may be some  
31 emergencies at sometime, but in order to be in alignment  
32 and stop some of the enforcement issues, I don't have any  
33 problem with leaving it in the books.

34

35 As far as the Alatna people are concerned  
36 even if we did have one, they wouldn't use it. But we've  
37 been fortunate that for the last three or four years that  
38 the caribou has come in right after the moose hunt too.  
39 So that's why we've never used that December hunt.

40

41 Thank you.

42

43 CHAIRMAN DEMIENTIEFF: Any other  
44 discussion. Grace.

45

46 MS. CROSS: We have moose problems in our  
47 region and what we did was limit the winter hunts only to  
48 certain communities. This worked -- well it's worked  
49 this year, so, we even subdivide our game units to  
50 reflect that.

1                   Just wanted to make that suggestion.

2

3                   MR. EDWARDS: Mr. Chairman. I'd like  
4 maybe, Mr. Spindler, whether he could address this issue  
5 on the taking of antlerless moose, you know, there's been  
6 some concerns expressed, you know, why are we allowing  
7 this trophy hunt if in fact we feel there's this  
8 conservation concern.

9

10                  I guess my question to you, is there a  
11 conservation concern associated with the anticipated bull  
12 harvest that would occur under what's being proposed?  
13 And if there is, why is there, if there isn't, why is  
14 there not?

15

16                  CHAIRMAN DEMIENTIEFF: Go ahead.

17

18                  MR. SPINDLER: Yes, Mr. Chair thank you.  
19 If I could have the slide with the population model again  
20 please. The modeling that was done by or Staff and also  
21 by Alaska Fish and Game, two separate modeling efforts  
22 showed that normally cow survival is around 95 percent,  
23 in other words a cow has a 95 percent chance to live from  
24 one year to the next. In the model drop that survival  
25 value one or two percent, which would be the additional  
26 cow harvest, it can cause the direction of the graph to  
27 change. Whereas you can take that 350 bull harvest on  
28 here -- if I could get the graph back that would be good.  
29 You could take that 350 bull harvest and you could  
30 increase it to a 500 bull harvest and it won't cause the  
31 total population to go down. Because bulls aren't  
32 bearing young for the future, the cows are bearing young  
33 for the future.

34

35                  So the problem is that one percent of the  
36 cows is significant, but that one percent of the bulls is  
37 not, you could take 10 percent of the bulls without much  
38 affect on the total direction of the graph. But if you  
39 change the number of cows harvested from one percent and  
40 move it up to four percent which is where we believe it  
41 is now, you drop that graph even further. The reason we  
42 were getting away with cow harvest for the past 15 years  
43 is because the population was growing. If we look back  
44 to the long-term population graph -- if you recall the  
45 long-term one from Three Day Slough, from the 19 -- early  
46 1980's until about 1993 that population was growing. You  
47 can harvest cows in a growing population, that was doing  
48 fine. But once that population started turning downward  
49 in the mid '90s that cow harvest became damaging to the  
50 population.

1                   So lots of studies have been done by the  
2 Department of Fish and Game elsewhere in the State that  
3 cow survival ailment in any population analysis is  
4 extremely important. There was a documentation in the  
5 Nelchina area where the cow annual survival rate of 96  
6 percent, the population was growing, 10 years later the  
7 cow survival dropped to I believe 93 percent that  
8 population started going down.

9

10                   Thank you.

11

12                   MS. GOTTLIEB: Mr. Chair.

13

14                   CHAIRMAN DEMIENTIEFF: Judy.

15

16                   MS. GOTTLIEB: I was wondering, Mike, if  
17 there are some basic guide lines in the plan that address  
18 these kinds of statistics as well?

19

20                   MR. SPINDLER: I didn't address the cow  
21 survival rates specifically, but it did talk about a  
22 stepped approach. In other words, if the population  
23 started going down they would remove sporthunting  
24 opportunity first with the drawing hunt, adjust the  
25 number of drawing hunts. The next thing would be to  
26 reduce the fall antlerless opportunity, which has been  
27 done by State emergency order and by Federal Board  
28 special actions the last two years. Then the third and  
29 final thing is adjust the winter hunts accordingly, if we  
30 could just get people to shoot bulls in March it would be  
31 great but we can't, you know, they can't tell them that  
32 easy.

33

34                   CHAIRMAN DEMIENTIEFF: Craig.

35

36                   MR. FLEENER: Thank you, Mr. Chair. I  
37 have a question. I wonder if you know actually how many  
38 cows are actually being harvested on the Federal Land,  
39 that's out there. That would give us a good idea of what  
40 the percentages, because you talk about increasing the  
41 harvest of cows by one percent, making the graph go down  
42 I'm wondering if historically you've seen one percent or  
43 more of an increase on Federal land over the past few  
44 years.

45

46                   MR. SPINDLER; Yes, Mr. Fleener and Mr.  
47 Chair. We don't keep the data that specific to Federal  
48 land or State land, unfortunately when the harvest  
49 tickets come in it's just in that game management unit.  
50 If you could recall the chart with the land status, with

1 the checker board land status. Most of the moose hunting  
2 occurs within a few miles of the river corridor, in  
3 Huslia it tends to spread out quite a bit more because  
4 the river flood plain is much wider there, but also there  
5 is checkerboard as well. It's just very difficult to get  
6 an assessment of how much is on Federal verses how much  
7 is on other jurisdictions because of that checkerboard  
8 ownership pattern. If you look at the National Wildlife  
9 Refuge boundaries and land ownership, and you look at the  
10 heart of the wildlife refuge away from the villages there  
11 is no corporation land there or no State Land, it's all  
12 Federal Land. In most of those areas a lot of that stuff  
13 is uplands or muskeg, bog type habitats it's not the  
14 primary moose habitat that the corporation selected the  
15 best moose habitat.

16  
17 MR. EDWARDS: Mr. Chairman. As a follow  
18 up and it's my understanding that all of the potlatch  
19 harvest which is primary a cow harvest, that all occurs  
20 on Federal Lands; is that correct?

21  
22 MR. SPINDLER: I'd have to say the same  
23 thing with the potlatch harvest, it's where ever people  
24 can get the moose and they have traditional places they  
25 go, and it's going to be fairly close to the villages not  
26 very far. It's a fairly good chance it's on State  
27 jurisdiction lands, on corporation lands. Some chance  
28 it's on Federal Lands, we don't keep track of that we  
29 don't ask people to give us a lat./long. coordinate of  
30 their kill sites.

31  
32 CHAIRMAN DEMIENTIEFF: I think with one  
33 small correction, that is that having done that for many  
34 years you generally try to go to get meat from the  
35 trapping site or the hunting camp or the place that that  
36 person utilized. I mean culturally that's how we do  
37 that, so that's where you concentrate your hunt and I  
38 agree that you take it where you can, but you try to go  
39 to get something from the land that that person that you  
40 lost utilized. You know, it doesn't always work out like  
41 that, obviously if you see something you have to take it,  
42 you know, for potlatch purposes. That's where the  
43 primary focus is.

44  
45 Ron you had something.

46  
47 MR. SAM: Thank you, Mr. Chair. We do  
48 practice that to some extent, however, that's not all the  
49 cases. When we harvest for memorial potlatches it  
50 depends on the season, and a lot of the memorial

1 potlatches in Allakaket is traditionally held in  
2 November. Sometimes we do not harvest fresh meat because  
3 we've got enough fall meat to do that. And we do not  
4 harvest only cows for funerary purposes. When we are  
5 going to bury somebody for the funeral potlatch it's  
6 sometimes like, Mike Spindler says, you've got to have  
7 meat to feed all the influx of people, so at times we do  
8 get the first one of either sex. So it's not always all  
9 cows and I don't think it's even 50 percent of them are  
10 even cows. It's just something that you have to do.

11

12 CHAIRMAN DEMIENTIEFF: Paul.

13

14 MR. TONY: Yeah, Mr. Chairman thank you.  
15 I was wondering on the -- when you speak about the  
16 habitat and you talk about the moose habitat and some  
17 being bog. Is that in relation to like the fall hunts  
18 you're talking about or are you distinguishing between  
19 winter moose habitat, summer moose habitat, I was curious  
20 about that.

21

22 MR. SPINDLER: Mr. Tony. Yes, we've done  
23 some radio collaring studies of the moose there and  
24 usually the moose are back onto their winter habitat by  
25 September. So the September fall hunt and the December  
26 hunt and the March hunt are all on winter habitat, and  
27 those areas that I spoke of near the villages are mainly  
28 winter habitat, there is some migration that occurs off  
29 into the bog areas. It's summer, it usually occurs right  
30 after calving, they spend usually May and June there and  
31 then by August they're starting to head back to the  
32 winter habitat, generally on the Koyukuk that's the case.

33

34 CHAIRMAN DEMIENTIEFF: Craig.

35

36 MR. FLEENER: Thank you, Mr. Chair. I  
37 also wanted to ask, on the limited Federal Land that does  
38 exist out there. Not knowing how many moose are actually  
39 being harvested in those areas, I think it's pretty hard  
40 to really say, really have a estimate other than  
41 graphing, you can graph any numbers you want, but I  
42 wonder if you really foresee a drastic increase of  
43 harvest on that little bit of Federal Land that does  
44 exist out there.

45

46 MR. SPINDLER: Yes, Mr. Fleener, you make  
47 a good point. In all of our analysis of harvest and  
48 population we have tried to use a ecosystem approach and  
49 that's incorporate all of the lands within the area,  
50 whether it's refuge lands or corporation lands and we



1 have partnerships with the tribes and the corporations so  
2 that we can do survey work on their lands. But you did  
3 point out that the small areas that I circled were  
4 actually really small compared to the overall habitat and  
5 you are correct in that there would not be a huge harvest  
6 relative to the whole population occurring on those  
7 lands.

8

9

CHAIRMAN DEMIENTIEFF: Paul.

10

11

MR. TONY: Yeah, thank you, Mr. Chairman.  
12 You mentioned in your comments that a lot of the best  
13 moose habitat was selected by the corporations and, you  
14 know, it's really striking that Congress made a finding  
15 and I believe it was in ANILCA that a Native priority for  
16 subsistence on Native owned lands was essential to the  
17 health and well being of Alaska Native people, but  
18 unfortunately it did not implement that finding in the  
19 law, you know, that would have addressed I think some of  
20 -- part of this problem, because I think a lot of the  
21 corporations, and a lot of the Native peoples did select  
22 lands because of their subsistence value; not just in  
23 terms of moose habitat but in terms of fish and terms of  
24 berry picking and other subsistence activities and it's  
25 really, I believe, that statement probably has a lot of  
26 truth that, finding that it is essential to Alaska  
27 Natives people health and well being to have a Native  
28 priority on those Native owned lands, because those are  
29 the traditional and customary areas where these  
30 activities take place.

31

32

It's unfortunate that it was never  
33 implemented in the law.

34

35

CHAIRMAN DEMIENTIEFF: Yeah, I think  
36 we've pretty well discussed this issue, I think it seems  
37 like we always do better after we take a little break. I  
38 do -- I want to push this to a decision point, because we  
39 do have a time limit on us today, as far as how long we  
40 can utilize the building and besides that our States  
41 number one little indian has showed up and so his Board  
42 member that's been serving for him has to brief him and  
43 he's got to get caught up, so he'll be taking over here.

44

45

(Off record)

46

47

(On record)

48

49

CHAIRMAN DEMIENTIEFF: I'll just note  
50 that if I appear to be pushy about getting towards

1 adjournment, it's because I am. We do have a deadline on  
2 the time we can have the building for and I'm going to  
3 try to make sure we complete our work and get this  
4 accomplished. So that's what's driving this ship at this  
5 time. Anyway I think at this time we are probably ready  
6 for a motion with regard to the issue, I think we  
7 discussed it well, actually all morning, and I think it's  
8 time for us to go ahead and make a move.

9

10 MR. EDWARDS: Mr. Chairman.

11

12 CHAIRMAN DEMIENTIEFF: Yes.

13

14 MR. EDWARDS: Certainly recognizing that  
15 this is somewhat of a complicated issue and certainly  
16 recognizing, you know, what we are ultimately, you know,  
17 trying to accomplish as to allow as much hunting as we  
18 can for the subsistence users, I do think that as was  
19 pointed out at the beginning of Mr. Spindler's  
20 presentation that also under ANILCA this Refuge has two  
21 primary responsibilities. It's number 1 responsibility  
22 is for the conservation of the wildlife and it's habitat  
23 on that Refuge. The second responsibility or mission is  
24 to ensure the sustainable use of that wildlife for  
25 subsistence purposes, and as a result I think to ensure  
26 that the Refuge meets both of it's two requirements under  
27 ANILCA, I do think we need to take a very cautious  
28 approach based upon the information that we've heard with  
29 regards to moose hunting, of cows.

30

31 To that extent then I would move that we  
32 would adopt the recommendation of the Western Interior  
33 Regional Council, with a modification, and that  
34 modification would establish a December 1 to 10 bull only  
35 season in addition to a March 1 to 5 antlerless season,  
36 in Unit 21(D) and on the Koyukuk Refuge lands in Unit 24.  
37 That would require a State regulation permit for the fall  
38 seasons for the areas within and adjacent to the Koyukuk  
39 control use area and would require a Federal registration  
40 permit for the March 1-5 antlerless season and it would  
41 also authorize the Koyukuk National Wildlife Refuge  
42 Manager in consultation with other affected agencies and  
43 local advisory bodies to announce a cow moose quotas and  
44 close portions of the area to cow moose hunting during  
45 the March 1-5 season if necessary for conservation  
46 purposes. In saying that, I want to make sure that we  
47 will be doing the survey information that would allow us  
48 to determine if there would be opportunities that we  
49 could allow a cow hunt in some areas and certainly if  
50 that opportunity -- the population so supports we would

1 certainly do that.

2

3 But it's certainly not what the Council  
4 wants, but it does provide that opportunity if in fact  
5 the data would suppo -- the survey data would support  
6 that the population could support such a hunt.

7

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

10

11 MR. CESAR: I'll second that.

12

13 CHAIRMAN DEMIENTIEFF: It's been moved  
14 and seconded. Greg.

15

16 MR. BOS: Yes, Mr. Chair. I guess I'd  
17 like to clarify that I think the motion is directed at  
18 the entire proposal. The discussion we've had so far was  
19 focused on the controlled use area only. But there are  
20 elements of the proposal that address adjacent areas  
21 where the State has established a registration permit,  
22 which will benefit subsistence users, because it will  
23 reduce non-local hunting pressure. The same three pieces  
24 that we've been discussing, the registration -- the State  
25 registration permit requirement, the December bull season  
26 and the March 1 to 10 antlerless season, with some  
27 delegation to the Refuge Manager, apply to those other  
28 areas as well. So if the intent of your motion that is  
29 for the entire package I think we could move that right  
30 along, there isn't really anything new in those  
31 additional areas, the expanded areas, adjacent to the  
32 controlled use area.

33

34 CHAIRMAN DEMIENTIEFF: Thank you. Terry.

35

36 MR. HAYNES: Thank you, Mr. Chairman.  
37 We'd like clarification of what proposal is on the table  
38 too, I am confused with reference being made to modifying  
39 the Staff or the Regional Council recommendation. It  
40 seems to me, that it would be more useful to work from  
41 the details in Staff Committee recommendation. If what  
42 you're recommending differs from what's in there, I'm  
43 very confused right now I guess Mr. Chairman.

44

45 MR. EDWARDS: Well, once again I was  
46 trying to comply to our policy as to not referring to the  
47 Staff Committee recommendation, but trying to support the  
48 Councils recommendation and then modify it accordingly.  
49 So that's what I was trying to do.

50

1 MR. HAYNES: Then perhaps somebody could  
2 detail the proposal for me because I quite frankly don't  
3 understand what we're looking at now.

4  
5 MS. GOTTLIEB: Mr. Chair.

6  
7 CHAIRMAN DEMIENTIEFF: Yes.

8  
9 MS. GOTTLIEB: In the midst of the  
10 confusion, maybe I can ask Terry a question, which I'm  
11 sure he can answer. There was some reference to that  
12 there had been some February State hunts are those now  
13 off the table completely?

14  
15 MR. HAYNES: Mr. Chairman. Ms. Gottlieb,  
16 yes, the State has only a December 1 to 10 winter seasons  
17 in the areas.

18  
19 CHAIRMAN DEMIENTIEFF: So anyway don't  
20 feel you are not the exception, you're the rule. I wake  
21 up every morning confused, but I think the difference is  
22 that the March 1 to 5....

23  
24 MR. EDWARDS: It's a little different,  
25 because as Greg pointed out the Council did not address  
26 either the registration issue or the December. But based  
27 upon questions that were asked of Ron I think he  
28 acknowledged that there's really not an issue with them  
29 and their primary concern is what occurs during the March  
30 hunt, so as it applies to the March hunt, my proposal,  
31 somebody correct me if I'm misunderstanding it. But both  
32 in Unit 21(D) and in Unit 24 there could be, there would  
33 be a March season for antlerless on Federal Lands between  
34 March 1st and March 5th, but it would be open at the  
35 discretion, maybe discretion is the wrong word to use but  
36 it would be open, you know, with the concurrence by the  
37 Refuge Manager, based upon survey data as well as  
38 concurrence with the entities that I identified.

39  
40 CHAIRMAN DEMIENTIEFF: So there is  
41 basically a delegation of authority.

42  
43 MR. BISSON: It's not just the Refuge  
44 Manager, it's the District Manager for the BLM in  
45 Fairbanks as well because it does include BLM Lands.

46  
47 MR. EDWARDS: Right. I think I did  
48 include that. It would include all those entities that  
49 needed to be consulted with.

50

1 CHAIRMAN DEMIENTIEFF: Greg.

2

3 MR. BOS: Yes, Mr. Chair. I believe the  
4 regulatory wording is provided in your book, under the  
5 Staff Committee recommendation, addresses all the points  
6 that Mr. Edwards has raised. He's just framing the  
7 motion in the context of a modification to the Regional  
8 Advisory Councils recommendation. I think we can rely on  
9 the wording that we've provided under the Staff Committee  
10 recommendation as a wording that you've voting on, if  
11 that's acceptable.

12

13 CHAIRMAN DEMIENTIEFF: Yeah, as far as --  
14 I'm concerned, I intend to support the motion as was  
15 made, I think it is to the best of our ability a middle  
16 ground from where the Council was coming from and all  
17 other issues concerned and we have done some considerable  
18 consideration, so I just feel like it's something that I  
19 can support. We need to move on and also I recognize  
20 that this is a work in progress that it may come back in  
21 another form but at least we have provided the  
22 opportunity actually for something we know is going to  
23 happen, it gives us the opportunity to count those moose  
24 that are harvested during the spring hunt. You know, for  
25 those reason at least we will have some numbers and so I  
26 intend to support the motion and intend also to work with  
27 the Western RAC to make sure that we can work this out in  
28 the long run. But this is a step, I think in the right  
29 direction for those purposes.

30

31 So I intend to support the motion. Is  
32 there any further discussion.

33

34 MR. CESAR: Mr. Chairman. I also intend  
35 to support the motion as Gary has proposed. I think it  
36 takes it from a lose/lose situation to at least, you  
37 know, in the middle grounds where the Refuge Manager and  
38 BLM Manager have the ability on the ground to view the  
39 information to that point and that's always a better deal  
40 then us trying to manage from this level in particular in  
41 a situation where there is a conservation concerns. I  
42 think that from my perspective this at least gives us an  
43 opportunity that there could be a season, not that there  
44 would be but that there could be.

45

46 CHAIRMAN DEMIENTIEFF: Ron.

47

48 MR. SAM: Thank you again, Mr. Chairman.  
49 I just wanted to make some clarifications to alleviate  
50 theories of overharvesting. The only portion that we are

1 addressing is the local residents that are Federally-  
2 qualified subsistence users and who already do have  
3 positive C&T determination. All the numbers therefore  
4 would be negligible and I'd like that point taken and on  
5 record.

6

7 Thank you again for this opportunity.

8

9 CHAIRMAN DEMIENTIEFF: Thank you. Steve.

10

11 MR. KESSLER: Thank you, Mr. Chair. I,  
12 too, intend to support the proposal and it's thinking  
13 about the conservation concerns associated with this  
14 proposal. We've heard that there is a conservation  
15 concern with harvesting a large number of cow moose, we  
16 do know that there will be cow moose harvested at some  
17 level already and so then the question is what is the  
18 affect of this proposal, specifically the March 1st  
19 through the 5th season. I would agree that there would  
20 be likely a negligible harvest of moose, of cow moose if  
21 this were only -- if the moose were only harvested on the  
22 small amount of Federal Land that has good moose habitat,  
23 where you would find the moose. But I think that the  
24 concern here is that there would be -- could be a  
25 substantial amount of moose that would be harvested off  
26 of Federal Land, because there just isn't very much good  
27 habitat on Federal land within the vicinity of these  
28 communities. So I think from the conservation standpoint  
29 we do need to take a careful approach and therefore I'm  
30 going to support the motion.

31

32 CHAIRMAN DEMIENTIEFF: Thank you very  
33 much. Judy.

34

35 MS. GOTTLIEB: Thank you, Mr. Chair. I  
36 wanted to thank the Western Council for sending in the  
37 letter and the accompanying chart on the moose harvest,  
38 which is based on some of the information the Department  
39 has collected. I wondered whether there's an estimate  
40 from the anticipated reduced State hunting that will take  
41 place this fall, how that might reduce that harvest, of  
42 it looks like about 340 moose over the last couple of  
43 years, if we have any idea?

44

45 CHAIRMAN DEMIENTIEFF: Terry.

46

47 MR. HAYNES: Mr. Chairman. I think  
48 evidence so far, since implementation of the plan is that  
49 the greater the harvest during the fall hunt the lower  
50 the harvest, during the winter seasons. That's been the

1 intent all along is to focus on the fall seasons, and to  
2 reduce harvest. So we would anticipate the new State  
3 regulations providing more local opportunity for fall  
4 harvest and hopefully reducing the reliance on winter  
5 harvest, but we of course have no way of knowing exactly  
6 how that may play out.

7  
8 CHAIRMAN DEMIENTIEFF: Further  
9 discussion.

10  
11 (No comments)

12  
13 CHAIRMAN DEMIENTIEFF: Hearing none all  
14 those in favor of the motion please signify by saying  
15 aye.

16 IN UNISON: Aye.

17  
18 CHAIRMAN DEMIENTIEFF: Those opposed same  
19 sign.

20  
21 (No opposing votes)

22  
23 CHAIRMAN DEMIENTIEFF: Motion carries.

24  
25 MR. EDWARDS: Mr. Chairman. Just before  
26 we end here I would like to ask Mr. Spindler, I know that  
27 the moose management plan is set to expire in 2005, is  
28 there interest in extending that and if so what do we  
29 need, what could this Board do to help ensure that that  
30 does take place?

31  
32 CHAIRMAN DEMIENTIEFF: Go ahead.

33  
34 MR. SPINDLER: Mr. Chair. Yes, all the  
35 stake holders have a high degree of interest in seeing  
36 this planning effort continue towards -- aim towards a  
37 renewal of the Koyukuk River Moose Management Plan,  
38 beyond 2005. So our Refuge played a big role in helping  
39 with that plan in cooperation with the advisory  
40 committees and the RAC and the other stake holders so we  
41 would anticipate there'll be a lot of interest. If  
42 there's funding made available to the State to continue  
43 that effort we would certainly encourage it from our view  
44 point and would support it with our funding as well.

45  
46 CHAIRMAN DEMIENTIEFF: Thank you, very  
47 much. We will now move on to Proposal 67 and I believe  
48 Judy has a comment.

49  
50 MS. GOTTLIEB: Thank you, Mr. Chair. We

1 have withdrawn Proposal 67, which is really almost a  
2 companion proposal to the one we just addressed, because  
3 it's up river and perhaps the same moose or general --  
4 it's certainly the same situation for the moose. In last  
5 August this Board closed the fall antlerless season in  
6 portions of Unit 24, but it didn't end up including Gates  
7 of the Arctic National Park and Preserve. So we put  
8 forward a special action at that time and then the Board  
9 supported similar closures. we started to submit  
10 Proposal 67 last fall and that was in front of the RACs,  
11 but we had not had a chance to coordinate this with our  
12 subsistence resource commission who had not been able to  
13 meet before, the RAC meetings. Since then the  
14 Subsistence Resource Commission has met and they will be  
15 formulating a proposal which will then go in front of the  
16 RACs in the right sequence and hopefully discussed by  
17 this Board next May. The Park is also planning on doing  
18 surveys this fall, moose in this general geographic area  
19 are probably a single population and subject to these  
20 same environmental trends, and the same pressures from  
21 predators. As such they will need to be manage  
22 consistently.

23  
24 So I just wanted to kind of give a heads  
25 up to everybody that we will be putting together a  
26 proposal in coordination with all the stake holders. But  
27 if our surveys do show some problems this fall we may be  
28 back in front of the RACs with a special action request  
29 if the harvest -- if the cow harvest looks like it's  
30 suffering.

31  
32 CHAIRMAN DEMIENTIEFF: Thank you. Then  
33 Proposal 67 at the request of the maker has been  
34 withdrawn and so we will now move onto. Oh sorry, Ron.  
35

36 MR. SAM: Thank you, Judy and thank you  
37 Mr. Chairman. Just some informational items. I had  
38 requested a meeting with the Kanuti National Wildlife  
39 Refuge and probably somebody from the OSM and we'll be  
40 asking the State Department people to come and have a  
41 little meeting to discuss strategies and how to resolve  
42 Proposal 67. I'm looking at August 15th, at Allakaket,  
43 Because of the myriad of sections that we have to  
44 determine which hunts and how many -- all that. It's  
45 something like Proposal 65, and thank you for -- I just  
46 wanted you to be informed that we are having a meeting  
47 addressing this issue.

48  
49 Thank you.  
50



1                   CHAIRMAN DEMIENTIEFF: We will now, the  
2 last issue we have in Western region and for everybody's  
3 clarification, we are going to -- as soon as we complete  
4 that we area going to go back to Proposal 1, which we are  
5 now prepared to complete our work but we are going to do  
6 Proposal 82 first and complete our work in the Western  
7 Region. That would be on Page 470 of your books,

8

9

Staff analysis.

10

11

12                   MS. H. ARMSTRONG: Thank you, Mr. Chair.  
13 Proposal 82, the analysis starts on Page 477, is another  
14 one of the proposals from Andrew Brattrud, similar to the  
15 one you heard earlier yesterday on Proposal 55, and this  
16 proposal requests that extending the customary and  
17 traditional use determination for caribou in Unit 26(B),  
18 be expanded to include all residents of the Dalton  
19 corridor north of the Yukon River. This proposal was a  
20 combined analysis or the analysis was combined with  
21 Proposals 56 and 83, and I just wanted to explain that 56  
22 had asked for C&T for caribou in Unit 24 and that  
23 proposal was opposed because the only part that actually  
24 affected was 20(F), and as you did yesterday that one was  
25 opposed by the Councils and the Staff Committee, so it  
26 was a consent agenda item. Then 82 had, I mean 83 I'm  
27 sorry, had originally requested that Stevens Village,  
28 Tanana, Galena, Kobuk and Koyukuk be considered and the  
29 proponent asked to have that with drawn as he did in  
30 Proposal 55 as well. So that made 82 and 83 identical,  
31 so the action on 82 would be the same as 83. So I'm just  
32 dealing with 82 in this analysis, I hope that's all  
33 clear.

33

34

35                   Currently the C&T determination for  
36 caribou for in 86(b) is for all residents of Unit 26,  
37 Anaktuvuk Pass, Point Hope and Wiseman. The proposal  
38 would give C&T to all residents along the corridor north  
39 of the Yukon River, as what would have happened in 55,  
40 it's the same sort of analysis. Again the only  
41 communities along the Dalton Highway Corridor in these  
42 communities are Wiseman and Coldfoot, both in Unit 24  
43 about 20 miles apart from each other and Wiseman already  
44 has positive C&T. The C&T was done originally for this  
45 -- Unit 26(B) for caribou in 1997, and I actually have  
46 been around for along time so I'm the one who worked on  
47 that. And at that point we did not include Coldfoot  
48 because just as it wasn't included in the analysis for  
49 the brown bear, we didn't have any evidence that people  
50 were long term permanent residents, and therefore we  
51 didn't have any data to support a C&T at that time. And

1 then as I had said yesterday we had a Staff person do  
2 some -- Staff people went on a field trip up the corridor  
3 and found that there were people living along there.  
4 Again Park Service eligibility regulations limit who may  
5 hunt and Gates of the Arctic National Preserve. So even  
6 if C&T is granted and expanded it would not -- there  
7 would still be a requirement for those residents to be  
8 residents own communities as defined by Park Service.  
9

10 I think maybe in the interest of time I  
11 won't go through all of the discussion I did yesterday.  
12 The basis of the analysis was done as was in the previous  
13 one yesterday based on people who live in the region and  
14 not necessarily the people on the Dalton Highway Corridor  
15 since we have no information about those people. It  
16 would add an additional eight people on the Corridor and  
17 then the 15 or so people who live in Coldfoot. And again  
18 we don't have any evidence that people are living in  
19 20(F) although the proponent proclaims to be living  
20 there. This is -- 26(B) is a lot farther away then 24  
21 and to get to 26(B) from 20(F) is about a 150 miles which  
22 isn't a totally unreasonable distance to drive if you  
23 have a vehicle.  
24

25 Thank you, Mr. Chair that concludes my  
26 analysis.  
27

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

31 MR. RIVARD: Yes. Mr. Chair. There were  
32 two written public comments, as in Proposal 55. Suzanne  
33 Henderson of Coldfoot supports this proposal as well as  
34 the proponent Andrew Brattrud and he also wanted to  
35 reaffirm that he and his wife Barbara have their  
36 residency in Unit 20(F).  
37

38 Thank you, Mr. Chair.  
39

40 CHAIRMAN DEMIENTIEFF: Thank you. We  
41 have no additional request for public testimony at this  
42 time. Regional Council recommendations.  
43

44 MR. SAM: Thank you, Mr. Chair. This  
45 goes back to that positive C&T determination, permanent  
46 address and our concerns of the residents of the Dalton  
47 Highway. Again we contend that there are no real  
48 permanent residents other then the residents of Wiseman  
49 and up north from there. Again I think this issue was  
50 raised yesterday, how long are we going to keep granting

1 a single person C&T or recognizing them as a Federally-  
2 qualified user when he keeps moving and I just don't feel  
3 comfortable with all these single -- I mean granting to  
4 single persons throughout the State, it has been  
5 bothering me. And again it's pretty much like the  
6 Proposal, I think 56 that we discussed yesterday.

7

8 Thank you.

9

10 CHAIRMAN DEMIENTIEFF: Thank you.  
11 Eastern I see you're deferring to the home region, do you  
12 have a comment other than that.

13

14 MR. FLEENER: (Shakes head negatively)

15

16 CHAIRMAN DEMIENTIEFF: Okay. North  
17 Slope, we'll ask Helen to summarize.

18

19 MS. ARMSTRONG: Thank you, Mr. Chair.  
20 I'm offering these for our chair Harry Brower, who needed  
21 to go caribou hunting, or hunting, I think, I'm not sure  
22 I think it's caribou hunting, because he was preparing  
23 for their whale feast.

24

25 The North Slope Regional Council  
26 supported the proposal with modification to modify to  
27 expand this customary and traditional use determination  
28 for caribou in Unit 26(B), to the residents of Unit 24 in  
29 the Dalton Highway Corridor, but not including the  
30 portion of the corridor in Unit 20(F) north of the Yukon  
31 River, because there are no year-round permanent  
32 residents living in this portion of the corridor.

33

34 Thank you, Mr. Chair.

35

36 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
37 Committee.

38

39 MR. BRELSFORD: Yes, Mr. Chairman, this  
40 is Taylor Brelsford for the BLM to offer the Interagency  
41 Staff Committee recommendation.

42

43 It's found on Page 474, and as with the  
44 previous C&T determinations concerning the Dalton Highway  
45 Corridor, we have essential agreement among the agencies,  
46 the Regional Councils and the State will comment of a  
47 analytic objection that they've raised. So specifically  
48 the recommendation is to oppose Proposal 04-56 consistent  
49 with the recommendation of the Western Interior Council.  
50 Next to support Proposal 04-82 with modifications finding

1 no qualifying pattern of use by residents of 20(F) north  
2 of the Yukon River, again consistent with the  
3 recommendation of the Western Interior Regional Advisory  
4 Council. And finally to take no action on Proposal 04-  
5 83, due to the action taken on 04-82. The modified  
6 Federal regulation would read, Unit 26(B), caribou  
7 residents of Unit 26, Anaktuvuk Pass, Point Hope and  
8 Wiseman, residents of Unit 24 within the Dalton Highway  
9 Corridor management area.

10  
11 The justification for this recommendation  
12 is essentially the same as what was offered yesterday  
13 concerning use patterns by Dalton Highway Corridor  
14 residents, in Unit 24. So in the interest of time I'll  
15 not read those comments in detail, if by chance there are  
16 questions we'll be happy to answer those. But I believe  
17 that provided the essential elements of the Staff  
18 Committee recommendation.

19  
20 Thank you.

21  
22 CHAIRMAN DEMIENTIEFF: Thank you.  
23 Department comments.

24  
25 MR. HAYNES: Mr. Chairman. As with  
26 Proposal 55, we're neutral on this C&T analysis. We are  
27 concerned that the data used in support of making a  
28 finding is derived from people who live outside the  
29 corridor and the information being applied to people  
30 living within the corridor. And we have concerns about  
31 that and question the validity of that information. The  
32 description of the pattern of use of residents in the  
33 area specified by the proposal is what is needed in this  
34 case. We're not aware of any new information that's  
35 being presented at the North Slope or Western Interior  
36 Regional Advisory Council meetings to address this  
37 deficiency. Without such input there does not appear to  
38 be sufficient information available to fully evaluate  
39 this proposal.

40  
41 CHAIRMAN DEMIENTIEFF: Thank you very  
42 much. Board discussion. John.

43  
44 MR. LITTLEFIELD: Thank you, Mr. Chair. I  
45 just have a question when Interagency Staff Committee was  
46 reading they included the word Wiseman, although it's a  
47 strike though on their page. And if they could just  
48 clarify that for me.

49  
50 MR. BRELSFORD: Mr. Chairman, if I may.

1 This is Taylor Brelsford, and to offer the clarification.  
2 I think I'm struggling with the new glasses, I didn't see  
3 the strike out until I got off of the microphone. The  
4 word Wiseman is indeed struck and what is substituted is  
5 all residents of Unit 24 within the Dalton Highway  
6 Corridor.

7  
8 Thanks for the catch.

9  
10 CHAIRMAN DEMIENTIEFF: So basically it's  
11 inclusive.

12  
13 MR. BRELSFORD: That's correct. What  
14 we've adopted here is to resolve the conflict between the  
15 other Dalton Highway Corridor residents.....

16  
17 CHAIRMAN DEMIENTIEFF: Understand,  
18 Understand.

19  
20 MR. BRELSFORD: Thank you.

21  
22 CHAIRMAN DEMIENTIEFF: Thank you.

23  
24 MR. BISSON: Mr. Chairman. If there is  
25 no further Board discussion I'm prepared to offer a  
26 motion.

27  
28 CHAIRMAN DEMIENTIEFF: Go ahead.

29  
30 MR. BISSON: I move to adopt Proposal 04-  
31 82, with modifications as recommended by the North Slope  
32 and Western Interior Regional Councils. This would  
33 recognize the use of Unit 24 Dalton Highway Corridor  
34 residents in Unit 26(B) to the north. And so that's  
35 essentially what I propose. Obviously we didn't -- we're  
36 not saying anything about Proposal 04-56, we would oppose  
37 it, but since we're not taking it up as a motion to do  
38 anything with it were just dealing with 82, out of the  
39 three.

40  
41 CHAIRMAN DEMIENTIEFF: Right. Is there a  
42 second.

43  
44 MR. EDWARDS: Second.

45  
46 CHAIRMAN DEMIENTIEFF: Moved and  
47 seconded. Further discussion.

48  
49 (No comments)

50

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 same  
8 sign.

9  
10                  (No opposing votes)

11  
12                  CHAIRMAN DEMIENTIEFF: Motion carries.  
13 That completes our work in the Western Interior Region.  
14 Thank you Ron for all your good help. Now we're going to  
15 go back to Proposal No. 1 where we had a motion that was  
16 made and seconded to reconsider. I think Gary had some  
17 other information that he wanted to offer.

18  
19                  MR. EDWARDS: Mr. Chairman. Maybe it  
20 would be appropriate to see what, where the motion is  
21 going. I'm a little unclear under the reconsideration,  
22 I'm assuming then that's going to require a new motion,  
23 and then we can have the discussion, during the new  
24 motion, whatever is appropriate.

25  
26                  CHAIRMAN DEMIENTIEFF: No. It just brings  
27 the matter back to the table, the motion that was made,  
28 as far as adopting the proposal.

29  
30                  MR. EDWARDS: And that means it comes up  
31 for a new vote.

32  
33                  CHAIRMAN DEMIENTIEFF: Right.

34  
35                  MR. EDWARDS: So if we want to discuss we  
36 need to do it now.

37  
38                  CHAIRMAN DEMIENTIEFF: Yeah.

39  
40                  MR. EDWARDS: Okay. I'm ready to do  
41 that.

42  
43                  CHAIRMAN DEMIENTIEFF: Okay.

44  
45                  MR. EDWARDS: Mr. Chairman. I guess  
46 initially I would start out by saying that,  
47 philosophically I personally am not opposed to the  
48 selling of handicraft that's made by subsistence users  
49 that consist of bear claws whether they be brown bear,  
50 black bear or polar bears. But I do so in thinking and

1 in approving this we need to do so in such a way that we  
2 understand exactly what we are allowing. I think we need  
3 to be very careful that subsistence users fully  
4 understand what they can and cannot do, if we do pass  
5 this regulation. And I think we need also to be very  
6 careful that we don't put subsistence users in a position  
7 that they are unwittingly violating the law.

8  
9 I think lastly we also need to be very  
10 careful that whatever we do, that we want to be do it in  
11 such a way that is very respectful of the cultural  
12 beliefs and values of all Alaskan subsistence users, as  
13 we discussed yesterday.

14  
15 So to start with I guess I would like to  
16 raise, yesterday we had quite a bit of discussion about  
17 what the Board did or did not intend when we voted to  
18 support the proposal, with regards to black bear, which  
19 this to some extent has extended as a result of the  
20 action that the State Game Board did with brown bear.  
21 And I would like at this time to actually pass out the  
22 transcripts from that meeting to show what we did and  
23 does it or does it not coincide with the actual  
24 regulations that we have in place. You can read for  
25 yourself, but I think really the key is on Page 16. I  
26 made the motion that we ultimately passed on and at that  
27 point, and you can read along with me.

28  
29 I said Mr. Chairman, I move that we  
30 accept the State Staff Committee's recommendation,  
31 thereby rejecting the proposal as written, not having a  
32 modified proposal which would allow for the use of black  
33 bear fur, for handicraft purposes to align our  
34 regulations with those of the State. So it seems in my  
35 mind it was very clear both from the intent of the  
36 discussion that we had and the intent of the motion that  
37 our regulations would align with the State regulations.

38  
39 Mr. Haynes you can correct me if I am  
40 wrong, but on black bear the State regulations allows the  
41 sale of fur and handicraft but it does not include the  
42 claws, and for whatever reason when we passed our  
43 regulation I guess it referred to out current definition.  
44 And our definition does include claws, but it seems to me  
45 that it was the intent of this Board not to include  
46 claws, as it applies to black bears. It seems to me that  
47 ought to be consistent with what our approach should be,  
48 with regards to brown bears.

49  
50 That said, I guess at this time I would

1 like to ask both the law enforcement agencies, both with  
2 the Forest Service and the Fish and Wildlife Service, to  
3 come forward and provide each of them an opportunity to  
4 explain to use what they see as some of the problems  
5 associated with Federal Subsistence regulations that  
6 would allow handicraft to be sold with claws. But where  
7 we have State regulations that would prohibit such sale.

8  
9 CHAIRMAN DEMIENTIEFF: Yes, gentlemen if  
10 you would get your names on the record, either one of  
11 you, whoever is going to go first it doesn't make any  
12 difference.

13  
14 MR. MEYERS: Morning Mr. Chair, Board.  
15 My name is Marty Meyers, I'm with the U.S. Forest Service  
16 law enforcement programs and subsistence coordinator.  
17 I'd like to bring up some attention to the regulations in  
18 the book pertaining to some restrictions of the use of  
19 the front claws that are already in place.

20  
21 Concerning the Western Alaska Brown Bear  
22 Management area and also the Northwest Alaska Brown Bear  
23 Management area and bear taken in Unit 5. The reason  
24 those restriction are in place, is basically because they  
25 have one bear per year, allowed for subsistence use. But  
26 in those regulations it specifically says that if you're  
27 going to remove the hide or parts of the bear from the  
28 area then the bear has to be sealed at which time ADF&G  
29 then removes and retains the skin of the skull and the  
30 front claws of the bear. So with that in mind at least  
31 for Region 1, Unit 5 has a restriction on being able to  
32 retain those claws or at least the front claws for  
33 personal use. If the parts of the animal are intended to  
34 be removed from the Yakutat area basically. That  
35 particular area in the regulations is not specific to the  
36 rest of the units in all other areas, as far as the  
37 sealing requirements, but it is here.

38  
39 I bring that out just so you have an  
40 understanding of some current restrictions that are  
41 already in place for those areas like such in Region 1,  
42 who does support the proposal.

43  
44 CHAIRMAN DEMIENTIEFF: Thank you.

45  
46 MR. PRUSENSKI: Good morning, Mr. Chair.  
47 My name is Stan Prusenski. I'm a law enforcement officer  
48 for the U.S. Fish and Wildlife Service, I serve as the  
49 special agent in charge for the Alaska Region. I  
50 apologize for not being here the other day and providing



1 testimony when this originally came up. I won't speak at  
2 great detail to it, not knowing what had been said  
3 before. I'd like to highlight a few items that were  
4 brought out in the Staff Committee recommendation, maybe  
5 add a little more information, and then I would certainly  
6 be willing to answer any specific questions you might  
7 have.

8

9                   With respect to what Mr. Edwards had  
10 mentioned about, what are we allowing and what  
11 potentially are we unwittingly putting subsistence users  
12 in jeopardy. As you probably all are aware, brown bear  
13 is a CITES listed species convention and treaty  
14 endangered species. This is a world wide treaty  
15 monitoring and regulating the international trade of  
16 wildlife and wildlife products. It's CITES Appendix 2,  
17 species, significantly restricting it's commercial  
18 movements. If we allow the sale of brown bear parts to  
19 include claws for a purchaser, to export this item they  
20 would require a CITES Appendix 2 permit from the Fish and  
21 Wildlife Service. Absent this permit it would be a  
22 violation to export it and in all countries that are  
23 members of the convention it would be a violation from  
24 them to import it. So either it would be seized upon  
25 export or it would be seized at import in their home  
26 country.

27

28                   The issues have come up about consistency  
29 with State law. Enforcement people are always very  
30 anxious and very concerned when regulations diverge, and  
31 we allow a very specific exemption under either one  
32 jurisdiction, one land management unit, that in other  
33 areas of the State all other jurisdictions prohibit  
34 something. We've talked about one bear every four years  
35 I believe. When you see handcrafted items, be it fur  
36 items or claw items we don't know when this animal was  
37 taken, we don't know where it was taken, we don't know  
38 anything about it other than there's an item for sale.

39

40                   In the Staff Committee's recommendations,  
41 they talk about transfer of brown bear claws as gifts. I  
42 caution all of you to beware that is true, but in other  
43 wildlife items we've seen abuses in that, let's say a  
44 claw necklace/pendent, is sold and that the only the  
45 chain or the actual items that are fastening the chain to  
46 the claw are for sale, and the rest of the item is being  
47 gifted. I see a parallel issue here with migratory birds  
48 and taxidermy mounted birds. And that the individual  
49 buys the wood mount and does not buy the duck, I could  
50 see this as being a similar issue.

1                   An issue for all of use I believe is  
2 potentially conservation issue in that throughout the  
3 State of Alaska, we've seen in the last couple of years,  
4 a significant increase in the take of bears, both black  
5 and brown for gull bladder trade. this is strictly a  
6 black market endeavor. We have seen significant numbers  
7 of bears in the woods with only the gulls removed. If  
8 now we allow portions of that bear to be legally  
9 commercialized, in our view that may increase the  
10 incentive and certainly increase the profit per animal.  
11 So I would see that as real significant potential problem  
12 for us.

13  
14                   CHAIRMAN DEMIENTIEFF: Thank you very  
15 much. Gary.

16  
17                   MR. EDWARDS: Mr. Chairman, I guess I'll  
18 just kind of conclude here. Last night I went home and I  
19 kind of wrestled with this, particularly after talking to  
20 John and trying to figure out what he was trying to  
21 permit and what he wasn't. Then, as I went through it, I  
22 started asking myself some questions, particularly trying  
23 to really understand what it was or what it was not that  
24 we were going to authorize.

25  
26                   A couple of the things that I came up  
27 with, one was to be sold as a handicraft item need to be  
28 made by the person taking the bear. If bear claws are  
29 given to a non-rural resident, which they can, can that  
30 individual in turn make it into handicraft and well it?  
31 Can handicraft made from bear claws from a rural resident  
32 in an approved region, can they then turn and sell it  
33 into a region that is not an approved region? Can parts  
34 of the bear taken prior to this proposal, if they were  
35 taken several years ago, will they be eligible to be sold  
36 as handicraft or can only bear parts that would be taken  
37 subsequent to this proposal be eligible?

38  
39                   The last one I wrestled with, if we could  
40 put our definition of handicraft -- and if we could pass  
41 these around because I don't know -- for example, do  
42 these or do these not qualify as handicraft and would  
43 these be something that could actually be sold? And  
44 these are not real bear claws, but it seems to me they  
45 are examples of how bear claws would be used and it's  
46 unclear to me. Our definition says that the part has to  
47 be significantly altered. Does a bear claw on a piece of  
48 rawhide qualify as handicraft? I don't know.

49  
50                   I just think that there are a lot of

1 questions out there that are unanswered and I think  
2 before we sort of jump into this we ought to do it in a  
3 much more thoughtful manner. As I said at the beginning,  
4 I'm not necessarily opposed to it. In fact,  
5 philosophically, I don't have a problem with it, but I do  
6 think we need a thoughtful process.

7  
8                   Yesterday, one of the amendments to the  
9 proposal was that we at this point in time basically  
10 mirror the state regulations, which I feel we clearly  
11 intended to with black bear. Maybe what we could do as a  
12 much more thoughtful approach using customary trade and  
13 sit down with the regions who are interested in this and  
14 try to come up with an actual regulation or process that  
15 actually allows to occur what folks would like to have  
16 occur.

17  
18                   CHAIRMAN DEMIENTIEFF: I guess with that  
19 I've got a little question for John. The rural resident  
20 in Southeast and the practice that you discussed earlier  
21 in the meeting in getting a member of the opposite clan  
22 to do the work, you're really not -- they're not always  
23 from a rural area, are they?

24  
25                   MR. LITTLEFIELD: That is absolutely  
26 correct, Mr. Chair.

27  
28                   CHAIRMAN DEMIENTIEFF: So nothing in this  
29 regulation is changing the harvest, the one bear every  
30 four regulatory years. For example, nothing is changing  
31 the harvest, so there is not going to be the chance for  
32 people to go out and overharvest the resource at least  
33 legally.

34  
35                   Then the other question I have, I guess,  
36 do we have tagging requirements in the areas that are  
37 affected?

38  
39                   MR. MEYERS: Marty Meyers, Forest  
40 Service. Yeah, in all units there are tagging  
41 requirements except for the Western management area and  
42 the Northwestern and then Yakutat if the animal stays  
43 there. If they intend to move the animal or part of the  
44 animal out of that area, then it has to be sealed by the  
45 ADF&G.

46  
47                   CHAIRMAN DEMIENTIEFF: So I guess the  
48 bottom line that I'm getting at is that we will have  
49 management knowledge of the resource for conservation  
50 purposes because we will have the information. We are

1 not changing the regulations ever so what, but we will  
2 have knowledge of the information. So, with that, are  
3 there any other comments. Yes.

4

5 MR. LITTLEFIELD: Thank you, Mr. Chair.  
6 First, the question, as being the last regional chair in  
7 line, do I get to keep these, my prize?

8

9 MR. EDWARDS: Yeah, if you reimburse me.

10

11 (Laughter)

12

13 MR. LITTLEFIELD: I'd first like to  
14 answer your question about these. These are absolutely  
15 significantly altered from when they were on a bear.  
16 I'll guarantee you that. If you shoot a bear and it  
17 drops down there and its claws are there, these are  
18 significantly altered from when you found them in the  
19 wild and I would accept any one of these as being  
20 significantly altered. Somebody had to put these  
21 together, had to clean them, prepare them and stuff like  
22 that. So I have absolutely no problem with this stuff  
23 here.

24

25 MR. EDWARDS: Maybe just some follow up  
26 to that. And I don't know if you're right or wrong, but  
27 I guess the question I would propose is then under our  
28 definition of handicraft could you sell an entire brown  
29 bear rug, including head and claws? If so, my guess is  
30 that would be a significant sale and is that really  
31 considered a piece of handicraft or not. I would concur  
32 with you. It's certainly been significantly altered.

33

34 MR. LITTLEFIELD: And then the other is,  
35 I don't know whether those are bear claws or fake ones.

36

37 MR. EDWARDS: I guarantee you they're  
38 fake.

39

40 MR. LITTLEFIELD: They're fake. Okay.  
41 Thank you. I have some other questions for the law  
42 enforcement here, if you would, Mr. Chair.

43

44 CHAIRMAN DEMIENTIEFF: Go ahead.

45

46 MR. LITTLEFIELD: Right now I can go to  
47 downtown Anchorage and buy a whole bunch of things that  
48 have CITES permits on them. Is that not true that I can  
49 go buy sea otters, I can buy sea mammals, I can buy  
50 ivory, I can buy all kinds of stuff that are subject to

1 those if they are shipped out of the state but are not  
2 subject to them if they're within the state? That's the  
3 first question.

4  
5 MR. PRUSENSKI: Mr. Chair. Yes, you are  
6 correct. Most specifically walrus ivory is CITES  
7 Appendix II and permits are required for that as well.  
8 That has been in play for quite a number of years and  
9 there are mechanisms in place for us to facilitate that  
10 and allow that. There are also specific requirements and  
11 exceptions under the Marine Mammal Protection Act, which  
12 do not apply to these Federal subsistence regulations.

13  
14 MR. LITTLEFIELD: Follow up, Mr. Chair.  
15 Then given that we've had this and we've had these in  
16 place for many years, as the law enforcement agency is  
17 required to enforce those, you seem to be able to have  
18 adapted to those over the years, including the gall  
19 bladder. I mean it's a problem perhaps, but you've  
20 adapted to take care of it. In other words, that's the  
21 same rationale I was using on this. If it increased that  
22 opportunity, law enforcement would then have to do  
23 whatever was required to make sure that the people  
24 weren't breaking the law.

25  
26 CHAIRMAN DEMIENTIEFF: Go ahead.

27  
28 MR. PRUSENSKI: Mr. Chair. Are we able  
29 to arise to the challenge? I hope so. I currently have  
30 13 special agents in the state and have significantly  
31 more responsibilities than what's under these Federal  
32 subsistence regulations. This may cause a significant  
33 change in our work patterns if we're required to deal  
34 with this issue as well. Other handcrafted items not  
35 under Federal subsistence purview, we still have a long  
36 way to go in getting that problem or that situation under  
37 control.

38  
39 So, to answer your question or your  
40 statement, yes, I would hope to be able to rise to that  
41 challenge, but we are not in a position to be able to do  
42 that, I believe, at this time.

43  
44 MR. LITTLEFIELD: I believe this went  
45 with some of the comment I made yesterday. When we take  
46 action on a Regional Advisory Council's recommendation,  
47 the law enforcement issue should not be the primary or  
48 even secondary request if it can be enforced. In other  
49 words, you've had the law enforcement here say we can  
50 take care of this. We might have to hire another agent,

1 but we can take care of it. And we might have to hire  
2 two agents. But it's recognizing the customary and  
3 traditional use of those people, so we'll have to figure  
4 out a way to take care of it and that's why I brought  
5 those up.

6  
7                   Mr. Meyers, do you see any way that this  
8 is a problem in Units 1 through 5? That's all I want to  
9 talk about. I don't want to talk about any other units.  
10 I'm talking about Units 1 through 5. Is this a problem  
11 for you? Do you have to have 12 more agents or can you  
12 control this?

13  
14                   MR. MEYERS: Mr. Chair. Well, seeing as  
15 how this is not in place yet, at least we haven't seen  
16 anything with that, and this is a new opportunity, I  
17 really can't say how much it will, but I can say it will  
18 impact how we coordinate these efforts with the State law  
19 enforcement as it is right now because they're dealing  
20 with the same process. When they look at handicrafts  
21 being made and if there's bear claws involved, then  
22 they're going to take action on those. So there is going  
23 to be some overlap there.

24  
25                   If a subsistence user is selling bear  
26 claws, then if they're approached by a State trooper, for  
27 instance, they'll have to go through the regime of being  
28 questioned and figuring out where the items came from and  
29 how they were obtained just to make sure they didn't fall  
30 into the State's restrictions. So there are some impacts  
31 there for them and there's probably impacts for us as  
32 well because of our overlaps with jurisdictions.

33  
34                   CHAIRMAN DEMIENTIEFF: Thank you. John

35  
36                   MR. LITTLEFIELD: Thank you. I guess the  
37 follow up there would be it's not insurmountable. It's  
38 something we can handle in Southeast. Again, as you  
39 characterized it, it's the sky is falling. We don't know  
40 yet. We haven't even taken any action on this. No one  
41 can say what's going to happen. It's premature to base  
42 all of these on what may happen or something like that.  
43 We don't know what's going to happen and we need to give  
44 law enforcement their chance to make this work. If they  
45 don't, every one of these proposals that we take action  
46 on has the right to be changed yearly or with a special  
47 action of the board. We can take action on these things  
48 if they get out of hand and that's when you take action,  
49 is after the fact, not before the fact. You don't limit  
50 things because you have a perceived outlook of what's

1 going to happen. So I thank you for your comments,  
2 Mr. Meyers.

3  
4 MR. EDWARDS: Mr. Chairman. I guess I  
5 have a lot less concern about a potential conservation  
6 issue or even about the work load on our law enforcement  
7 people. They get paid the same one can argue. But I am  
8 concerned that we're maybe about to pass a proposal that  
9 will become a regulation that we don't fully understand  
10 what can and cannot be allowed under it and I think we're  
11 just setting people up to unknowingly put themselves in  
12 very awkward positions.

13  
14 CHAIRMAN DEMIENTIEFF: Yes.

15 MR. LITTLEFIELD: I guess I'll go ahead  
16 and try to conclude my remarks. I'm only going to talk  
17 about Units 1 through 5. If you'll look on Page 17 of  
18 your proposal book, you will see the justification that  
19 our council gave to you. And I told you before in  
20 sessions and also that we consider four things when we  
21 debate a proposal in Southeast and those are shown in the  
22 last paragraph where it says the council found there were  
23 no conservation concerns with this proposal, that it  
24 would be beneficial to subsistence users, that it would  
25 have a negligible effect on non-subsistence users and  
26 that the harvest biological management data were adequate  
27 to support this recommendation and the proposal was  
28 consistent with the sound wildlife management principles.  
29 We're telling you that and we believed that there was  
30 substantial evidence presented at our council to uphold  
31 our decision.

32  
33 We have to remember that you, as a Board,  
34 if you substitute secretary for all of you, you're  
35 serving as the secretary whose duty is to reject our  
36 proposal for only three reasons. You can't have  
37 perceptions. And I'll refer you to ANILCA which says the  
38 secretary may choose not to follow any recommendation  
39 which he determines is not supported by, one, substantial  
40 evidence, violates recognized principles of fish and  
41 wildlife conservation or would be detrimental to the  
42 satisfaction of subsistence needs. Again, we're talking  
43 about substantial evidence, not preponderance of  
44 evidence, not evidence beyond a reasonable doubt.

45  
46 We're saying if a reasonable person in  
47 our council -- I put to you that our council is made up  
48 of reasonable persons. If we tell you, 13 of us, that we  
49 do not believe in Southeast that this is a problem, you  
50 need to refute that to vote no, to not accept our

1 recommendation. Not a feeling. You need to refute that.  
2 So I stand behind this for the units of Southeast and I'm  
3 not going to speak for the other ones. That's all I  
4 asked for, was Units 1 through 5. I guess that's it,  
5 Mr. Chair.

6  
7 CHAIRMAN DEMIENTIEFF: I think actually,  
8 John, your points are well taken. You just have given  
9 the argument that I was going to -- not argument, but the  
10 statement that I was going to make. Clearly, the law,  
11 ANILCA, does provide clear guidance and you just went  
12 through them. In my estimation, those thresholds haven't  
13 been reached as far as denying. And it's not a proposal,  
14 it is a recommendation. Is that correct, John?

15  
16 MR. LITTLEFIELD: That's correct. We  
17 made a recommendation for you to take action.

18  
19 CHAIRMAN DEMIENTIEFF: Okay. That's the  
20 only reason I bring that up is because that's the proper  
21 -- it's not a proposal. It is council recommendation.  
22 We haven't crossed those thresholds to deny. You had  
23 something, Judy?

24  
25 MS. GOTTLIEB: Yes, thank you, Mr. Chair.  
26 The regulation regarding black bear fur has been on our  
27 books for two years now, I guess, so I'm wondering if we  
28 have any documented impacts from that regulation.

29  
30 CHAIRMAN DEMIENTIEFF: There has been  
31 nothing that has come forward as far as violations.  
32 Otherwise, we really have to count on our RAC's because  
33 anybody can make a law, but if the local people don't buy  
34 into that process, then we don't have really a law. But,  
35 on the other hand, the people that live in those areas,  
36 that represent those people in those areas are going to  
37 be the first people to come forward if there is a problem  
38 and we've seen that time and time again where we have  
39 people -- the locally affected RAC's, those people come  
40 forward and say we have a problem, we need to address  
41 this problem. I would expect that if this were to pass,  
42 that that would also happen with regard to this because  
43 people don't want to lose their resources. With all due  
44 respect to your jobs as enforcement, we can't be  
45 everywhere. You say you have 13 officers statewide?

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

49  
50 CHAIRMAN DEMIENTIEFF: Thirteen officers



1 can't cover south Anchorage much less the entire state.  
2 So you have to be able to buy into the process so that  
3 you're working with people. By the way, I also  
4 appreciate you gentlemen coming forward. I always like  
5 to know the enforcement people so I know who's coming in  
6 my camp. I'm just joking. I don't even hunt on Federal  
7 lands.

8

9 MR. BISSON: Mr. Chairman.

10

11 CHAIRMAN DEMIENTIEFF: Yes.

12

13 MR. BISSON: I have a couple questions  
14 and then a short statement or a reminder, I guess. If I  
15 understand the situation with the black bear, claws have  
16 been permitted to be sold mistakenly by misinterpretation  
17 of the regulations and that's going to be corrected?

18

19 MR. EDWARDS: By regulations, it's  
20 correct. The regulations do not support what we actually  
21 approved.

22

23 MR. BISSON: So we are permitting the  
24 sale of black bear claws and have been for the last two  
25 years. Is that changing or not? Are they going to  
26 continue to be?

27

28 MR. EDWARDS: Well, I guess it would be  
29 my.....

30

31 MR. BISSON: I know we're talking about  
32 brown bear here, but I'm trying to sort out -- you made a  
33 point. You delivered a copy of the testimony from  
34 the.....

35

36 MR. EDWARDS: I think we have an issue  
37 and I was going to ask when this is all over with how do  
38 we resolve an issue where we have regulations that are  
39 inconsistent with what the intent and the motion of this  
40 Board was. Maybe Keith can answer that.

41

42 MR. BISSON: The question I have is if we  
43 vote for this proposal, in favor of it, are we going to  
44 have a difference between how each species of bear is  
45 treated as a result of this?

46

47 CHAIRMAN DEMIENTIEFF: No.

48

49 MR. BISSON: Okay. That helps me in my  
50 mind to know that we're dealing with them the same. The

1 other things is, and I appreciate Mr. Littlefield's  
2 position about his region, but it seemed to me there were  
3 a number of RAC's in other regions that voted to oppose  
4 it who raised similar concerns and we are talking about a  
5 statewide proposal. We're not talking about just a  
6 proposal for his region as I understand it.

7  
8                   CHAIRMAN DEMIENTIEFF: The original  
9 proposal was statewide, but the actual Board motion that  
10 we have before us only allows it in the three regions  
11 that have asked for it. So it's strictly limited to  
12 Southeast, Bristol Bay and Eastern Interior and there's  
13 nothing authorized in the RAC's that found it offensive  
14 or culturally disrespectful. Those are the only three  
15 regions that we're allowing this if we adopt it. Craig.

16  
17                   MR. FLEENER: Thank you, Mr. Chair. I  
18 guess I wanted to say I appreciate Mr. Edwards'  
19 philosophical support of the sale of handicraft items  
20 because I also philosophically support the sale of  
21 handicraft articles. And I want to say that I also  
22 appreciate his concern with the cultural issues that are  
23 of concern to most of us. And thank you to these  
24 gentlemen for coming forward to present some of their  
25 side of the issue.

26  
27                   I just wanted to say that the Federal  
28 Subsistence Board, although they've limited some of the  
29 provisions of ANILCA for conservation purposes and so on  
30 and so forth, I don't think any evidence has been  
31 presented today that shows that allowing the sale of  
32 handicraft items has led to or will lead to resource  
33 declines on the level of the market hunts, which are  
34 frequently being cited today and yesterday. They talk  
35 about these disasters happening because of  
36 commercializing game. It's in the State's testimony as  
37 well. But, as I pointed out yesterday, I think we're far  
38 better situated to handle problems like that now.

39  
40                   When market hunting was occurring, we  
41 didn't have community members involved in making,  
42 proposing and addressing resource concerns. We didn't  
43 have people sitting on fisheries boards and wildlife  
44 boards and committees all over the state and we've got  
45 hundreds and hundreds of people involved in this process  
46 and when there is a problem, we can address it. We've  
47 done a pretty darn good job since these boards and  
48 committees have been formed and I think that's what we're  
49 here to do.

50

1 I think we need to take a look at ANILCA.  
2 It allows the sale of handicraft items to preserve and  
3 support our economic opportunities. It says it very  
4 clearly. The barter and the use and the sale of  
5 handicraft items from bears has occurred for a very long  
6 time. You heard testimony to that yesterday.

7  
8 The enforcement gentleman that just spoke  
9 today presented, in my opinion, zero compelling facts to  
10 oppose the sale of handicraft bear items. All their  
11 information is purely speculative in nature and I see  
12 more evidence to allow the sale of these parts as being  
13 requested.

14  
15 Finally, I guess I'll say that we're only  
16 asking for you to allow us to legally fully utilize  
17 legally harvested resources and that is culturally  
18 important to us. We don't like the idea that we can't  
19 fully utilize the resource. If I can sell something with  
20 some bear hide on it, if I can sell something with beaver  
21 hide on it, if I can sell something with weasel skin on  
22 it, whatever it is, we're asking for recognition for --  
23 actually, it should be for more than one species, but  
24 we're talking about one species today. We don't like the  
25 idea of not being able to fully utilize things and that's  
26 the only thing that's being asked for her, is legalize  
27 the full utilization of legally-harvested resources.  
28 Thank you, Mr. Chair.

29  
30 CHAIRMAN DEMIENTIEFF: Thank you. I  
31 think we've pretty well given, per Mr. Edwards, a  
32 recommendation, we've had clarification at least from the  
33 enforcement standpoint, we have done diligence in terms  
34 of discussing the issue and I just feel like it's time  
35 for us to move on and get on with the vote. Again, it's  
36 a vote to authorize or to adopt the regulation, Proposal  
37 1, but the only three areas that it would be allowed in  
38 is Eastern, Bristol Bay and Southeast. Terry, you had  
39 something? I'm sorry.

40  
41 MR. HAYNES: Thank you, Mr. Chairman.  
42 I'd just like to reiterate the Department's concerns  
43 about the action that you're looking at taking now. We  
44 believe that it's a wise step to follow the State Board  
45 of Game's direction and not have a Federal regulation  
46 that's inconsistent with that State Board action and to  
47 move into this slowly, not to move into it at the same  
48 time with a different scope of regulation.

49  
50 None of us know whether issues are going

1 to emerge or not, but we'd prefer to take a cautious  
2 approach and not have regulations that are in conflict.  
3 That puts a special burden on the users, puts additional  
4 burden on enforcement. I recognize that all of those are  
5 separate issues from the actual use of fur and handicraft  
6 items, but I think a responsible approach is to have  
7 consistent and compatible State and Federal regulations  
8 in this case. Thank you.

9

10 CHAIRMAN DEMIENTIEFF: Dan.

11

12 MR. O'HARA: Since I'm the chair of the  
13 RAC for Bristol Bay and you're dealing with Bristol Bay,  
14 I'd like to make a comment before you get to your vote.  
15 While I appreciate U.S. Fish & Wildlife and Forest  
16 Service that's here today, I don't think you've brought  
17 anything new to the table. If this regulation does pass,  
18 it's going to be your job to deal with it if you have to  
19 bring more people on and I don't think there's any long-  
20 standing records of violation. I was wondering though,  
21 do you, on Federal lands, allow non-residents to come in  
22 and take a brown bear?

23

24 MR. HAYNES: Yes, there is a sport hunt  
25 on Federal lands for brown bear.

26

27 MR. O'HARA: Do they take the meat out  
28 and everything like that too when they do that on Federal  
29 lands?

30

31 MR. HAYNES: Some do.

32

33 MR. O'HARA: Most of them don't?

34

35 MR. HAYNES: I can't speak for most, but  
36 it's permitted that they only take the hide.

37

38 MR. O'HARA: Yeah, I think it's pretty  
39 well known that is not an issue with selling a \$10,000  
40 bear on Federal lands and State lands as far as that  
41 goes. I fly these guys to the Bush. I mean I fly your  
42 agents to the Bush, in Bristol Bay, to the camp. I know  
43 that. I also know that on Federal lands and State lands  
44 guides go out and kill a bear as soon as they come out of  
45 the den and they skin it out and they freeze it and put  
46 it in their freezer and if their client doesn't get an  
47 animal, they'll give them that animal. They still get a  
48 hunt. So there's a lot of illegal things that go on and  
49 we know that and we see it. I think the issue is that,  
50 you know, when we kill a brown bear for subsistence use,

1 we need to eat it, use it, the hide, all of it, and it's  
2 a permitted issue and it can be followed. If you want to  
3 tie a number to it or something to follow that thing, tie  
4 it to it. We did this with the selling of subsistence  
5 fish. We said put a paper trail to it so you'll know  
6 where it's going. We're not going to do this for an  
7 illegal issue. We're utilizing the whole animal and that  
8 is an issue. So we would appreciate that. Thank you.  
9 And this only pertains to Bristol Bay and I guarantee you  
10 there are plenty of bears in Unit 17 and 9. Thank you,  
11 Mr. Chair.

12  
13 CHAIRMAN DEMIENTIEFF: Thank you.  
14 Anyway, given that, I think we're ready to go ahead and  
15 go to a vote on the proposal as modified by the maker of  
16 the motion, Judy, to only have this operative in three  
17 regions. Keith.

18  
19 MR. GOLTZ: I'm unclear on the state of  
20 the record. I don't know if this morning's motion  
21 included claws or didn't include claws and I think we  
22 have to clear up claws on black bear, too. So I'd like  
23 some discussion on the record of those two.

24  
25 CHAIRMAN DEMIENTIEFF: I think we've  
26 already discussed that and it does include claws. If we  
27 want to bring back something on black bear, then we can  
28 always do that. Certainly, if we're in error, which in  
29 terms of where we are we're not, but we can always go  
30 back and revisit any one of these issues by anyone who  
31 makes a request, proposal request. We can take it up.  
32 So, with that, let's go ahead and take a roll call vote.

33  
34 MR. GOLTZ: Mr. Chairman, could we state  
35 actually what we're voting on.

36  
37 MR. LITTLEFIELD: Mr. Chair.

38  
39 CHAIRMAN DEMIENTIEFF: Yes, John.

40  
41 MR. LITTLEFIELD: Just so that you show  
42 the deference to the Regional Advisory Councils, perhaps  
43 you could change that to adopt the proposal with the  
44 modification consistent with the recommendations of all  
45 of the councils, where you're taking action consistent  
46 with every council. Every council's actions and wishes  
47 are satisfied by this, not just our recommendations. The  
48 other recommendations of the other councils was not to  
49 have it in their region, so you've satisfied everyone,  
50 not just the three of us.

1                   CHAIRMAN DEMIENTIEFF: The motion doesn't  
2 clearly tell that to me. It clearly says it's limited to  
3 the three regions and that we would not even think of  
4 imposing anything onto a region that does not want to.  
5 So it clearly does it. I don't want to go and revisit  
6 the motion. We do have a motion and I think we're  
7 prepared to vote on it basically.

8  
9                   MR. CESAR: Question.

10  
11                   CHAIRMAN DEMIENTIEFF: The question has  
12 been called for. We're going to take a roll call vote.  
13 Tom, do you want to?

14  
15                   MR. BOYD: Mr. Edwards.

16  
17                   MR. EDWARDS: Vote no.

18  
19                   MR. BOYD: Mr. Bschor.

20  
21                   MR. BSCHOR: I vote aye.

22  
23                   MR. BOYD: Ms. Gottlieb.

24  
25                   MS. GOTTLIEB: Aye.

26  
27                   MR. BOYD: Mr. Cesar.

28  
29                   MR. CESAR: Aye.

30  
31                   MR. BOYD: Mr. Bisson.

32  
33                   MR. BISSON: No.

34  
35                   MR. BOYD: Mr. Chair.

36  
37                   CHAIRMAN DEMIENTIEFF: Aye.

38  
39                   MR. BOYD: Four to two.

40  
41                   CHAIRMAN DEMIENTIEFF: Motion carries.

42  
43                   MR. GOLTZ: Mr. Chairman, I would like to  
44 go back and visit the issue of black bear and exactly  
45 what this Board intended and I think that it's important  
46 that we do have our regulations be consistent with what  
47 we approve. I don't know what the proper procedure is to  
48 address that, whether we do it through a motion or what.

49  
50                   CHAIRMAN DEMIENTIEFF: We will simply

1 reschedule it for our next work session, which will be  
2 public, of course. But we do have to have -- we will  
3 have to revisit. It's not something we can just bring up  
4 and take up right now.

5  
6 MR. LITTLEFIELD: Mr. Chair.

7  
8 CHAIRMAN DEMIENTIEFF: Yes.  
9

10 MR. LITTLEFIELD: Mr. Chair, because I  
11 may not be at the work session where this is brought up  
12 and Staff has already said they thought they could pull  
13 this off, I'd like to state my objections to this. I  
14 didn't read this word for word, but I looked through this  
15 and the objections of Mr. Nicholia, who is a Koyukon  
16 Athabaskan, were in there. If you'll look up just a  
17 couple paragraphs above that, to line 18 on your last  
18 page, clearly Mr. Nicholia made apparent to you, as a  
19 Board, I mean the claws, the skull or the teeth and the  
20 gallbladder. He told you on the record that those were  
21 included. You should have known. It was right there.  
22 He made that aware to you. So for you to just  
23 administratively change this record, I would have to  
24 certainly object. It's a rule, it's published, let's go  
25 through the process and get the public input. I'd like  
26 not to have this take place in the back door.

27  
28 CHAIRMAN DEMIENTIEFF: I totally agree  
29 with you and I'm not going to allow anymore of this. We  
30 will schedule it. It will be noticed. We will revisit  
31 the issue at the earliest possible date. That's plain  
32 and simple. We are not going to get into that issue at  
33 this time, but we will, I guarantee you, where everybody  
34 is on this, we will revisit the issue and I will make  
35 sure that Mr. Gavel here gets that done.

36  
37 In the meantime, we're going to break for  
38 lunch. We're going to come back right after with what I  
39 should have opened up with this morning, which is  
40 testimony on non-agenda items and we do have a couple of  
41 requests, so we will have that right after lunch. We  
42 will recess, if you don't mind me using your gavel, until  
43 1:00 o'clock.

44  
45 (Off record)

46  
47 (On record)

48  
49 CHAIRMAN DEMIENTIEFF: Public testimony  
50 on non-agenda items. Donna Pennington, please.

1 MS. PENNINGTON: Thank you, Mr. Chairman,  
2 for this opportunity to testify again before this Board.  
3 There's no proposal before you, but I'd like to speak on  
4 the concerns of the low salmon runs at Mentasta Lake.  
5 The subsistence needs of the residents of Mentasta are  
6 not being met. There's a crisis currently to my people.  
7 Many of you have read today's newspaper article which  
8 eloquently stated our concerns and I'm very happy at the  
9 timing of that article.

10  
11 I have provided the Board with a number  
12 of pages. In the essence of time, I'm just going to hit  
13 a couple highlights for the Board's interest. On Page 2,  
14 in regards to the Copper River Salmon Management Plan,  
15 the commercial fishermen have taken 1.18 million salmon,  
16 89% of the total harvest. Sport fishermen have taken  
17 only 8,000. Subsistence users have taken 5% of the  
18 harvest, which is 61,499 salmon. Personal use is even  
19 higher than subsistence use, which is at 6%. That was on  
20 Page 2. As I say, I'm going to go through them briefly,  
21 but please feel free to stop me for any questions.

22  
23 On Page 3 of what I've provided, the  
24 Gakona to Slana column is the middle column and that  
25 reflects the number of days fish being decreased. Page  
26 4, the percentage of harvest and the days harvested have  
27 declined. Page 5, the Glennallen harvest increased by  
28 nearly twice. If you compare the '02-'03 to '96 and '97  
29 averages, this Board three years ago increased the  
30 harvest of the Glennallen area, which has had a huge  
31 impact on Mentasta. On Page 6, that shows the weir  
32 escapement at Batzulnetas, which is Tanada Creek, which  
33 is where Mentasta primarily fishes. The escapement does  
34 not reflect the harvestability or distinguish between  
35 species. Page 7, the sonar counts deviate dramatically.  
36 All the policies and procedures being written by all the  
37 different agencies are based on these sonar counts. It  
38 does not reflect the wild versus the hatchery fish.

39  
40 In Gulkana, we have a hatchery there, so  
41 we can count the escapement up there, but what doesn't  
42 get counted is the hatchery fish go up the Gulkana River  
43 and what little left of the wild salmon continue on to  
44 Batzulnetas. So there's no distinguishment of those two.  
45 Also, I cannot explain the dramatic drop on 7/22/03  
46 versus the projections.

47  
48 On Page 8, escapement is only one issue  
49 of the declines. Page 9, the aerial surveys do not  
50 identify the species or if they're wild or hatchery also.



1 Those numbers need to be identified for effective  
2 management of these wild resources. If you refer to Page  
3 11, the regulation states there's 30 salmon per household  
4 of two members. We have 126 people in Mentasta. If you  
5 look at the 10-year average -- first of all, those  
6 numbers don't correlate, so I'm not sure what the correct  
7 number is, but if you take the 10-year average and divide  
8 it by 126 people of Mentasta, that's 30-1/2 fish. I only  
9 have two people in my household, but Grandma Katie has  
10 157 grandchildren and Katherine has five children. The  
11 numbers, I don't know, need to be adjusted, I believe.

12  
13 I was going to have Joe Hart here speak  
14 on Page 10. I don't know if he's here. On page 11, the  
15 Copper River Personal Use Dipnet Salmon Fishery  
16 Management Plan, it would be nice if it had a shorter  
17 title, it needs to reflect Mentasta's numbers and  
18 concerns and how to address. This plan is based on  
19 sonar counts also. The commissioner, by emergency order,  
20 can close the personal use. My personal opinion though  
21 is that what's not being done is the commercial use, the  
22 highest use needs to be closed. As I said, most families  
23 that we have have more than two members.

24  
25 On page 12, letter F, the maximum level  
26 of 100-150,000 salmon again does not differentiate  
27 species. Why reduce the harvest level if the commercial  
28 industry harvest decreases? That seems to be in  
29 opposition to what we need to do. We need to decrease  
30 the commercial harvest if the subsistence harvest  
31 decreases. This is an example of how it actually  
32 conflicts with the real management of salmon species.  
33 The largest users are the ones that need to be regulated.

34  
35 Page 13, the Copper River District Salmon  
36 Management Plan needs to enforce escapement monitoring.  
37 If you compare it to the actuals, the sonar does not  
38 reflect the different species, again, on wild versus  
39 hatchery salmon, so how are they justifying sockeye  
40 versus the other salmon. Oh, please note that was  
41 repealed on March 30th of '02.

42  
43 On the kings. Again, I question the  
44 validity of the statistics, but has the commissioner ever  
45 closed by emergency order based on the run strength?  
46 Fishery performance. Does not get fish to Mentasta.  
47 Again, the numbers management has to be adjusted to  
48 reflect the wild versus hatchery because that is our  
49 problem. The escapement show a lot of fish going up  
50 there. What doesn't reflect is the hatchery fish going

1 back to their hatchery and not continuing upriver.

2

3                   On page 15, the fisheries board policy to  
4 change the board agenda. It is already too late for me  
5 to go through the procedures to affect change. It is  
6 already too late. I need to express the urgency of  
7 Mentasta's concerns to this board. Paragraph B, they can  
8 change as reasonably necessary for coordination of State  
9 regulatory actions with Federal fishery agencies,  
10 programs or laws. Without being able to go through that  
11 board policy change and their procedure, I need to get  
12 the Federal agencies involved to act.

13

14                   The third to the last page reflects  
15 Mentasta's actual numbers. Remember, we have 126 people  
16 who reside in our village, but those numbers also include  
17 Chistochina and Slana and it's not just Mentasta.

18

19                   The last two pages reflect from Gakona to  
20 Slana. Again, it doesn't show Mentasta. It includes  
21 Gakona, Chistochina, Slana and Batzulnetas. But, again,  
22 I must state from the Mentasta Village, the headwaters  
23 people, our subsistence needs are not being met.

24

25                   There is a current study being done by  
26 Bill Simeone of Fish and Game on the decline of the  
27 subsistence harvest at Mentasta, Chistochina, Gulkana and  
28 Chitina. We are trying to work with the State agencies  
29 to find a solution. There's a number of other  
30 environmental changes and how it affects our subsistence  
31 use and that will be determined when this study is  
32 complete.

33

34                   A couple other points that I've been  
35 asked, mainly, is we need to start distinguishing the  
36 wild salmon versus the hatchery salmon on their counts  
37 compared to the data from five to six years ago versus  
38 today when the hatcheries were in operation.

39

40                   I'd like to remind this Board again, this  
41 Subsistence Board switched the opening in Glennallen from  
42 June 1 to May 15th to accommodate Glennallen, which is  
43 primarily a non-Native community.

44

45                   In 1996, Wilson Justin and Katie John  
46 testified before this committee as to the low count of  
47 fish. Katie John is the matriarch of Mentasta. Katie  
48 John has not been getting much fish and I'd like to see  
49 her get some fish this year. I've got a letter that I  
50 will fax on an emergency petition for subsistence needs

1 of Mentasta, but I'm not sure what can be done at this  
2 point. I'd like to appeal to the fairness of Federal  
3 agencies for assistance on this.

4

5 I compare the Copper River Management  
6 Plan to a Rubik's Cube. What we need to do is get all  
7 the users colors on all their pages; subsistence, State  
8 enforcement, commercial, personal use and sport. The  
9 last color I gave to the fish because we have to  
10 coordinate with them too.

11

12 I'm not sure how to summarize or end  
13 this, but I'd gladly answer any questions.

14

15 CHAIRMAN DEMIENTIEFF: Thank you very  
16 much. Are there any questions at this time? Go ahead,  
17 Judy.

18

19 MS. GOTTLIEB: Mr. Chair. Thanks very  
20 much, Donna, for bringing forward the information. As  
21 Gloria knows, because she was there, there was a meeting  
22 last week out in Copper Center and there's going to be  
23 one in a couple weeks again amongst all the stakeholders  
24 and users, the State local fish biologists have been very  
25 helpful, as has been their supervisor from Fairbanks. We  
26 want to all keep talking about this and working together  
27 and see if we can come up with some solutions. Thanks.

28

29 CHAIRMAN DEMIENTIEFF: Anything else?

30

31 (No comments)

32

33 CHAIRMAN DEMIENTIEFF: Thank you very  
34 much. Appreciate it. Is Joseph Hart here? You can let  
35 me know when he shows up and I'll give him another  
36 chance.

37

38 MS. PENNINGTON: Okay, Mr. Chairman.  
39 Also, for verification, should you require, Wilson Justin  
40 from Chistochina was also present. I thought he was  
41 sitting right there, but maybe he stepped out of the  
42 room.

43

44 CHAIRMAN DEMIENTIEFF: I did see him  
45 outside, but he didn't sign up to testify. Okay.

46

47 MS. PENNINGTON: Thank you very much, Mr.  
48 Chairman.

49

50 CHAIRMAN DEMIENTIEFF: With that, we'll

1 move on to Eastern Interior where we have Proposal No.  
2 78. Mr. Fleener.

3

4 MR. FLEENER: Thank you, Mr. Chairman. I  
5 would like to withdraw Proposal 78.

6

7 CHAIRMAN DEMIENTIEFF: Okay. With that,  
8 we will go ahead and recognize the withdrawal. I think  
9 it's based on the previous action we took on No. 1, so we  
10 will honor that request and move on to North Slope,  
11 86(B).

12

13 MR. FISHER: Thank you, Mr. Chairman.  
14 I'll be presenting the analysis for 86(B) and Helen  
15 Armstrong will be entertaining the discussion for the 804  
16 part of this proposal. This proposal was submitted by  
17 the City of Kaktovik and the proposal map for this one is  
18 on page 804.

19

20 This proposal would establish a moose  
21 season for Unit 26(C) July 1 through March 31st. A  
22 community harvest quota of five moose by Federal  
23 registration permit for Kaktovik residents only, no  
24 harvest of a cow accompanied by a calf. It also was  
25 asking for a designated hunter provision. This is  
26 already handled by statewide regulation for a designated  
27 hunter. Companion proposal 86(A), I believe, was  
28 withdrawn. That was a C&T.

29

30 Currently there's no State subsistence  
31 season or State Federal season in 26(C). The season was  
32 closed by both boards due to very low moose population.  
33 There was, however, a special action 03-4, which was  
34 modified by the Federal Subsistence Board. It did allow  
35 for a ceremonial harvest for two moose, one at  
36 Thanksgiving and one at Christmas. However, no animals  
37 were harvested because the caribou were quite plentiful  
38 in the area.

39

40 Moose in this area are on their extreme  
41 northern limits of their range. Federal public lands  
42 here consist of the Arctic National Wildlife Refuge. The  
43 reason they're limited is primarily the habitat just  
44 isn't there. There's not much habitat. Surveys  
45 conducted there in the '70s and '80s indicated a small  
46 number of moose in several drainages, primarily in the  
47 eastern part of 26(B), further east of the Canadian  
48 border, on into 26(C). Refuge Staff and the Fish and  
49 Game have conducted surveys on the Canning River, which  
50 is in the western part of the unit, since 1983. Numbers

1 were relatively high until the early '90s, when the moose  
2 population went down on the entire North Slope.

3  
4 There's not a lot of survey data  
5 available for 26(C). Only 14 animals were counted in  
6 selected drainages from the mid part of the unit to the  
7 Canadian border in the year 2000. In April of '03, the  
8 entire coastal plain was surveyed by the refuge, Canning  
9 River to the Canadian border. Half of these animals, 34,  
10 were observed in the lower Kongakut and Egaksrak River  
11 drainages. Only 52 animals were observed in the entire  
12 survey. This is quite similar to a survey that was  
13 conducted in 1983.

14  
15 A little bit on the harvest. Kaktovik is  
16 the only community in 26(C) and residents of this village  
17 have taken two to six moose annually prior to the season  
18 closure in 1996. Subsistence harvest has been limited  
19 just because there just aren't the animals there. The  
20 reported moose harvest peaked at around 15 animals in the  
21 mid '80s, but dropped significantly as the population  
22 dropped. Table 1 on Page 843 gives a pretty good rundown  
23 on what the harvest has been from 1983 to 1996.

24  
25 The effects of this proposal.  
26 Establishing a nine-month season in 26(C) with a five  
27 moose harvest quota could really impact any recovery in  
28 this small population that currently exists there. The  
29 impact would be real severe if there was any cows  
30 harvested. Even taking five bulls annually would be a  
31 conservation concern. In talking with the refuge Staff,  
32 they feel that a limit of two bulls from 26(C) would  
33 probably be sustainable.

34  
35 That's all I have, Mr. Chairman. Thank  
36 you very much.

37  
38 CHAIRMAN DEMIENTIEFF: Thank you. Public  
39 written comments.

40  
41 MS. H. ARMSTRONG: Mr. Chair, we're doing  
42 a team effort this time. We still have some more  
43 analysis to present if I may. Helen Armstrong from Fish  
44 and Wildlife Service, Office of Subsistence. I'm doing  
45 the Section 804 analysis, which is on Page 843 in your  
46 book. We haven't done too many of these before, but  
47 there was one done in Unit 22 this round.

48  
49 Whenever a proposal to change the Federal  
50 regulations seeks a prioritization for use of subsistence

1 resource among rural residents, then you need to have an  
2 804 analysis in accordance with Section 804 of ANILCA.

3  
4                   Currently, the C&T for moose in Unit  
5 26(C) is for all residents of Unit 26, Point Hope,  
6 Anaktuvuk Pass and with the exception of residents of  
7 Prudhoe Bay. The city of Kaktovik has requested that if  
8 a moose hunt is allowed in 26(C), it be for residents of  
9 Kaktovik only. This was because they knew if a hunt was  
10 allowed that there would be so few moose that they didn't  
11 feel that there would be enough for other communities who  
12 have C&T.

13  
14                   Implementation of Section 804 of ANILCA  
15 requires an analysis based on the application of three  
16 criteria. Customary and direct dependents upon the  
17 populations as a mainstay of livelihood, local residency,  
18 proximity to the resources and, third, availability of  
19 alternative resources.

20  
21                   For the customary and direct dependents  
22 upon the populations of the mainstay of livelihood, I did  
23 a thorough review of the literature and there is a fair  
24 amount of research that has been done on the North Slope  
25 in the past 20 years and I couldn't find any reference to  
26 anybody going into 26(C) to take moose with the exception  
27 of one moose was listed taken by an Anaktuvuk Pass  
28 resident in 1983 and it was up in the northern portion of  
29 26(C) and I'm assuming it was probably a hunt that  
30 occurred with a Kaktovik resident. Other than that,  
31 there hasn't been anything that's shown up in the ADF&G  
32 database or in any of the research that's been done.

33  
34                   Nuiqsut is the closest community to Unit  
35 26(C), but their moose are primarily taken in 26(A).  
36 They only have a record of two moose taken in 26(B) and  
37 then none in 26(C). Barrow you might think might go over  
38 there. They're a little farther away. They've hunted in  
39 26(B). There were hunts in '84, '86 and '91, all on  
40 State land, but no hunting occurred in 26(C).

41  
42                   We do know that at one time the Inupiat  
43 were very nomadic and they tended to travel long  
44 distances. It's possible that customarily and  
45 traditionally there were people who traveled all the way  
46 over into 26(C) to go hunting, but it doesn't appear that  
47 that's happened in recent years.

48  
49                   As Dave was saying, people in Kaktovik  
50 had been getting moose until the season was shut down in

1 1996, but moose came we believe between the early to mid  
2 1900's. Because they're relatively scarce, they haven't  
3 been a really big resource that they've harvested, but  
4 they do provide a variety to the meat that they eat.  
5

6                   The second element, local residency  
7 proximity to the resource. As I said, Kaktovik is the  
8 only community in 26(C). The closest community is  
9 Nuiqsut. It's 130 miles from 26(C). The farthest is  
10 Point Hope, 550 miles. We don't have any other  
11 communities or any other residents in 26(C) that are in  
12 proximity to the resource.  
13

14                   Availability of alternative resources.  
15 Kaktovik does have other resources that are available to  
16 them. They harvest the bowhead whale, sheep, muskox,  
17 caribou, fish, birds. They utilize everything available  
18 to them. The muskox population has been decreasing, so  
19 they've been more interested in making sure that they  
20 could take moose if possible. In some years, because  
21 they're on an island, they can be cut off during certain  
22 times of the year. If the ice is too thin, they can't  
23 get across to the mainland, so sometimes the caribou are  
24 there on the mainland but they can't get there to get  
25 them. The same is true with muskox and sheep. This year  
26 they were very fortunate. I think Fenton Rexford said it  
27 was the first time it had ever happened in his lifetime.  
28 The caribou actually went over to the island and they  
29 were able to get caribou, which is why they didn't take  
30 any moose for their ceremonial moose hunt that they were  
31 allowed to have last winter.  
32

33                   In conclusion, after review of the  
34 Section 804 analysis and application of the three  
35 criteria, we did feel that Kaktovik has use of moose and  
36 should be allowed to be the only community to take moose.  
37 Thank you, Mr. Chair.  
38

39                   CHAIRMAN DEMIENTIEFF: Thank you.  
40 Written public comments.  
41

42                   MS. B. ARMSTRONG: Mr. Chair, we do not  
43 have any written public comments for this proposal.  
44 Thank you.  
45

46                   CHAIRMAN DEMIENTIEFF: Thank you very  
47 much. Public testimony. Fenton Rexford.  
48

49                   MR. REXFORD: Good afternoon. It's been  
50 a while. Mr. Chairman, Board Members, Regional Advisory

1 Council Members. Thank you for this opportunity to speak  
2 in support of the latest findings and/or recommendations  
3 for moose proposal 86(B) and we are in concurrence with  
4 withdrawing 86(A) where the city of Kaktovik met about 10  
5 days ago.

6  
7 I don't have much to say, but this has  
8 been a long process and Helen touched upon the available  
9 resources that were there this winter, but I'm not sure  
10 they'll be coming back every year. And our muskox working  
11 group has been closely monitoring the situation with the  
12 muskox and it's closed now for about a year, depending on  
13 what the population is. Our alternative resources are  
14 minimal. At least to say there's sheep and caribou  
15 that's available when the caribou herd comes around the  
16 short period of time during the summer.

17  
18 So I'm up for questions. I see a lot of  
19 familiar faces and good to see everyone. We've been  
20 working on this. Again, for the last three years or five  
21 years there's people of Kaktovik want -- that the moose  
22 have increased in our area and have decided to -- we  
23 tried five, but we'll live with two. The one in 26(B),  
24 well, it's kind of far away. Just this season here, on  
25 one river drainage, they've seen eight moose on  
26 Sadlerochit River. They talked about being on the fringe  
27 of the earth where the moose gathers. That seems to be  
28 the area, The Sadlerochit River, where they replenish  
29 every year it seems like. I've seen that over my  
30 lifetime. So, thank you.

31  
32 The Staff did a thorough analysis in  
33 working with you. Although we didn't take anything under  
34 the special action, Helen was right that there were  
35 10,000 western caribou herd that came in because of  
36 weather. It was freezing up in their part of the country  
37 and they came over. About 200 of them didn't make it  
38 this spring, so thanks to the refuge and the city of  
39 Kaktovik and the village corporation, they were able to  
40 hire some folks to take them onto the island.

41  
42 Not much more comment other than to  
43 support or have you folks or have the Board work with us  
44 or continue to work with us and allow moose hunt in 26(B)  
45 and 26(C).

46  
47 CHAIRMAN DEMIENTIEFF: Yes, Fenton. I  
48 know I speak for the whole Board that in all your years  
49 of service on the RAC as chairman it's really rewarding,  
50 I think, for us in the program, the Board, everywhere, to



1 see you still actively participating on issues that you  
2 are concerned about. So we do appreciate your  
3 information. I thank you very much. Dan.

4

5 MR. O'HARA: Fenton, it's good to see you  
6 again. We miss you around here. A few new faces have  
7 been added and we kind of come and go. I'm just saying  
8 hi, John, okay. Fenton, I was wondering why -- and maybe  
9 Dave gave in his deliberation this afternoon -- is there  
10 not enough food for the moose or are there predators  
11 taking them or why isn't the herd growing?

12

13 MR. REXFORD: We tried to figure out a  
14 name for this one bear that caught five muskox. They  
15 sent a U.S. Marshal to make sure this brown bear wasn't a  
16 human. But brown bears are the main top of the chain  
17 that get all of these animals, but they're on the  
18 rebound. We're seeing more and more moose.

19

20 CHAIRMAN DEMIENTIEFF: Okay. Anything  
21 else for Fenton?

22

23 (No comments)

24

25 CHAIRMAN DEMIENTIEFF: Thank you once  
26 again, our friend.

27

28 MR. REXFORD: Thank you very much.

29

30 CHAIRMAN DEMIENTIEFF: Regional Council  
31 recommendation. Barbara, we've got it on the record, of  
32 course, but highlight it.

33

34 MS. B. ARMSTRONG: The North Slope  
35 Regional Advisory Council's recommendation is to support  
36 the proposal that Kaktovik put in for the quota of five  
37 moose by Federal registration permit and the Council also  
38 supported the registration permits be distributed at  
39 Kaktovik even though there are other communities who have  
40 positive customary and traditional use determination from  
41 getting a permit. The testimony at the North Slope  
42 Council meeting indicated that the moose in Unit 26(C)  
43 are a fringe population and have sustained a harvest by  
44 Kaktovik residents and a harvest of five moose could be  
45 sustained. Thank you, sir.

46

47 CHAIRMAN DEMIENTIEFF: Thank you. Staff  
48 Committee.

49

50 MR. RABINOWITCH: Yes, Mr. Chairman.

1 Staff Committee recommendation on Page 835 of your book  
2 is a lengthy one, so I'll summarize it and try to hit  
3 just the high points. The Staff Committee supported the  
4 proposal and recommendation of North Slope Council with  
5 modifications and that's what I'll try to highlight are  
6 just the modification portions.

7  
8 I think if I just read the proposed  
9 regulation as the Staff Committee wrote it, it might keep  
10 this shorter. The modified regulation that the Staff  
11 Committee would put forward is as follows. Units 26(B)  
12 and (C), one moose by Federal registration permit by  
13 residents of Kaktovik only. The harvest quota is three  
14 moose, two bulls and one of either sex, provided that no  
15 more than two bulls may be harvested from Unit 26(C) and  
16 cows may not be harvested in Unit 26(C). You may not  
17 take a cow accompanied by a calf and only three Federal  
18 registration permits would be issued. Also, Federal  
19 public lands are closed to the taking of moose except by  
20 Federally-qualified subsistence users.

21  
22 Let me summarize the justification now.  
23 There's several paragraphs and, again, I'll just hit the  
24 high points. Still on Page 835. The North Slope Council  
25 supported the original proposal, allowing for the harvest  
26 of five moose in Unit 26(C). An annual harvest of five  
27 moose out of a recently inventoried count of 52 moose in  
28 all of Unit 26(C) is not sustainable and fails to  
29 conserve healthy populations of the moose. The  
30 combination of low moose numbers and low recruitment are  
31 direct indicators of a continuing conservation concern.  
32 However, re-opening the Federal subsistence moose seasons  
33 in 26(C) and (B) with a two bull and one moose harvest  
34 quota respectively should not substantially impact the  
35 reproductive potential of the Arctic National Wildlife  
36 Refuge moose population on the North Slope or the overall  
37 potential moose productivity.

38  
39 Skipping forward. Adoption of the  
40 proposal as modified would benefit subsistence users  
41 because it would allow for the taking of moose by the  
42 village of Kaktovik. It's particularly important now  
43 that the muskox population has suffered a sharp decline  
44 and there will be no harvest of those muskox in 2004.

45  
46 Further skipping forward. The designated  
47 hunter portion of the proposal was not necessary because  
48 of a previous regulatory change by this Board in 2003, so  
49 basically that opportunity already exists.

50

1                   Going to the next page. As recommended  
2 by the Regional Council, the proposal directs the limited  
3 permit hunt opportunity to the residents of Kaktovik even  
4 though the other communities on the North Slope are  
5 included in the customary and traditional use  
6 determination for these units. The analysis portion that  
7 Helen did briefly considers the ANILCA 804 issues and  
8 confirms the appropriateness of limiting the hunt with a  
9 small quota to only the residents of Kaktovik.

10  
11                   One last thing. I failed to read the  
12 proposed dates, which are July 1 through March 31. Thank  
13 you, Mr. Chairman.

14  
15                   CHAIRMAN DEMIENTIEFF: Department.

16  
17                   MR. HAYNES: Mr. Chairman, the Department  
18 does not support the original proposal for conservation  
19 reasons. As for the Staff Committee recommendation to  
20 allocate three moose to Kaktovik, no more than two bulls  
21 in Unit 26(C) and one moose in 26(B), this approach would  
22 reduce the biological impact if the harvest quota is  
23 reached. We don't oppose this approach, but we question  
24 whether requiring the harvest of bulls in Unit 26(C) is  
25 reasonable since distinguishing cows from bulls may be  
26 difficult in the spring when hunting likely would occur.  
27 Consequently, at this time, the Department can support a  
28 harvest limit of two moose in Unit 26(C), recognizing the  
29 need for the quota because any harvest of cows can limit  
30 future growth of the population in that area.

31  
32                   We are concerned that requiring the  
33 harvest of bulls, just as it was a concern in the Koyukuk  
34 in December, in this case the recommendation of the Staff  
35 Committee is to require a harvest of bulls at a time of  
36 year when bulls may be difficult to distinguish from  
37 cows. Thank you.

38  
39                   CHAIRMAN DEMIENTIEFF: Thank you.  
40 Discussion.

41  
42                   MS. GOTTLIEB: Mr. Chair.

43  
44                   CHAIRMAN DEMIENTIEFF: Yes.

45  
46                   MS. GOTTLIEB: Perhaps I could ask Fenton  
47 or see if I can recall exactly what it was you said,  
48 Fenton. I thought perhaps we heard that -- thanks. We  
49 know it's not your first choice to reduce in number your  
50 request, but did you say the community would be, perhaps,

1 satisfied, at least for a start, with the take of three  
2 as outlined by the Staff Committee?

3

4 MR. REXFORD: Yes, that's what the  
5 councilmen and residents would like very much is for  
6 anything. Three is good.

7

8 MS. GOTTLIEB: Okay. Thank you.

9

10 CHAIRMAN DEMIENTIEFF: Yeah, three is  
11 definitely better than what you've got right now. Any  
12 other discussion?

13

14 (No comments)

15

16 CHAIRMAN DEMIENTIEFF: Hearing none, is  
17 somebody prepared to offer a motion?

18

19 MR. EDWARDS: Mr. Chairman, as we have  
20 heard, this is a fringe population and certainly, based  
21 upon survey data, doesn't seem to be a very large  
22 population, but the refuge does feel that it would be  
23 sufficient that we could allow a small hunt to occur  
24 there. So I move that we would adopt the recommendation  
25 of the North Slope Regional Council with modification  
26 that would provide a harvest quota of three moose in Unit  
27 26 and 26(B). So it would be two bulls and one of either  
28 sex that provided that no more than two bulls may be  
29 harvested from Unit 26(C) and cows may not be harvested  
30 in 26(C). This would be a Federal registration with a  
31 registration permit, which three permits would be issued.

32

33 CHAIRMAN DEMIENTIEFF: We have a motion.  
34 Is there a second?

35

36 MR. BSCHOR: I'll second.

37

38 CHAIRMAN DEMIENTIEFF: I will support the  
39 motion based on the information from the local users as  
40 well as I think we've done diligence as far as working on  
41 the conservation concerns. So, for those reasons, if the  
42 locals can live with it and the population can withstand  
43 that small harvest, I certainly intend to support the  
44 motion. Anybody else?

45

46 (No comments)

47

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

1 IN UNISON: Aye.  
2  
3 CHAIRMAN DEMIENTIEFF: Those opposed same  
4 sign.  
5  
6 (No opposing votes)  
7  
8 CHAIRMAN DEMIENTIEFF: Motion carries.  
9 We do have a couple of little changes off of the list  
10 that are proposed and I'll have Tom summarize those  
11 briefly.  
12  
13 MR. BOYD: The consent agenda now  
14 contains one additional item and three less items that  
15 were read previously into the record on the first day of  
16 the meeting by myself. We added WP04-43 and we deleted  
17 and took action on Proposals 36, 48 and 51.  
18  
19 CHAIRMAN DEMIENTIEFF: Thank you. Is  
20 there a motion to adopt the consent agenda?  
21  
22 MR. KESSLER: Mr. Chair, I'll move that  
23 we adopt the consent agenda.  
24  
25 CHAIRMAN DEMIENTIEFF: Thank you very  
26 much. Is there a second?  
27  
28 MR. TONY: Second.  
29  
30 CHAIRMAN DEMIENTIEFF: You guys scared me  
31 there for a minute. I thought we didn't have consent.  
32 Any discussion.  
33  
34 (No comments)  
35  
36 CHAIRMAN DEMIENTIEFF: Hearing none, all  
37 those in favor signify by saying aye.  
38  
39 IN UNISON: Aye.  
40  
41 CHAIRMAN DEMIENTIEFF: Those opposed same  
42 sign.  
43  
44 (No opposing votes)  
45  
46 CHAIRMAN DEMIENTIEFF: Motion carries. I  
47 guess we do have consent. Okay. Predator Management  
48 Policy. Dan, I believe you're going to give a briefing.  
49  
50 MR. LAPLANT: Yes, Mr. Chairman. For the

1 record, my name is Dan LaPlant. Earlier in the meeting  
2 copies of the revised Draft Predator Management Policy  
3 was distributed hopefully someplace in your pile of  
4 papers. You can recover that. I just want to confirm  
5 that people do have it available.

6  
7 CHAIRMAN DEMIENTIEFF: It's available.  
8 Just go ahead.

9  
10 MR. LAPLANT: Okay. Mr. Chairman, this  
11 process began -- I'm kind of losing track of how long  
12 ago. It was 2002 that we started developing a Draft  
13 Predator Management Plan. This was at the request of the  
14 Board and we met with the Board at least twice during the  
15 early stages of developing this policy. Let me correct  
16 that. I don't know if I said plan or policy, but we're  
17 talking about a Draft Predator Management Policy.

18  
19 We met with the Board a few times to get  
20 direction and to continue on. In August of 2003, this  
21 last August, we provided a draft plan to the Board and  
22 the Board agreed in concept and asked OSM to go out to  
23 the Regional Councils with this draft policy and receive  
24 comments from the Councils. We did that and considered  
25 those comments from the Councils and then came back to  
26 the Board last December there in your annual fisheries  
27 meeting.

28  
29 At that time, the Board and Council  
30 chairs participated in the deliberations and generally  
31 agreed that the draft policy did support correctly the  
32 predator control issues. The main distinguishing  
33 features of the draft policy was to identify the  
34 difference between proposals that the Board receives that  
35 are for subsistence take and those that are strictly for  
36 predator control and the Board agreed that those were  
37 described in the policy. There was a concern expressed  
38 by some Board members that by not bringing predator  
39 control proposals to the Board, that they'd be left out  
40 of the information loop and they wouldn't be aware of  
41 these concerns in their regions. So the Board asked us  
42 to go back and fix that. We talked more with the  
43 Councils to address that concern and we did that. We  
44 added paragraph C to the policy.

45  
46 Paragraph C states that any proposal  
47 that's outside the authority of the Federal Subsistence  
48 Board, such as those that do include predator control,  
49 will be printed in the proposal book and presented to the  
50 Councils at their next appropriate Council meeting. By

1 printing these proposals, which are beyond the authority  
2 of the Board, the Councils would be informed of these  
3 local concerns and they could take appropriate action  
4 within their authorities. So that paragraph C was added  
5 to the policy and we went back to the Regional Councils  
6 at their next round of meetings in February and March  
7 with that revised draft policy for their comment one more  
8 time.

9

10 If you look at the bottom of Page 1 and  
11 then on to Page 2, there's a summary of the comments made  
12 by the Councils at that time. Then on Page 3 analyzed  
13 the comments that we received. Two Councils,  
14 particularly Yukon/Kuskokwim Delta Council and the  
15 Western Interior Council, provided significant comments  
16 and those are attachment A and B and they're identical  
17 comments.

18

19 We've taken those comments and  
20 incorporated them into the policy and the analysis here  
21 before you describes in detail how each phrase that was  
22 recommended by those Councils was incorporated in. One  
23 of the comments was asking for the Board to recognize  
24 that predator control may be an important management tool  
25 and instead of incorporating that into paragraph A, which  
26 actually paragraph A of the policy talks about the Board  
27 accepting proposals that deal with subsistence take, we  
28 felt that wasn't an appropriate place in the policy to  
29 address that concern, so that was inserted into the  
30 introduction of the policy.

31

32 Then there were some comments about  
33 paragraph B and that particularly addresses what will be  
34 done with predator control proposals that are received  
35 and the comments from the Councils asked for those  
36 proposals to be provided to the appropriate agencies  
37 rather than returning it to the proponent. The analysis  
38 here explains why the Board should return it to the  
39 proponent and then provide the proponents with some help  
40 in getting the proposals properly formatted and into the  
41 regulatory cycle of whatever entity is responsible for  
42 predator control, whether it's one of the individual  
43 agencies procedures or whether it's the State Board of  
44 Game procedures or whatever. So that language is  
45 inserted in paragraph B.

46

47 That's the draft policy that we've  
48 brought back to you at this time, Mr. Chairman. It's  
49 expressed in detail on Pages 4, 5 and Page 6 is the Staff  
50 Committee recommendations.

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. I want  
4 to complement Staff for their hard work on bringing back  
5 the revisions. At this time, we are going to have public  
6 testimony and then the Board will begin deliberations on  
7 the policy. It's, of course, out of the realm of the  
8 regulatory considerations that we do, but we want to be  
9 inclusive. Greg Roczicka.

10

11 MR. ROCZICKA: Thank you, Mr. Chairman.  
12 For the record, my name is Greg Roczicka. I work as the  
13 Natural Resource Director for Orutsararmuit Native  
14 Council in Bethel, which is a tribal governing body for  
15 that community. As I mentioned earlier, I was recently  
16 appointed to the Regional Subsistence Council for the Y-K  
17 Delta. I see a few new faces here. Most of you are  
18 pretty familiar with my background, but I'll let some  
19 other people know.

20

21 I've been around for about five or six  
22 rabbit cycles myself and half of those have been as an  
23 advocate working towards maintaining the integrity for  
24 the subsistence way of life and continued subsistence  
25 opportunity and harvest. I've been on many different  
26 national, statewide and international bodies. Working  
27 with United Nations on the high-seas driftnet ban,  
28 international trade negotiations on waterfowl with Canada  
29 and also salmon. So I've been around the block a few  
30 times and got a few gray hairs to prove it.

31

32 Anyway, Mr. Chairman, I really do  
33 appreciate the effort that Staff did and I was actually  
34 almost taken aback there to see that the language that we  
35 had drafted and put forward was very closely being  
36 followed and I had to almost question whether or not it  
37 was sufficient, but if you guys are agreeing with me, it  
38 must not be good enough. You should be arguing more.  
39 Anyhow, I do appreciate that a great deal.

40

41 I have just a couple comments  
42 specifically getting into the language that you have in  
43 front of you and that's we really need you guys to take  
44 the lead on this for us since I discovered that Councils  
45 are not allowed to take positions and to write letters to  
46 various management bodies as far as recommendations and  
47 so forth that we are bound to report only to the Federal  
48 Board and we need you guys to take the lead on this.

49

50 I won't concede at this point. I guess I



1 have to accept that you do not have the management  
2 authority. In this case, I think it's on Page 5 or six  
3 of the lengthy 10-page document where it says that ANILCA  
4 can indeed be interpreted to say that you do have that  
5 authority but you've chosen to take this route and I'll  
6 have to accept that for the moment. We can argue that or  
7 debate it in other venues in other times.

8  
9                   One of the most difficult things I see  
10 that you have here in front of you is that you've limited  
11 yourself to managing only the human harvest. I've heard  
12 it said so many times in your debates and discussions in  
13 the past couple days how you do have to take into  
14 consideration other factors and managing the human  
15 harvest is only a very small component of managing a  
16 wildlife resource and the issue of predator management.  
17 When you're talking anywhere from 80 to 90 percent  
18 mortality, with the exception of occasional factors, the  
19 weather and so forth, and die-offs that take place, 80 to  
20 90 percent of your mortality does come from predation.

21  
22                   Just a short while ago you were talking  
23 about one percent of a harvest being a significant  
24 factor. When you're not taking any kind of action or  
25 position to address major mortality that occurs in other  
26 places where management practices can make a difference,  
27 I don't really believe that you're fulfilling your duty  
28 and responsibility to subsistence use and subsistence  
29 opportunity.

30  
31                   I realize, as you have taken the position  
32 that you have, saying that you don't have the authority,  
33 however, even without that authority I believe that you  
34 certainly, again, it's almost incumbent on you to reflect  
35 the desires of the Regional Councils that are brought  
36 forward to you and taking a position as a Board and  
37 making those recommendations to your respective member  
38 agencies.

39  
40                   At this point, I'd like to especially  
41 thank the BLM for taking the position that they have for  
42 allowing predator management activities to go forward on  
43 their lands and I realize, such as the Park Service, you  
44 don't have that latitude. Some of you do and some of you  
45 don't and there are the different hoops and processes  
46 that you have to jump through, such as environmental  
47 assessments and so forth under the Fish and Wildlife  
48 Service and I would like to see this Board, where they  
49 can, to back up the Regional Councils in the areas where  
50 these are needed.

1 Overall, I'd like to make the clear  
2 statement here that this is an appropriate management  
3 tool. Many people seem to automatically think that if  
4 you say predator control, that means turn loose the  
5 airplanes and the helicopters. That's not necessarily  
6 the case. It's different in many areas. There's many  
7 different effective ways. In some places more effective  
8 and efficient than others and some places you are  
9 required to -- that is the only efficient and effective  
10 means is aerial. Other places it's not.

11  
12 I was quite surprised and actually  
13 flattered to some degree, last year about this time I was  
14 invited to go down to take part in the World Wolf  
15 Congress in a plenary session to specifically talk about  
16 predator control. How they got my name, I don't know,  
17 but they said it kept coming up time and again. As a  
18 result of being there, I really did get a huge education  
19 on the worldwide perspective of wolves in general and  
20 predator management.

21  
22 We were the first plenary group following  
23 the keynote speaker, who, by the way, was a fellow named  
24 Luigi Bytoni (ph) from Italy. His concluding statement  
25 was that wolves are essentially recovered and doing well  
26 worldwide and we need to stop treating them as an icon  
27 species. As I said, that was at the beginning of that  
28 conference. It was a week long down in Alberta. I had  
29 people continually coming up to me over the next five  
30 days, many being retired school teachers from  
31 Massachusetts and members of the Friends of Animals and  
32 so forth saying, I'm sorry, we didn't realize that you  
33 people were really being affected to this degree and we  
34 will back your efforts now.

35  
36 It was time and again, across the world,  
37 across the northern hemisphere, there were over 1,000  
38 people from 21 countries there. Every place, Canada,  
39 Lower 48, eastern/western Europe, Asia, Scandinavia, some  
40 from Africa and South America as well. Keeping wolves at  
41 limited numbers is a common practice everywhere except  
42 Alaska.

43  
44 The recovery effort that took place here  
45 in the Pacific Northwest over the past 10 years where  
46 Federal government Fish and Wildlife Service, I believe,  
47 spent how many million dollars a year re-introducing  
48 wolves to the Pacific Northwest. They were out there  
49 annually taking them out with helicopters to keep their  
50 numbers down, while at the same time spending millions of

1 dollars to help rebuild them and this was condoned by  
2 conservation groups and so forth that were behind it.

3  
4           Again, it's only in Alaska and it was  
5 done to protect ranchers, it's done to protect commercial  
6 and private interests if you will, but yet in Alaska,  
7 where we have a major impact on subsistence where you're  
8 here to provide opportunity. I don't know if you're here  
9 to provide reasonable opportunity. The State's  
10 reasonable opportunity says that a normally diligent  
11 person should have a reasonable expectation of success.

12  
13           If you look at some place like the  
14 central Kuskokwim where it is so painful to go up there  
15 now and see wolf tracks on every bend and next to no  
16 moose where for many, many -- as long as I've been going  
17 up there for the last 20, 30 years and moose were very  
18 abundant until the mid to late '90s and this is a very  
19 common denominator. If you guys want to really look at  
20 the numbers, it really struck me when you had a graph up  
21 dealing with 16(B) the other day, you saw the calf/cow  
22 ratio go from an average of 15 to 30 down to six, seven,  
23 eight, 10, and you find that consistently. The common  
24 denominator is 1996 when the ballot initiative went  
25 through.

26  
27           This state has approximately 61, 62,  
28 perhaps a few more Game Management Units and Subunits  
29 within it. Many people are saying that wolves are going  
30 to be wiped out across the state, that you're watching  
31 the sensationalism that goes on on various websites and  
32 in the media. Out of those 61 or 62, there's four  
33 management programs in place. From my time on the board,  
34 the State Board of Game, I spent two terms there from '96  
35 through '92 and a stint as chairman as well, so I  
36 sympathize with you, Mr. Chairman, with some of the  
37 things you're dealing with. I can say that probably  
38 overall we would be looking at 10 to 12 of those Game  
39 Management Units or Subunits being affected and the plans  
40 that go into place have not affected the whole unit in  
41 many cases. They're small portions of subunits.

42  
43           There needs to be an effort for education  
44 to go back to the public at large and I would hope that  
45 you guys can help that. I know that perhaps each of you  
46 as respective agencies are getting directives and orders  
47 down from above. Well, you need to send some feedback  
48 back on up the line to let them know. I think it's only  
49 right that -- perhaps your boss don't listen, but, by  
50 God, you've sure got the responsibility to let him know

1 if he's doing something that's preventing you from doing  
2 your job.

3

4                   So all that said as a preamble, I guess.  
5 Again, I appreciate the effort that the Staff has put  
6 into incorporating language that we offered. I have two  
7 areas that I think need to be brought back to change to  
8 get more into actually doing what we have requested.  
9 That is within the preamble you guys can't be waffling  
10 here. When you make this statement in recognizing the  
11 predator control, you don't say maybe. You say it is an  
12 appropriate management tool. You've already done it.  
13 It's referenced up there in Staff analysis in their  
14 language where they say if this section B is modified, to  
15 recognize that there is a range of acceptable predator  
16 control methods specific to agency policies and  
17 management and so forth. You're recognizing it there.  
18 You recognize it when you endorsed the various management  
19 plans around the state. You did it with the Fortymile  
20 plan. You've got your waffle point there. It says it's  
21 on some Federal public lands. But having that statement  
22 right there, straightforward, saying it is an appropriate  
23 management tool. Not everywhere and at varying levels  
24 and places where it may be enacted, but that statement  
25 needs to be said very plainly.

26

27                   The other place I would like to see you  
28 make a tweak is in section B on -- I don't know what line  
29 you would call it since it's got the strike-outs there.  
30 That would be line six. What is put in there, it says  
31 where predators have been determined to be a major  
32 contributing factor in the significant reduction of  
33 ungulate populations, I would ask there that you would  
34 change that word major back to significant. Just to  
35 avoid repetition, then you'd take the word significant  
36 out from in front of reduction. Major versus  
37 significant, when it gets down to interpretations, it can  
38 be a major difference.

39

40                   It gets back to what I was mentioning  
41 earlier. You had major discussions, significant  
42 discussion over one percent of a harvest when you were  
43 talking about Kanuti being a significant factor. So it  
44 gets into the whole thing about 40 percent are bears.  
45 How much is bears, how much is wolves. Bears we need to  
46 be careful on because of their low reproductive  
47 potential.

48

49                   I have a letter or a position paper here  
50 that I presented to the Joint House and Senate at the

1 State level back in 2000 on predator/prey dynamics. If  
2 you haven't read it yet, I can make a copy available to  
3 you. Or I would also suggest that you go to the State of  
4 Alaska website and read up on the low density dynamic  
5 equilibrium because that is the natural state of affairs  
6 without human intervention. You are looking at a low  
7 density dynamic, low numbers of animals and it gets back  
8 into that whole thing of opportunity.

9

10                               Anyway, with that, I guess I'd conclude  
11 my statements to this. I don't know if anybody had any  
12 questions or anything. I'd do my best to answer as  
13 always.

14

15                               CHAIRMAN DEMIENTIEFF: Are there any  
16 questions? Paul.

17

18                               MR. TONY: Let's say in the future there  
19 was a board that considered that predator control -- they  
20 interpreted ANILCA to say that predator control was an  
21 authorized activity and it were to be implemented in  
22 regulations, do you have a vision of how that would  
23 actually happen aside from predator control being  
24 accomplished by the land manager themselves?

25

26                               MR. ROCZICKA: I would probably look to  
27 model it after what the State has right at the present  
28 time. I mean we're looking at what was there for many  
29 years prior to the '96 initiative was set at a ratio.  
30 The manager came up with August 13th because that's GMU  
31 13, Copper River Basin, which has got the longest history  
32 and so forth. They had an objective of having 135 to 165  
33 wolves in the springtime and they knew from that they'd  
34 have 4-600 wolves come the fall and it was that way year  
35 after year after year. Their population of moose and  
36 wolves -- at that level, they had between 15 and 20,000  
37 moose. They had an enormous high there sometime in the  
38 '80s of 28,000 moose at one point in time. But anyway  
39 that established -- you know, you had a balance and that  
40 was pretty much the same throughout the state, although  
41 you don't have the actual numbers, what people saw on the  
42 ground. That pretty much held true by -- anyway, it was  
43 the balance. It wasn't disrupted.

44

45                               So you would establish essentially your  
46 spring and fall population target goals and take them out  
47 accordingly and that was done through aerial. Now  
48 everything has to be developed through a full-scale  
49 management plan and so forth and how you're going to let  
50 people in to do it and that, of course, has been the

1 controversy and now they include aerial. Where we're at  
2 there is just a deferred maintenance problem. We had 10  
3 years of nothing.

4

5                   It's not difficult for the managers to  
6 put together a predator program to come up with your  
7 numbers.

8

9                   MR. TONY: I guess, in thinking about it,  
10 my point is that it's specific to who's doing the taking.  
11 You know, under the way things currently are, subsistence  
12 users are allowed to trap and to shoot wolves under both  
13 State and, I believe, Federal regulations. But for the  
14 land manager to take the action -- you know, for an  
15 employee of the land manager to do the actual predator  
16 control, it would still fall within their purview to do  
17 it even under this current proposed.....

18

19                   MR. ROCZICKA: I don't know if you're  
20 familiar with how the State is doing it at present, but  
21 they are issuing permits to private individuals to go out  
22 and take the wolves for them so that they don't have to  
23 come up with the expense, but they're very closely  
24 monitored and say we went to take X number of animals and  
25 that's only the number of animals that are taken. That's  
26 how it currently runs under the State system. That's  
27 been reintroduced recently.

28

29                   CHAIRMAN DEMIENTIEFF: Any other  
30 questions.

31

32                   (No comments)

33

34                   CHAIRMAN DEMIENTIEFF: I want to thank  
35 you very much, Greg, for your testimony. I appreciate  
36 it, although I am a little bit confused. Over the past  
37 few weeks I've been congratulated for chairing a certain  
38 meeting with the Board and now I'm getting sympathy.  
39 Thank you very much, Greg.

40

41                   MR. ROCZICKA: And if there's anything I  
42 can do to help in writing anything up, I'm certainly at  
43 your disposal.

44

45                   CHAIRMAN DEMIENTIEFF: Yeah, maybe we'll  
46 just go home and you finish it up, okay. (Laughing)

47

48                   MR. ROCZICKA: I love it.

49

50                   CHAIRMAN DEMIENTIEFF: Okay. Karen

1 Deatherage.

2

3 MS. DEATHERAGE: It's hard to follow  
4 Greg. Unfortunately, I probably can only say I've been  
5 here for a couple of rabbit cycles, though I'd like to  
6 blame that on my age and not my duration in the state.

7

8 Anyway, Chairman, the Board, my name is  
9 Karen Deatherage. I'm with Defenders of Wildlife and I  
10 would like to take a couple minutes to talk about  
11 Defenders of Wildlife. I haven't had the opportunity to  
12 do that. We are a non-profit wildlife conservation group  
13 with about a half million members nationwide, including  
14 in Alaska, and our main objectives are to maintain  
15 ecosystems, natural ecosystems, throughout America and  
16 obviously in Alaska.

17

18 We are not an anti-hunting organization.  
19 We really have no position on hunting, although I can  
20 tell you shortly you'll be hearing some information on  
21 the central Kuskokwim moose management planning team and  
22 I was a member of that team and I did support removing  
23 non-resident hunters from the area for the specific  
24 purpose of allowing rural residents to have priority over  
25 their resources in that area. I think that you could  
26 easily find that within our organization.

27

28 A lot of conservation groups feel that  
29 rural residents should have priority over the resources  
30 in the areas that they live in for consumptive purposes.  
31 You'll also find that many people value the lands that  
32 you are making -- and the resources that you are making  
33 decisions for in your regulatory processes. There's a  
34 lot of different values that people have for national  
35 lands.

36

37 I've been a little frustrated during this  
38 meeting that I haven't heard a lot of that come out and a  
39 lot of that really understood and I just wanted to point  
40 out that even personally I spent a considerable amount of  
41 time on Federal public lands in Alaska and they mean a  
42 lot to me.

43

44 So I hope that in your continuing  
45 decisions that you will respect the fact that these are  
46 lands that belong to all people and that the real  
47 overriding goal is to protect them in perpetuity for  
48 future generations for many uses. So thank you for the  
49 opportunity to talk a little bit about our organization  
50 and the objectives.

1                   We also, of course, want to make comments  
2 on the Predator Management Policy. It's an issue that's  
3 very important to our organization and our members.  
4 Since the mid '80s, Defenders of Wildlife has been a  
5 regular participant in State and Federal agency meetings  
6 involving issues of predator management.

7  
8                   You heard earlier discussions about the  
9 issues in actually the Rocky Mountain region of  
10 reintroducing wolves there. Defenders has been very  
11 active in that. We have also supported predator control  
12 in those areas for wolves that have preyed on livestock  
13 or wolves that may pose a threat to human safety. So our  
14 organization is not 100 percent opposed to predator  
15 control. We just believe it should be applied  
16 appropriately. We also compensate ranchers in those  
17 areas for any losses that they incur as a result of  
18 predation by the wolves introduced there. We do that  
19 voluntarily.

20  
21                   In general, we support the April 26, 2004  
22 Draft Predator Management Policy. Our fundamental  
23 position is that public proposals to reduce predators on  
24 Federal lands to benefit prey species are outside the  
25 purview of the Federal Subsistence Board and we agree  
26 with you that such matters are for the appropriate  
27 Federal land manager.

28  
29                   Under present Federal laws, our reading  
30 of the legal authority that controls the Federal  
31 Subsistence Board restricts it to the regulations of  
32 seasons, bag limits, methods and means, harvest levels  
33 and determinations of customary and traditional use. If  
34 predator control had been contemplated as a Federal  
35 Subsistence Board responsibility, we believe Section 803  
36 of ANILCA would have included it within the definition of  
37 subsistence uses. Section 802 requires that non-wasteful  
38 subsistence uses of fish and wildlife and other renewable  
39 resources be the priority consumptive uses on the public  
40 lands of Alaska. Certainly predator control is not non-  
41 wasteful.

42  
43                   I want to thank everybody again. It's  
44 been a long process for me and I think I might have  
45 finally figured out some of it. I want to thank you for  
46 listening and, again, we do support in concept the  
47 Predator Management Policy before you.

48  
49                   CHAIRMAN DEMIENTIEFF: Thank you. Any  
50 questions. Gary.



1 MR. EDWARDS: Yeah, I know that Defenders  
2 is not carte blanche against predator control, but would  
3 Defenders support a statement that acknowledges that  
4 predator control is an appropriate management tool?  
5

6 MS. DEATHERAGE: I think it would depend  
7 on what the management tool was. I mean if we felt the  
8 population of animals was not going to recover or that it  
9 was a biological emergency in some order, we would  
10 support that. We also support predator control for non-  
11 indigenous species. So we take it issue by issue, is how  
12 we do it, but we don't put a carte blanche position out  
13 there before the public that we are opposed to predator  
14 control.

15  
16 MR. EDWARDS: Thank you.

17  
18 CHAIRMAN DEMIENTIEFF: Any other  
19 questions.

20  
21 (No comments)

22  
23 CHAIRMAN DEMIENTIEFF: Thank you very  
24 much for your help. I appreciate it. Paul Joslin.

25  
26 MR. JOSLIN: Mr. Chairman, Members of the  
27 Federal Subsistence Board, thank you for the opportunity  
28 to speak to you today. My name is Paul Joslin and I'm  
29 the wildlife science director for the Alaska Wildlife  
30 Alliance. We are a wildlife advocacy group that supports  
31 science-based natural ecosystem management of Alaska's  
32 wildlands.

33  
34 The question that was just raised about  
35 the position of Defenders on predator control, we have  
36 much the same view. When you're dealing with a  
37 biological emergency and there's sound science to back up  
38 that there is indeed a biological emergency, that's one  
39 thing. It's another thing to be manipulating predator  
40 populations in order to create artificially high numbers  
41 of prey populations.

42  
43 We support the revised Draft Predator  
44 Management Policy that predator control is beyond the  
45 authority of the Federal Subsistence Board and that it is  
46 the role of the individual land management agency to  
47 address requests for predator control on Federal public  
48 lands.

49  
50 We believe that the tail must not wag the

1 dog. Just because the current Board of Game sees itself  
2 as a wildlife extract of industry and is focused as of  
3 late on taking rather extreme measures, as we all know,  
4 to maximize the exploitation of bears and wolves in order  
5 to create artificially high populations of moose and  
6 caribou, much as a farmer or rancher might do, we feel  
7 your goal is very different.

8  
9                   You are the stewards responsible for  
10 ensuring that the wildlife legacy that is passed onto  
11 your children and future generations remains essentially  
12 the same as that as it was received to you from your  
13 forefathers and from the elders that came before you.

14  
15                   We also believe that what we see going on  
16 is an experiment. On one side of the coin is basically  
17 how we manage our Federal lands. By not engaging in  
18 these major predator control programs that are being put  
19 forward to the same level, in essence, what you'll have  
20 is an experiment that shows, we believe, in the end, by  
21 sound science, which we're terribly lacking at the  
22 moment, particularly with bears, that in the end your  
23 answer is a much better one.

24  
25                   To some extent, we already see some  
26 examples of that. For example, in Denali National Park,  
27 if you look at the prey populations levels and you look  
28 at the predator population levels and you compare that  
29 with some of the lands on the outside, that as the forces  
30 move to extensive predator control on State lands, we  
31 believe that what you will see are some ecological  
32 disasters. You saw recently maybe the letter to the  
33 editor by Dr. Julie Maher with respect to this in terms  
34 of her seeing the risk that we are going to do severe  
35 damage to the habitat and the prey population being given  
36 a substantial boost by radically ratcheting down the  
37 number of predators. Well, you're in a position to avoid  
38 that.

39  
40                   So, by endorsing this revised draft, I  
41 think you come closer to achieving it. I mentioned that  
42 we're very concerned about the severe lack of science  
43 that exists with the management of the predators at the  
44 present time and would recommend that on Page 4, part B,  
45 where it says, where predators have been determined to be  
46 a significant contributing factor in the decline of  
47 ungulate populations important for subsistence use, that  
48 you insert the words based on sound science. I mean  
49 that's vital to have that in there, we believe.

50

1                   Similarly, the next section down below it  
2 where it says, or in the chronic suppression of such  
3 populations at low densities, this has to do with the  
4 predators again, that you insert the words, again, based  
5 on sound science.

6  
7                   The National Academy of Sciences did a  
8 two-year wolf/bear predator management review of the way  
9 we do things here in Alaska and provided a lot of  
10 cautionary guidelines and, again, emphasizing especially  
11 to do with bear populations.

12  
13                   Essentially those are my comments. I  
14 wish you well. This is a complex, highly controversial  
15 area that you're dealing with and we're trusting the  
16 wisdom that exists here with your Board and the decision  
17 that you will make. Thank you.

18  
19                   CHAIRMAN DEMIENTIEFF: Thank you very  
20 much. That concludes the people that have requested to  
21 -- oh, Dan.

22  
23                   MR. O'HARA: Yes. I'm sorry, I didn't  
24 get your name.

25  
26                   MR. JOSLIN: Dr. Paul Joslin.

27  
28                   MR. O'HARA: Paul, I appreciate you  
29 coming to the Federal Board. I'm just an advisor on the  
30 Council, but I'm from Bristol Bay and we've had in the  
31 last seven or eight years our caribou herd going from  
32 18,000 down to six and it's gone to a Tier II system and  
33 it's still not recovering and the bear population is  
34 going up and the wolf population is increasing. You can  
35 see as many as 25, 30 in a pack. It's not because of the  
36 wolves or because of the bear, it needs to be  
37 scientifically looked at and it's being scientifically  
38 looked at. When an eagle can kill a little calf by  
39 picking its ribs after it's born, there's something wrong  
40 with the food supply or illness of the animal or  
41 something has gone wrong, but it's not getting any  
42 better. If it continues to go down, then it won't even  
43 be a Tier II. So you've got a real practical situation  
44 here where we are predators and so is the bear and so is  
45 the wolf and we're all going to have to be looked at  
46 carefully to bring that caribou herd back.

47  
48                   Here you have the dilemma of what are you  
49 going to do. I think it's a very practical thing and I  
50 would venture to say you look at a policy like this, that

1 probably we're going to be looking seriously at a  
2 predator control program to save that herd. However, to  
3 the north, you have 147,000 to 200,000 animals and that's  
4 fine, yet people can't travel those big distances from  
5 Chignik and Perryville. I mean they have an outboard  
6 motor and a skiff. If you have an airplane, you probably  
7 -- it's a whole different program. They have no roads.  
8 It really is a situation where those people have not had  
9 animals for years, so it's a serious one. I just wanted  
10 to run that by you. Thank you.

11  
12 MR. JOSLIN: By background, I'm a large  
13 carnivore biologist. Most of my work has been on wolves,  
14 but bears and other large carnivores. If we take  
15 McGrath, the extensive push for wolf control there, the  
16 impression for years that the moose population was  
17 plummeting, you have to get in there and do major  
18 predator control, particularly on the wolves. A  
19 substantial amount of money was spent by the Alaska  
20 Department of Fish and Game. When you first go on the  
21 local knowledge, that's the first base you go to. It's  
22 vitally important. But as they began to look more  
23 closely at it and assess what the moose population was,  
24 they thought maybe the people might be right. It's not  
25 too high. A couple thousand moose or so. That was in  
26 '96. People continue to say the moose population is  
27 plummeting, the moose population is plummeting. You've  
28 got to kill those wolves, the wolves are killing them  
29 all. Spoke of large population of wolves, talked about  
30 the wolves coming in and eating the dogs and so on. The  
31 impression was that there's a dire emergency.

32  
33 In 2001, the Fish and Game went back in  
34 again. Spent a considerable amount of money to assess  
35 again what the moose population was. They had actually  
36 taken an earlier one the year before. Found that the  
37 population looked like it had dropped quite a bit, but it  
38 was in bad weather and so on. But when they went in and  
39 did a thorough, proper count, surprise, surprise, no  
40 change in the moose population. It just wasn't quite  
41 where the hunters were at. Surprise, surprise, the  
42 wolves weren't the primary characters if you had to pick  
43 a predator. Surprise, surprise, bull/cow ratios  
44 essentially six bulls for every 100 cows.

45  
46 What I'm getting at is that while I  
47 absolutely respect the first level in terms of what we  
48 may have in the way of assessment, it's just that time  
49 and again what happens is the science starts to really  
50 get in there. It turns out often the picture is a very

1 different one. You know, when was the last forest fire  
2 that impacted the moose population. We know in the case  
3 of the Nelchina caribou herd, when we went in there and  
4 slaughtered those predators, then we ended up with the  
5 Nelchina caribou herd eating itself out of house and  
6 home, destroyed the calving grounds and so on. These  
7 systems are often more complex, require better science.

8  
9 Like the local people in the McGrath  
10 area. In a sense, it wasn't their fault that they were  
11 unaware that the bears were a bigger issue than the  
12 wolves were because they're not there at the time when  
13 the bears are taking the moose calves. We have to be so  
14 careful with the science. Especially when you start to  
15 manipulate large-scale predator populations, if you screw  
16 it up, particularly with bears, it may take you decades  
17 before you're going to get it recovered again. You want  
18 to be very careful what you do.

19  
20 So I'm really advocating here, you know,  
21 don't rush the management, work through your agencies,  
22 just like you have here in this proposal, and please put  
23 in there sound science. There will be others on the  
24 other side who will strongly say, oh, got too much  
25 science, but really what we're dealing with, I believe,  
26 is more on attitude. There are key things you need to  
27 measure science wise. Unless you have them, you may be  
28 doing something that's drastically wrong.

29  
30 So the long and the short is you may be  
31 absolutely right, it may be that predator control is  
32 needed in the area for the first population that you  
33 spoke of, but until it's really proved by science and the  
34 agencies are heavily involved in it and we're prepared to  
35 spend the dollars that it takes to get there, we should  
36 be very, very careful in what we do with the current rage  
37 for, hey, predator control is the popular thing to do.

38  
39 MR. O'HARA: Mr. Chairman. And that's  
40 fine, but, you know, time may not exist. You can't wait  
41 much longer or it's going to be gone. So science is  
42 going to have to hurry. But thank you. I appreciate  
43 that a lot.

44  
45 CHAIRMAN DEMIENTIEFF: Any other  
46 questions.

47  
48 MR. TONY: Mr. Chairman. I guess that  
49 means that there's sound and unsound scientists and I  
50 think if predator control is a difficult question, trying

1 to identify the unsound scientists and weeding them out  
2 from the sound ones is an even harder problem.

3

4 MR. JOSLIN: To some extent I concur with  
5 you. Scientists can have attitudes just like all the  
6 rest of us, but they have to still gather the data and  
7 you can still query the data and you hope that the data  
8 is peer reviewed. So that if you have a scientist that  
9 is running high on attitude, that the peer review process  
10 will itself bring to the fore, if that's what we're  
11 dealing with is attitude or whether we've actually got  
12 sound science going on here.

13

14 CHAIRMAN DEMIENTIEFF: Thank you very  
15 much. John.

16

17 MR. LITTLEFIELD: Thank you, Mr. Chair.  
18 Doctor, if you could help me out. We've used a term  
19 called traditional ecological knowledge for quite a few  
20 years to do some of our programs and many of us would  
21 equate that to an equal of Western science. I guess I'd  
22 just like to have your views on weighing those. You said  
23 sound science, but sometimes we look at other than  
24 Western science to make a decision. So if you could just  
25 comment on that.

26

27 MR. JOSLIN: I agree with you. For  
28 example, the bowhead whale is a situation where the local  
29 knowledge was much ahead of where the scientists were at  
30 and the scientists had to catch up. In general, we spend  
31 a lot of money on the science trying to get reasonably  
32 good answers. You try to have science based in terms of  
33 the knowledge you've got to deal with and then you weigh  
34 in from a management standpoint how you want to deal with  
35 that science that you've got. It's exceedingly  
36 important.

37

38 The scientists come with a lot of tools  
39 that the rest of us don't have, whether they're radio-  
40 collaring a lot of things. You know, for example, the  
41 scientists may be -- you want to know if a river is going  
42 up or down. You stick a stick in it. In effect, you can  
43 mark on where the river is going up or down and measure  
44 that in several places. You don't need to know all the  
45 volume of the water; i.e., don't know the senses of the  
46 whole thing. What I'm trying to get at is there's a lot  
47 of tools that are used by scientists, some of them less  
48 expensive than others, that can give you powerful answers  
49 and then you decide based on the science that's been  
50 brought forward.

1                   Again, just to emphasize, scientists are  
2 just human like everybody else, so we will all come with  
3 our attitudes associated with it and maybe a tendency to  
4 select certain kinds of science, but you hope the peer  
5 review process, plus the Board review process, that you  
6 sort out what is actual good, sound science versus I  
7 think we're running high on attitude.

8  
9                   CHAIRMAN DEMIENTIEFF: Any other  
10 questions.

11  
12                   (No comments)

13  
14                   CHAIRMAN DEMIENTIEFF: Thank you very  
15 much for your time and the effort to get here. We shall  
16 now advance it to the Board for Board action.

17  
18                   MR EDWARDS: Is it our goal today to  
19 accept this as written or what?

20  
21                   CHAIRMAN DEMIENTIEFF: It's just a Board  
22 action. It can be bona fide during the process. Pete,  
23 Dan, you guys settle it and we'll get the Staff here.

24  
25                   MR. PROBASCO: Thank you, Mr. Chair. Dan  
26 and I are a team here, so we'll gang up on you and  
27 present the Interagency Staff Committee recommendation.  
28 I'd like to point out that the Staff Committee, when they  
29 met and discussed this policy, they carefully reviewed  
30 all comments pertinent to this policy from the Councils  
31 and incorporated the majority of these comments and I  
32 think Mr. Roczicka presented the ones that were not  
33 included in the draft.

34  
35                   However, for the record, Mr. Chairman, I  
36 won't go into a long dialogue. I will just present the  
37 Predator Management Policy as modified by the Interagency  
38 Staff Committee and you'll see that it's on Page 6 and  
39 seven of the document that Mr. LaPlant handed to you and  
40 those sections are listed as A, B and C and I know that  
41 the Federal Board members have read them. If you would  
42 like me to read those into the record, I will do so. If  
43 not, I would say the written documents that are provided  
44 along with a justification will suffice in what is being  
45 presented. It's your wishes, Mr. Chair. I know you're  
46 on a tight timeframe here.

47  
48                   CHAIRMAN DEMIENTIEFF: We got it as a  
49 matter of record. You can hit any highlights you want  
50 to.

1 MR. PROBASCO: Mr. Chair, I'll hit the  
2 highlights. Going to Page 6, accordingly, the Board will  
3 consider all Federal proposals to regulate seasons and  
4 dates, methods and means, harvest limits and customary  
5 and traditional use determinations for the subsistence  
6 take of fish and wildlife. The Board will ensure that  
7 the effect of its decisions is to provide for subsistence  
8 take and use of the subject species. The Board will also  
9 take into account approved population objectives,  
10 management plans, customary and traditional uses, and  
11 recognized principles of fish and wildlife management.

12  
13 B. Direct the Office of Subsistence  
14 Management to provide proponents of predator control  
15 proposals (all Federal proposals that specifically  
16 indicate that the reason for the proposed regulation(s)  
17 is to reduce the predator population to benefit prey  
18 populations), with procedures for submitting the proposal  
19 to the appropriate agency. Where predators have been  
20 determined to be a major contributing factor in the  
21 significant reduction of ungulate populations important  
22 for subsistence use, or in the chronic suppression of  
23 such populations at low densities, the Board will endorse  
24 timely, affirmative and effective action consistent with  
25 each respective agency's policies and management  
26 objectives, to reduce predator populations and allow  
27 affected ungulate populations to recover. The Board will  
28 monitor actions taken by the agency to address such  
29 concerns, and will provide appropriate support where  
30 necessary to ensure the continuation of subsistence  
31 harvest opportunities.

32  
33 And C, Mr. Chairman. Ensure that the  
34 appropriate Regional Council(s) is informed of predator  
35 control proposals by having them printed in the Proposal  
36 Booklet and presented to the Council at the next  
37 appropriate Council meeting, along with other rejected  
38 proposals that address concerns which are outside the  
39 authorities of the Federal Subsistence Board.

40  
41 Mr. Chair, I'll just reference the  
42 justification that's on Page 7. Thank you, Mr. Chair.

43  
44 CHAIRMAN DEMIENTIEFF: Thank you.

45  
46 MR. EDWARDS: Mr. Chair, I have a  
47 question. I guess it's probably to Judy because I think  
48 I know the answer for all the other Federal agencies.  
49 Are there any Park Service lands where it is absolutely,  
50 totally unequivocally prohibited?



1 MS. GOTTLIEB: Where predator control is  
2 prohibited. It's against National Park Service policy,  
3 with some minor exceptions like invasive species, pest  
4 species, those kinds of things, you know, non-Native  
5 species, not here though in Alaska.

6  
7 MR. EDWARDS: That means it's not  
8 prohibited.

9  
10 MS. GOTTLIEB: Predator control is  
11 prohibited by Park Service policy.

12  
13 MR. EDWARDS: So does that mean that you  
14 can't do it? Maybe I shouldn't have been trained as a  
15 wildlife manager, but I've always believed that predator  
16 control is one of the tools that wildlife managers have  
17 in their toolbox. It's not a tool you use every time,  
18 but it's a tool that there's appropriate times to use it.  
19 So I was sort of struggling with this issue as to what we  
20 actually recognize, you know, and the concern with the  
21 term may as opposed to is. Even though I think it's an  
22 important tool, I don't think you use it all the time and  
23 I think you justify it. I was just trying to look for  
24 sort of better language. And then, when we use the word  
25 some, that's why I asked the question, because certainly  
26 on National Wildlife Refuges we don't prohibit it. We  
27 manage refuges for diversity and for a lot of reasons and  
28 we have a fairly high threshold, but we certainly  
29 recognize it as a legitimate management tool. Apparently  
30 the Park Service, at least in Alaska, doesn't recognize  
31 it as a legitimate management tool.

32  
33 MS. GOTTLIEB: Mr. Chair. I feel like  
34 this draft policy sends a mixed message. We say in the  
35 justification and this Board has discussed all along that  
36 predator control is outside the Board's authority. I  
37 think it would be fine to recognize that the State of  
38 Alaska has this authority and keep the Board out of  
39 endorsing predator control efforts, but, as we've said,  
40 referring proponents to the appropriate either land  
41 management agency or work in conjunction with the State  
42 of Alaska with that land management agency. Again, it's  
43 fine to recognize predator management as a tool under the  
44 authority of the State of Alaska, but it's not under this  
45 Board's.

46  
47 MR. EDWARDS: But it's certainly under  
48 our authority, Fish and Wildlife Service and under BLM  
49 and it's under Forest Service, too, I believe.

50

1 MR. TONY: Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Yes.

4

5 MR. TONY: I guess my problem with the  
6 justification part of it is that the only thing cited as  
7 a justification is the environmental impact statement and  
8 I'm much more comfortable citing a statute or a  
9 regulation that has the force and legal affect of a  
10 statute or a court case that has gone up on appeal rather  
11 than an EIS as a justification saying that we don't have  
12 the authority. The EIS is just written by the agency,  
13 you know, and that doesn't really give or take away any  
14 authority that the agencies might have or this Board  
15 might have.

16

17 CHAIRMAN DEMIENTIEFF: Go ahead, Taylor.

18

19 MR. BRELSFORD: Mr. Chairman, on that  
20 point, I wonder if we could request a clarification from  
21 Staff. I recall in some of the earlier reports, the  
22 documentary work developed prior to this version of the  
23 policy, there was actually fairly extensive comment on  
24 the role that the EIS plays on this point and I wonder if  
25 we can provide some of that information in this setting.  
26 Thank you.

27

28 MR. LAPLANT: Yes, Mr. Chairman, Mr.  
29 Brelsford. This more specifically references the record  
30 of decision from the Secretary of Interior in providing  
31 authority to the Board, so it came through the  
32 environmental impact statement correct. The secretary  
33 did not provide predator control authority to the Board.  
34 It specifically states in that record decision that  
35 predator control remains the authority of the individual  
36 land management agency and it equates predator control in  
37 the same way does habitat management of the issues of  
38 subsistence management. Habitat management and predator  
39 control remain with the individual agencies and not with  
40 the Board. Again, that was expressed in the record of  
41 decision.

42

43 MR. TONY: Maybe that should be cited,  
44 you know. Just say that in the justification rather than  
45 go a circular route of citing the EIS because that's a  
46 much more clear and forceful statement than saying that  
47 EIS is a justification.

48

49 MR. LAPLANT: That certainly can be done,  
50 but the record of decision is a part of the EIS, but that

1 correction or change could easily be made, yes.

2

3 CHAIRMAN DEMIENTIEFF: From my point of  
4 view, we have widespread expressed appreciation for the  
5 work that has been done by our Staff and by the Board.  
6 These things are always subject to fine tuning. We've  
7 certainly heard some suggestions today, but we've worked  
8 long and hard on this policy. As we take those  
9 suggestions for fine tuning, I mean even with the  
10 suggestions, we had people endorsing the policy. So we  
11 can fine tune, but we've worked long and hard and we need  
12 to get something on the table from my point of view. I'm  
13 perfectly content to go with the policy as it is. As I  
14 said, we're always subject to taking requests for changes  
15 to these things. Craig.

16

17 MR. FLEENER: Thank you, Mr. Chairman. I  
18 just wanted to comment, I guess, that I think as a person  
19 who lives out in a very rural part of Alaska where we  
20 have no roads in the Yukon Flats where we have probably  
21 the lowest moose population in the state, with only one  
22 moose every four to 10 square miles, that we would  
23 actually like more support from the Board than just go to  
24 this management agency because we've been trying to work  
25 through the Yukon Flats National Wildlife Refuge for a  
26 long time and we've received a response similar to what  
27 Mr. Edwards said and that is we're not opposed to doing  
28 predator management, but it's not likely.

29

30 So just a referral to an agency I don't  
31 necessarily think is good enough because most of us who  
32 support some type of predator management have tried to  
33 work through our agencies. If we live in the area,  
34 that's who we're going to work through. That's the first  
35 phone call we make. I'm on the phone with Ted Hewer very  
36 frequently and we talk about the moose population that  
37 has been declining every year for the last probably 15  
38 years except for a few bumps here and there. It has been  
39 determined scientifically through flying surveys that our  
40 population is in decline. It's been determined  
41 scientifically that our salmon populations are no longer  
42 where they used to be.

43

44 And it's been determined through local  
45 traditional knowledge that people are not getting their  
46 needs met. We cannot meet our needs with the number of  
47 moose that we have. We cannot meet our needs with the  
48 number of fish that we have and we cannot meet our needs  
49 just by living on small game. I mean we change from one  
50 resource to another when we have resource problems, but

1 when they're all in decline, that's when you're in big  
2 trouble. For some people who have jobs and can afford to  
3 buy pork chops, you know, that's one alternative that  
4 they have, but there's an awful lot of people that live  
5 in the Eastern Interior that can't buy pork chops.

6  
7                   So we're looking, I think, for something  
8 more than just here's Ted Hewer's telephone number, go  
9 talk to him. I think we need some actual support and  
10 something that says let's take a look at how we can help  
11 these people. We've gone through an awful lot of steps  
12 in my area where we've developed a cooperative moose  
13 management plan. But, you know, sad to say, the majority  
14 of the action items are to be done by local people. Now,  
15 we don't mind taking things into our own hands because  
16 we've been doing that for a long time, but if you look at  
17 the majority of the steps that have to be taken to try to  
18 increase the moose population, the burden is squarely and  
19 almost entirely on the local people. Of course, it takes  
20 a burden and financial responsibility off of the  
21 agencies, but local people can't do it all on their own  
22 unless they've got the law on their side.

23  
24                   I can't go out and shoot 40 bears. I  
25 can't go out and shoot 50 bears without the law on my  
26 side and our bear population is just about double out  
27 moose population and they kill between 75 and 90 percent  
28 of our moose calves every year. That's been shown  
29 through scientific research. Our wolf packs have to kill  
30 about one moose a week. When you have a dismal moose  
31 population and you've got all these predator impacts, the  
32 only thing you can really do is stop human harvest and  
33 we've begun to do that. Our Tribal Councils within the  
34 Yukon Flats have started to impose potlatch regulations  
35 on their own people by saying don't take cow moose, take  
36 bull moose.

37  
38                   I guess I'm just saying all this to say I  
39 think the people in my area want a little bit more than a  
40 telephone number and a name. I think we're actually  
41 looking for some support. Now we're not necessarily --  
42 and the people in the Eastern Interior are concerned just  
43 as Mr. Joslin said. We don't want all the predators  
44 wiped out. I don't think there's very many people in  
45 rural Alaska that want that.

46  
47                   I think most people have no problem  
48 seeing a bear, have no problem seeing wolves. We like  
49 those animals and they belong there just like we belong  
50 there, so we don't want to see them obliterated. But

1 when you go out in the woods to go moose hunting and you  
2 see 25 bears and one moose, the odds are not so good. A  
3 lot of us have actually turned to eating some bear meat.  
4 I don't have a problem eating bear, but one little 200-  
5 pound bear is certainly not as good as a big bull moose.  
6 There's a lot of concerns. A lot of support is needed  
7 from the land managers and the Federal Subsistence Board.  
8 Thank you, sir.

9

10 CHAIRMAN DEMIENTIEFF: Ron.

11

12 MR. SAM: Thank you, Mr. Chairman. For  
13 the record, I would like Western Interior's action at our  
14 March meeting be written or accepted into the record. We  
15 did adopt the recommendations that Y-K Delta came up  
16 with. We understand there are some changes. However,  
17 since the Western Interior Council isn't here, we'll just  
18 go with what we have and ask that it be entered into the  
19 record. That is all that I would ask at this time.  
20 Thank you, Mr. Chairman.

21

22 CHAIRMAN DEMIENTIEFF: I think that we've  
23 exhausted it. We've got a pretty good basic policy.  
24 Proponents can always come back with technical changes,  
25 but we need to get something on the books. We do have to  
26 move on. We've got a couple other issues here. What I'm  
27 suggesting basically is that we adopt the policy and  
28 invite technical changes to it. I think the bulk of it  
29 and we've heard testimony that the changes we have made  
30 are acceptable. We have endorsement of the policy. It's  
31 just time we move on with it. We can always fine tune it  
32 per anybody's request. But we've done the bulk of the  
33 work and we've done diligence. The record speaks for it.  
34 So I'd just encourage the Board to adopt the policy and  
35 move on with it and we'll take changes as they are  
36 suggested.

37

38 MR. EDWARDS: What would be the policy  
39 for fine tuning?

40

41 CHAIRMAN DEMIENTIEFF: Well, subject to  
42 free-ranging fine tuning. I think we've heard some  
43 pretty good suggestions today. We are running out of  
44 time. I don't mean to be pushy, but we are running out  
45 of time. It's time specific when we get kicked out of  
46 the room. I'm serious about it, so we do need to move  
47 on. Ron.

48

49 MR. SAM: Thank you, Mr. Chairman. The  
50 way I understand this issue is that it's a draft

1 statement at this time and it is a work in progress and  
2 it can be changed to be fine tuned down the road. I'd  
3 just like to enter that in the record. Thank you.

4

5 CHAIRMAN DEMIENTIEFF: If the Board does  
6 adopt the policy, it will be the policy if the Board  
7 decides to do it, either vote it up or down right now is  
8 what I'm saying and we can bring back these. John.

9

10 MR. LITTLEFIELD: Is it possible for the  
11 OSM Staff to provide guidance to the people who are most  
12 affected by this and the procedures for petitioning the  
13 secretary? In other words, giving them that extra little  
14 bit that they asked for. Here's a process, you can ask  
15 for this. If OSM could help them do that, I think that  
16 would be helpful to petition the secretaries to have you  
17 guys look at predator control. I mean you can ask if you  
18 don't know what the answer is.

19

20 MR. BRELSFORD: I'm not exactly sure what  
21 you're getting at, John, but I know that the initial  
22 decision was made through a very lengthy process through  
23 the Environmental Impact Statement process on the  
24 structure and implementation of the Federal Subsistence  
25 Program. This was done back in 1990 through about '92.  
26 The decision, which excluded predator control, was a  
27 result of that process. I'm not exactly sure how we  
28 would bring that back up, but certainly we could look  
29 into it. I'm not sure that we would have a satisfactory  
30 answer for you, but we could certainly look into it.

31

32 MR. LITTLEFIELD: Just a quick follow up.  
33 There is a procedure in which you can petition the  
34 Secretary of Interior, Secretary of Agriculture and if  
35 you could just provide that help to them and let them do  
36 that and that way it goes through administrative  
37 procedures. They may say no, but at least you've helped  
38 them answer that question. There is a way to do that.

39

40 CHAIRMAN DEMIENTIEFF: Okay. Is there  
41 anything else or are we ready to go. Paul.

42

43 MR. TONY: Maybe I forgot. What is the  
44 answer to what's the process for fine tuning it.

45

46 CHAIRMAN DEMIENTIEFF: We just have to  
47 bring a motion forward. Any Board member could do that.  
48 It's a simple process. But we've got to get a target out  
49 there.

50

1 MR. BSCHOR: Mr. Chairman, I feel fairly  
2 strongly about where we are with this position since it  
3 had gone through the record decision and the EIS process  
4 previously. I also feel very strongly about the role of  
5 the State relative to predator control and management of  
6 the wildlife in the state. My experience has always  
7 been, from a Forest Service standpoint, whenever we deal  
8 with National Forest lands we make sure we coordinate  
9 very closely with the State in those actions.

10  
11 To me, I think the policy is very  
12 appropriate at this point in time. I personally don't  
13 want to spend a lot of time trying to take over the  
14 State's role relative to predator control in the role of  
15 this Board and I think this policy avoids us doing that,  
16 but also recognizes the importance of predator control.  
17 I don't dispute anything that's said here as far as that  
18 predators do have significant impacts on wildlife herds.  
19 So I'm prepared to move to accept the proposal as  
20 developed by our Staff.

21  
22 CHAIRMAN DEMIENTIEFF: Thank you. Is  
23 there a second to that motion?

24  
25 MR. BOYD: Mr. Chairman, I second the  
26 motion.

27  
28 CHAIRMAN DEMIENTIEFF: And I speak in  
29 favor of the motion. I think it's important for us to  
30 recognize the hard work that has gone on in developing  
31 this. It's a real simple process at any board meeting,  
32 somebody could bring forward a motion to adjust. For  
33 that reason, I speak in favor of the motion.

34  
35 MR. TONY: Mr. Chairman. For  
36 clarification then, what we're talking about is adopting  
37 what's titled as the Draft Predator Management Policy,  
38 Federal Subsistence Board, beginning towards the bottom  
39 half of Page 4 of this handout and ending at the bottom  
40 of Page 5?

41  
42 MR. LAPLANT: Mr. Chairman, I could  
43 clarify that. It's expressed on six and seven under the  
44 Staff Committee recommendation.

45  
46 MR. EDWARDS: Mr. Chairman, I think  
47 overall the policy does basically what the record of  
48 decision says and despite what we may or may not want to  
49 do as a Board, I don't think, from my view, we don't have  
50 a lot of flexibility. I guess I'm still just maybe more

1 personally hung up. Plus, I think it is consistent with  
2 service policy. Just the one statement about that the  
3 Board recognize that predator control is an appropriate  
4 management tool that may be used on some Federal lands.  
5 In my mind, a more appropriate statement, and Judy might  
6 have some problems with that, but I think certainly as it  
7 applies to BLM, the Forest Service and Fish and Wildlife  
8 Service, we do feel it is an appropriate tool. I know  
9 it's kind of minor.

10

11 MS. GOTTLIEB: Mr. Chair, I think there  
12 are caveats in here that make it clear it would not be  
13 used on Park lands. I think I'll leave the discussion.  
14 I can endorse the policy as written with the caveat that  
15 there will probably be some suggestions for fine tuning  
16 it at our next work session.

17

18 CHAIRMAN DEMIENTIEFF: I think we'll be  
19 subject to that at basically any work session. There  
20 were some good ideas that were brought up and there may  
21 be others once we get something out there. It's a real  
22 simple matter for us to modify a policy.

23

24 MR. TONY: Mr. Chairman, it seems like  
25 that's the main thing I would like to see as well. What  
26 I'd like to do is just propose an amendment that on Page  
27 6 there, below the bold letters where it says policy  
28 Federal Subsistence Board, looks like the third sentence,  
29 striking out may be after control and before an  
30 appropriate management tool and inserting is and I would  
31 suggest that as an amendment to the main motion.

32

33 CHAIRMAN DEMIENTIEFF: We have an  
34 amendment. Is there a second?

35

36 MR. EDWARDS: Mr. Chairman, you'd also, I  
37 think, have to address the first paragraph because it has  
38 that same language, does it not?

39

40 MR. TONY: Yeah, it would be throughout,  
41 I guess. Wherever that language is, it would be replaced  
42 with is.

43

44 CHAIRMAN DEMIENTIEFF: So now we have the  
45 motion of wherever it is. Is there a second to the  
46 motion to amend that would include the preamble, which is  
47 what Gary was concerned about?

48

49 MR. BSCHOR: I'll second it.

50



1 CHAIRMAN DEMIENTIEFF: Okay. Discussion.

2

3 MS. GOTTLIEB: Mr. Chair, I guess if  
4 we're going to get into the wordsmithing, then this is  
5 where I would also want to insert that the authority also  
6 rests with the State of Alaska in cooperation with  
7 Federal land management agencies. The management tool  
8 done under the authority of the State.

9

10 CHAIRMAN DEMIENTIEFF: We have a motion  
11 to amend before us. Is there any further discussion to  
12 that amendment?

13

14 MR. BOYD: Mr. Chairman, I speak in  
15 opposition to the amendment. I think the wordsmithing is  
16 better taken up at a later time. I believe that's advice  
17 you offered from the chair several times and I'd like to  
18 respect that, so I will not vote in favor of the  
19 amendment. Thank you.

20

21 CHAIRMAN DEMIENTIEFF: Also, I do for the  
22 same reason. I think we get it out there and then we  
23 just continue to work on it. We've got the substance of  
24 the policy, which is probably 95 percent of the way  
25 there. Let's get that out and then work on it later.  
26 For the same reason, I don't want to get into that  
27 discussion. Part of it is timeframe, but I just feel  
28 like we need to get something out there. So I also speak  
29 against the amendment.

30

31 MR. BSCHOR: With that said, Mr.  
32 Chairman, I'll withdraw my motion.

33

34 CHAIRMAN DEMIENTIEFF: Paul made the  
35 motion.

36

37 MR. BSCHOR: With that said, I'll  
38 withdraw Paul's motion.

39

40 (Laughter)

41

42 MR. TONY: Mr. Chairman, I guess I was  
43 just trying to respond to one of the key points that was  
44 made by the Regional Advisory Councils in Attachment A  
45 and Attachment B. It's not an attempt to try and  
46 wordsmith the entire document. I think it's responding  
47 to a key point that two of the RAC's addressed and that  
48 is attached to this handout and bolded in both cases. So  
49 I don't think it's really an attempt to try and subvert  
50 the process or anything, but just to ensure that the

1 policy we're adopting reflects the language that the  
2 RAC's were concerned with and that was my sole intent.

3

4 MR. BOYD: Question.

5

6 CHAIRMAN DEMIENTIEFF: The question has  
7 been called for on the amendment. All those in favor  
8 signify by saying aye.

9

10 MR. BSCHOR: Aye.

11

12 MR. TONY: Aye.

13

14 CHAIRMAN DEMIENTIEFF: All those opposed  
15 same sign.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN DEMIENTIEFF: Four to two. The  
20 amendment fails. We do have the motion to adopt the  
21 policy. Is there any further 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 same  
31 sign.

32

33 (No opposing votes)

34

35 CHAIRMAN DEMIENTIEFF: Motion carries.  
36 With that, I'm not going to take a break because I don't  
37 want us to get kicked out of here. They might throw us  
38 in jail, I don't know. We have a couple other things.  
39 If you feel the need to slip out for a moment, do it, but  
40 we're going to go right into Central Kuskokwim Moose  
41 Planning Report. Randy Rogers.

42

43 MR. ROGERS: I think you guys are  
44 familiar with the area we're talking about. The Central  
45 Kuskokwim region covered in this plan is Game Management  
46 Units 19(A) and (B), which lies out to the west of  
47 Anchorage. The major community in the area is Aniak.  
48 Also downstream on the Kuskokwim is Bethel.

49

50 In this planning process we had several

1 major challenges to deal with. We have many stakeholders  
2 involved in Units 19(A)(B) moose management. We've got  
3 the local subsistence hunters, we've got hunters from  
4 down in the Lower Kuskokwim region, numerous guides and  
5 transporters and there's an interest in predator  
6 management from the conservation community.

7  
8 Another major challenge we had was lack  
9 of good data. We don't have the same type of information  
10 on moose population levels and movements or data on  
11 harvest as we do, for example, in the Koyukuk area.  
12 Makes it much more difficult to get people to agree on  
13 what to do when you don't have good information on  
14 exactly where you are.

15  
16 For an overview of the planning process,  
17 we began with the Regional Moose Summit in October 2002.  
18 We brought in people from a wide area around Unit 18,  
19 Unit 17, over in the Yukon side, talked about moose  
20 biology in a wide area, had a planning proposal to look  
21 through, which was endorsed. Following that, we set up a  
22 planning committee. We had six planning committee  
23 meetings in Aniak between February 2003 and February  
24 2004. Along the way we issued two issues of the Central  
25 Kuskokwim Moose Planning News distributed for public  
26 review and comment. We have a third one that's out right  
27 now which copies are being passed around. We sent out  
28 over 100 copies of the Draft Central Kuskokwim Moose  
29 Management Plan for public review and comment and had  
30 seven different meetings to discuss the draft plan.

31  
32 The next slide is a membership of the  
33 Central Kuskokwim Moose Management Planning Committee and  
34 I'm not going to go through all the names. We had  
35 testimony here just a few minutes ago from two committee  
36 members, Karen Deatherage and Greg Roczicka. We had  
37 several folks from the local advisory committee, some  
38 non-local advisory committees, big game guides,  
39 transporters and representative from the conservation  
40 community. We had several Staff in Fish and Game involved  
41 in the effort, including Division of Subsistence. We had  
42 Wildlife Enforcement folks participate. Jeff Denton was  
43 the main Federal representative with the Bureau of Land  
44 Management. George S., a guide from Aniak, who is now on  
45 the Western Council, attended most meetings. And  
46 Jennifer Hooper, who is a biologist with AVCP.

47  
48 An overview of a few of the key points in  
49 the plan. I'm going to keep these to a minimum. The  
50 mission statement we came up with, which is intentionally

1 broad to encompass the interests of all the users  
2 involved. The purposes of this plan are to restore and  
3 maintain the Central Kuskokwim moose population to ensure  
4 reasonable subsistence opportunities, provide for high  
5 levels of human consumptive use, provide for a diversity  
6 of other uses of the moose resource, manage predators and  
7 moose habitat and maintain the overall health of the  
8 ecosystem.

9  
10 We addressed several main issues in the  
11 plan, including moose harvest, habitat, predation,  
12 regulation of guides and transporters, information needs,  
13 et cetera. I tried to keep this a comprehensive plan to  
14 address all the facets of what's affecting the moose  
15 populations out there.

16  
17 For moose harvest management, our overall  
18 goal is to manage moose harvests through regulations  
19 designed to conserve and enhance the moose resource,  
20 provide reasonable opportunities for subsistence hunting  
21 and provide opportunities for other users to harvest  
22 moose when the moose population is sufficient to provide  
23 them.

24  
25 Moose habitat. The goal is ensure moose  
26 habitat is maintained at adequate levels so that habitat  
27 does not limit the moose population growth while the  
28 moose population is rebuilding and that habitat is not  
29 overused once the moose population has increased. All  
30 the information we have doesn't indicate that habitat is  
31 a limiting factor in that area.

32  
33 The predation on moose. Our goal is to  
34 reduce predation to increase moose survival, to restore  
35 the overall productivity and abundance of the moose  
36 population, while also recognizing that predators are an  
37 integral part of the ecosystem.

38  
39 We have a goal for regulating guides and  
40 transporters and this is a very difficult issue in State  
41 lands as you know. On Federal lands, in refuges for  
42 example, guides are regulated much more strictly. It's  
43 not the case in the Central Kuskokwim. There's  
44 approximately 60 guides who are registered to operate out  
45 in that area.

46  
47 The goal is to manage the level of  
48 guiding and transporting in Units 19(A)(B) to ensure  
49 conservation of the moose resource, quality hunt  
50 experiences for clients and to minimize conflicts with

1 subsistence users. That having been said, there's very  
2 few tools available to accomplish that.

3  
4 We have supported efforts to pass  
5 legislation to establish a big game commercial services  
6 board and it's particularly important that that board  
7 have the authority to limit the total number of guides,  
8 transporters and clients in each GMU. If that doesn't  
9 happen, the only other alternative is to restrict  
10 non-resident hunting.

11  
12 The next slide shows a list of the  
13 different public meetings that we held. I'm not going to  
14 go through every one of those, but we hit numerous  
15 different regional council meetings, advisory committee  
16 meetings, gathering of the Kuskokwim Native Association,  
17 and then eventually we went through the Board of Game in  
18 Fairbanks and we're here before you today.

19  
20 For the final recommendations of the  
21 planning committee, members of the planning committee  
22 agreed on many of the issues but didn't achieve consensus  
23 on recommendation for wolf predation control program for  
24 Units 19(A) and (B) or the level of non-resident hunting  
25 that can be provided in Units 19(A) and (B). The  
26 committee's majority opinion was to close Unit 19(A) to  
27 non-resident hunting.

28  
29 In this particular planning process,  
30 while we always strive for complete consensus on these  
31 issues, we recognized up front that some of these issues  
32 we may not achieve agreement on, so we did build into the  
33 process a provision for majority and minority opinions  
34 and reported those to the Board of Game.

35  
36 In terms of action from the Board of  
37 Game, the Board adopted the consensus recommendations of  
38 the planning committee, including a registration permit  
39 system for resident moose hunters in Units 19(A) and (B)  
40 with a bag limit of one antlered bull, closing the  
41 resident winter seasons in Unit 19(A) and changing the  
42 bag limit in the Tier II hunt to bulls only to reduce cow  
43 harvest and lengthen the brown bear season. That was  
44 part of the overall Interior Alaska brown bear proposal  
45 that you folks also considered.

46  
47 Where consensus was not reached by the  
48 planning committee, the Board of Game did support the  
49 majority recommendations. Unit 19(A) was closed to non-  
50 resident hunting with a one-year sunset provision. The

1 non-resident season in Unit 19(B) was reduced by 10 days.  
2 The Board adopted a wolf predation control plan for Units  
3 19(A) and (B) and authorized aerial wolf control in Unit  
4 19(A).

5  
6 By far the most contentious issue at the  
7 Board of Game was the proposed closure of Unit 19(A) to  
8 non-residents. This was an essential element for support  
9 by the local folks out there who felt they weren't  
10 getting their subsistence resources, yet it affected the  
11 business and livelihoods of the guides and they argued  
12 strenuously against that. In the end, with careful  
13 deliberations at the Board and talking about the moose  
14 population, the number of moose needed for subsistence,  
15 compelling testimony that folks weren't getting the moose  
16 they needed, the Board went ahead and closed the area to  
17 non-resident hunting.

18  
19 For the Federal subsistence proposals,  
20 all the proposals were on the consent agenda, so they've  
21 been passed right now. The Federal moose hunting  
22 regulation proposals were designed to reduce cow harvest  
23 and achieve consistency with State regulations. There  
24 was the brown bear proposal, which was part of the  
25 overall Interior Alaska proposal.

26  
27 In terms of progress, it's already under  
28 way as a result of the planning effort. We have 38 moose  
29 that were fitted with radio collars last fall to help  
30 increase the knowledge of the moose population level  
31 productivity and movement patterns. We've been  
32 monitoring those collars regularly to learn more about  
33 movement of moose between Units 19(A) and (B) and other  
34 information.

35  
36 We've worked to improve subsistence  
37 harvest data, we highlighted the need for better data in  
38 the planning process, Division of Subsistence has worked  
39 with Kuskokwim Native Association, received funding  
40 through OSM to do household surveys. That work is in  
41 progress right now. Our Division of Subsistence made a  
42 special effort to coordinate that project through the  
43 Central Kuskokwim schools to get high school students  
44 involved in conducting the surveys to both get the  
45 harvest information and educate youth better about moose  
46 management.

47  
48 As a component of that educational  
49 effort, Department of Fish and Game has developed a moose  
50 management educational curriculum. It's being used in

1 the Central Kuskokwim schools. A major aspect of that  
2 highlights the implications of cow moose harvest, and  
3 especially in places where moose populations are  
4 depressed.

5  
6 I think what we recognize overall is that  
7 folks have to understand and make choices for themselves  
8 about cow moose harvest and we can't force reductions in  
9 this strictly through regulations and enforcement. We  
10 just don't have the capability.

11  
12 In conclusion, as we expected, this was a  
13 very challenging planning process with very many  
14 difficult issues. Our participants in the process  
15 deserve a great deal of credit for the time and effort  
16 they put into this commitment to improve moose  
17 management. We agreed on many points and we had some  
18 differences of opinion among the committee members, but  
19 we did help improve communication and understanding.

20  
21 At one point we had a comment from a  
22 local subsistence user that the meeting formats that we  
23 provided was the first time they'd ever had a chance to  
24 sit down face to face with the guides and actually talk  
25 about these issues. Normally they're not in the same  
26 place at the same time.

27  
28 The Department is committed to continuing  
29 the work with all users to improve moose management in  
30 Units 19(A) and (B) and make additional regulatory  
31 changes in the future if the need arises.

32  
33 The committee is going to need to meet  
34 again next winter. This plan, and given especially the  
35 level of information that we had, we took our best shot  
36 at the best recommendations and approaches, but recognize  
37 that this is going to have to be an ongoing process. So  
38 we will have the committee meeting against next winter  
39 and probably for several years to come.

40  
41 The Board of Game has asked to re-examine  
42 the non-resident moose hunting closure in Unit 19(A) and  
43 the wolf predation control program in their next meeting,  
44 which will be out of cycle, but for March 2005.

45  
46 I want to again thank the Office of  
47 Subsistence Management for providing funding for this  
48 project, the Bureau of Land Management for their support  
49 and participation. If you can bear with me, I'll slip in  
50 just a few notes on a few of our other planning projects

1 that we have going on or hoping to do.

2

3 Unit 21(E), moose management planning.  
4 This has been a topic of major concern for the Western  
5 Council and has been before the Federal Board. We've  
6 received funding from OSM to continue the work on the  
7 Central Kuskokwim moose plan and initiate the Unit 21(E)  
8 moose management planning project. As an interim  
9 measure, we did have a major moose management meeting in  
10 Holy Cross January, a year before this passed, but that  
11 wasn't a full-blown planning process. It was more to get  
12 better communication going with the community, the  
13 agencies and users there. I think it was a very  
14 successful meeting, but only a start.

15

16 Right now we've lost our assistant area  
17 biologist out in McGrath and that gives us a difficult  
18 time in terms of the biological Staffing for additional  
19 planning efforts in that area. However, we're intending  
20 to overcome that one way or another and initiate the  
21 planning project next fall in time for the next Board of  
22 Game cycle, which for Interior Alaska is March 2006.

23

24 With regard to the Koyukuk River moose  
25 management plan, which we've heard quite a bit about in  
26 the last couple days here, we did hold a meeting last  
27 January to review the plan and have some input into the  
28 regulation proposals that were pending on both the State  
29 and Federal side. The introduction of the meeting went  
30 real smooth. After lunch, Glen Stout, the area  
31 biologist, announced to the group that we had made the  
32 decision to make an 80 percent cut in the drawing  
33 permits. The tone of the meeting completely shifted at  
34 that point with everybody feeling very dismayed and the  
35 basic sentiment being that we've done everything we can  
36 to cut harvest out there, it's not working, the  
37 population is declining, so the main recommendation that  
38 resulted from the meeting was asking the State to develop  
39 an intensive management plan to primarily address wolf  
40 predation.

41

42 The Board of Game, with the issues facing  
43 them, did not act specifically on that recommendation,  
44 but I guarantee any time we get Koyukuk moose hunters,  
45 users back together, that issue is going to come right to  
46 the forefront. In the meantime, we issued a memo with  
47 the summary of that meeting which said that the  
48 Department of Fish and Game will continue to use the  
49 Koyukuk River moose management plan as a guide to Koyukuk  
50 River moose management and encouraged the Board of Game



1 and Federal Subsistence Board to use the plan as a  
2 framework for evaluating regulatory proposals. I think  
3 we'll need to be in discussion about how and when we may  
4 have the capability to initiate an update of that plan.  
5

6                   With regard to the Yukon Flats  
7 cooperative moose management plan, which Craig Fleener  
8 referenced a while ago, we also held a plan review  
9 meeting on that just this end of April. We did this in  
10 cooperation with the Council of Athabascan Tribal  
11 Governments. They had a natural resource workshop going  
12 on and we had time in the agenda for that, had a good  
13 discussion about the plan and the issues involving moose  
14 out there. As Craig mentioned, the moose population is  
15 still declining, particularly in the Eastern Yukon Flats.  
16 There's a lot of frustration with our inability to do  
17 anything to turn that around. At this point in time,  
18 Department of Fish and Game is going to continue  
19 information education efforts to promote cow moose  
20 conservation, encourage increased harvest of predators.  
21 But, as Craig said, a lot of the action is really left to  
22 some of the locals to implement this.  
23

24                   I think in the future we're likely to see  
25 some proposals for further restricting non-local harvest  
26 in 25(D) east. I guess I'll just leave it at that. It  
27 gives you a slight insight into some of these other  
28 planning efforts and thank you very much. I'd appreciate  
29 it if you could consider the resolution that was drafted  
30 on the Central Kuskokwim plan.  
31

32                   CHAIRMAN DEMIENTIEFF: You should have  
33 that resolution and with our participation in the past,  
34 we've always endorsed the work of the various groups that  
35 have done this. I'm not sure of the number, if it's our  
36 first resolution this year, but the Chair would entertain  
37 a motion to adopt the resolution endorsing the Central  
38 Kuskokwim moose management plan.  
39

40                   MS. GOTTLIEB: Mr. Chair, one comment  
41 quickly to Randy. Thank you for your presentation and  
42 sorry we're so tired after three days of hearing a  
43 variety of issues, but not to minimize the tremendous  
44 work you and the group have done. One comment. If a  
45 portion of your area does include Lake Clark National  
46 Park and Preserve, then, of course, we would expect there  
47 be some caveat where the wolf predator control would not  
48 take place on those lands, being contrary to our policies  
49 and principles.  
50

1 MR. ROGERS: Yes, of course, we  
2 understand that that's the case. I couldn't tell you  
3 exactly where it was cited. Initially, in the Board of  
4 Game findings for predation control, we specifically  
5 wrote in excepting those lands in Lake Clark Park. They  
6 took that out because of the fact that it's already in  
7 the MOU between the State and the Federal government, but  
8 it's understood by everybody that it won't take place out  
9 there.

10  
11 CHAIRMAN DEMIENTIEFF: Thank you. Dan.

12  
13 MR. LAPLANT: Mr. Chairman, just to add  
14 to that. I brought that issue up at the Board of Game  
15 meeting and the Board members assured me that that would  
16 be implemented through the permit process.

17  
18 CHAIRMAN DEMIENTIEFF: Thank you, Dan.

19  
20 MR. EDWARDS: Mr. Chairman, one question.  
21 Why do we generally support this as opposed to supporting  
22 it? I mean that seems like it's almost deliberate  
23 language. I was just curious as to the rationale if  
24 anybody knows.

25  
26 CHAIRMAN DEMIENTIEFF: Randy, probably,  
27 or whoever drafted the resolution. Dan.

28  
29 MR. LAPLANT: Mr. Chairman, Mr. Edwards.  
30 It says generally supported because that's the language  
31 that the Board used in previous resolutions. I think it  
32 relates to the fact that there are things in the plan  
33 that purely come under the authority of the Board of Game  
34 and there are others that are intended to be implemented  
35 by the Federal Subsistence Board. I think there's a  
36 whereas in there that makes that clear, that not all of  
37 the elements of the plan are specifically relevant to  
38 this Board.

39  
40 MR. EDWARDS: I don't know, Mr. Chair. I  
41 just don't like to do things halfway. If we think it's a  
42 good plan and we support it, it seems to me we ought to  
43 be willing to stand up and say so.

44  
45 CHAIRMAN DEMIENTIEFF: Well, when we  
46 don't have a motion on the floor, we could move to adopt  
47 the resolution as corrected. I don't have a problem with  
48 the language.

49  
50 MR. BOYD: Mr. Chairman, if you're ready

1 for a motion.

2

3 CHAIRMAN DEMIENTIEFF: Yeah, about 20  
4 minutes ago.

5

6 MR. BOYD: Okay. I'd like to move that  
7 we adopt the resolution of support for the Central  
8 Kuskokwim moose management plan with the correction that  
9 it would express our support and not merely our general  
10 support. There are several whereas clauses that  
11 recognize the wide participation and the coordination  
12 amongst stakeholders, the careful deliberation and the  
13 thoughtful package of recommendations. In the action  
14 clauses, we express our support and appreciation and our  
15 expectation that we will see the ongoing results of  
16 recommendations from this body. I think this is a very  
17 significant achievement. I think we'll see good work  
18 continue out of this and I urge Board members to adopt  
19 this resolution. Thank you.

20

21 CHAIRMAN DEMIENTIEFF: We have a motion.  
22 Is there a second?

23

24 MR. EDWARDS: Second.

25

26 CHAIRMAN DEMIENTIEFF: Any further  
27 discussion.

28

29 (No comments)

30

31 CHAIRMAN DEMIENTIEFF: Hearing none, all  
32 those in favor signify by saying aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN DEMIENTIEFF: Those opposed same  
37 sign.

38

39 (No opposing votes)

40

41 CHAIRMAN DEMIENTIEFF: Motion carried.  
42 Okay. Now we go into discussion with the RACs and the  
43 Board.

44

45 MR. ROGERS: Mr. Chairman.

46

47 CHAIRMAN DEMIENTIEFF: Yes.

48

49 MR. ROGERS: Before I leave the table  
50 here, I just would like to say one more time that I

1 really do sincerely appreciate the support and  
2 cooperation that we've had with these joint State/Federal  
3 efforts and look forward to continuing that.

4

5 CHAIRMAN DEMIENTIEFF: They have been  
6 productive and I think your point was well taken about  
7 once you get the players at the table, they have a whole  
8 lot in common and it's been our somewhat more than casual  
9 observation through the years working on various issues.  
10 You get the players to the table and things happen.  
11 Okay. Any discussion items between the RACs and the  
12 Board? Greg.

13

14 MR. ROCZICKA: Thank you, Mr. Chairman,  
15 and thank you for inviting me to come up and represent my  
16 committee in the absence of our chairman. I mentioned  
17 earlier when I was doing public testimony, as a new  
18 member, I was quite taken aback when I found out about  
19 the limitations that councils had as far as establishing  
20 positions. We were told that the only thing we were  
21 allowed to send forward was letters of appreciation and  
22 things of that nature. In accordance with that, we did  
23 draft up a letter of appreciation to the Governor of the  
24 State of Alaska thanking him for his firm stance in  
25 finally letting predator control activities go forward on  
26 State lands and I'll read you real quick the second  
27 paragraph that has the meat of it here.

28

29 Many people are quick to criticize and  
30 much slower to complement when it comes to actions by  
31 their elected officials and we would like to take this  
32 opportunity to express our sincere appreciation for the  
33 fortitude you've shown to date on predator management  
34 issues and express our fervent hope that you'll continue  
35 to do so in the future. The importance of moose for  
36 subsistence purposes and maintaining their populations at  
37 healthy and abundant levels cannot be overemphasized.  
38 Federal and State entities are undoubtedly at odds in  
39 many fish and game management arenas; however, this is  
40 one where we who do not persist in attitudes primarily  
41 imported from the Lower 48 can have a common goal and  
42 gain long-term mutual benefit. Thank you for the  
43 continued support in this matter and allowing pursuit of  
44 this unique opportunity for all Alaskans to share.

45

46 I would ask, Mr. Chairman, since there  
47 was a concern -- this was a letter of appreciation, but  
48 since it was to a government official, it was not sent  
49 forward and I was told the appropriate place was to bring  
50 it to this Board and so at this time I would ask that

1 this Board consider drafting up a letter removing the  
2 reference to the Y-K Delta Regional Subsistence Advisory  
3 Council and have the letter come from this Board. I  
4 believe that that is directly consistent with the  
5 predator management policy that you just passed, although  
6 perhaps it's a step ahead. It was a proposal that went  
7 to the appropriate entity, to the State Boards and they  
8 have taken action and you are to endorse timely,  
9 affirmative and effective action consistent with the  
10 respective agencies, in this case the State of Alaska,  
11 and monitor the situation in the future. I feel a letter  
12 like this is very appropriate. Granted, rural Alaska has  
13 its problems with the current administration in many  
14 other areas, but, again, I think it's an appropriate  
15 thing to do and I'd like to recommend on behalf of our  
16 council, since we were not allowed to send it, that  
17 please if you would do so.

18  
19 CHAIRMAN DEMIENTIEFF: We will take it up  
20 at our next work session. Get it distributed and then  
21 get it going. So it will be on our agenda. I'm not sure  
22 when the work session will be, but we will schedule the  
23 matter. John.

24  
25 MR. LITTLEFIELD: Mr. Chair. One way we  
26 communicate is we read our correspondence into the record  
27 and it becomes a matter of the transcript, but I don't  
28 want to do that right now, but I do want to talk about  
29 why you should have generally approved this and I just  
30 want to make my objections known. If you look at the  
31 mission statement, this is drafted by the State and their  
32 very first mission statement says that they're taking  
33 this action to ensure reasonable subsistence  
34 opportunities. Once again, that is not our job. I just  
35 wanted that on the record that we don't recognize  
36 reasonable opportunities. That's not the job of the  
37 Federal Subsistence Board.

38  
39 CHAIRMAN DEMIENTIEFF: Are there any  
40 other issues that we need to bring up or take up? Grace.

41  
42 MS. CROSS: Thank you. I think what  
43 happened a few minutes ago about a letter being sent to  
44 the Governor is a perfect example of where we all are in  
45 the RAC level in terms of correspondence. I certainly  
46 hope that whatever guidelines are coming from the OMS  
47 will be coming out soon because we're kind of all in  
48 limbo. Every time we write a letter, we send them out to  
49 somebody to be critiqued and evaluated. I don't think we  
50 should operate that way. I think we should get clear

1 directions very quickly so we can continue to move along.  
2 I'm sure it's in the works, but I certainly hope it will  
3 be coming soon so all of us would be clear as to where  
4 we're going with that.

5

6 CHAIRMAN DEMIENTIEFF: Go ahead, Tom.

7

8 MR. BOYD: Mr. Chair, Ms. Cross. I agree  
9 with you. We certainly have the policy in the works and  
10 will soon be in front of the Board for consideration.  
11 Our intent in the policy is to recognize the work of the  
12 councils and the need of the councils to correspond for  
13 many reasons. I think the review step that we're  
14 proposing to the Board will be to ensure that, number  
15 one, so that we can assist the councils in directing the  
16 correspondence appropriately, if necessary. Number two,  
17 in very rare instances where there are inadvertent  
18 occasions when the letters are directed inappropriately  
19 to try to redirect those appropriately and to work  
20 hopefully constructively with the councils in developing  
21 that correspondence, but what we want to do is work  
22 proactively with the councils in assisting the councils  
23 and directing the correspondence appropriately into the  
24 system. These letters that you generate are part of the  
25 public record and we also need to maintain that record  
26 for many reasons. So that's our intent and hopefully  
27 fairly soon we'll have that cleared up.

28

29 CHAIRMAN DEMIENTIEFF: Any other items  
30 for discussion. If there are none, then we've completed  
31 our work. I want to thank everybody for all of their  
32 valuable contributions. John, you had something? I'm  
33 sorry. Go ahead.

34

35 MR. LITTLEFIELD: I thought we were going  
36 to have an hour or two for the Regional Chairs to address  
37 their concerns at the end of the meeting.

38

39 CHAIRMAN DEMIENTIEFF: This is it.

40

41 MR. LITTLEFIELD: Okay. Well, I have 75  
42 pages here, Mr. Chair, but I will try to condense it  
43 because of the lateness of the day. I would like to make  
44 sure our annual report that we submitted is part of the  
45 public record and I want to make sure that all of our  
46 concerns or most of our concerns are on there. We talked  
47 about Council correspondence. We did take the resolution  
48 that we read into the record on Council correspondence.  
49 We are looking for quick resolution to that. We still do  
50 not have anything in writing on what we can or cannot do

1 and we want that direction to be coming forthwith.

2

3 Then on the Stikine River issue, that's  
4 really important to Southeast. Staff has been working on  
5 that. We appreciate the Federal Board's actions on that  
6 as well as the State of Alaska's actions so far, but  
7 we're not done with that yet.

8

9 The other is rural determination process.  
10 This is something I think the Council Chairs need to be  
11 involved in this. Right now we're going through this  
12 rural determination process absent any regional chairs  
13 sitting on it as far as I know. I think you need to  
14 select one or two and have them sit on that and get their  
15 guidance. Working group participation. I was assigned  
16 to a working group and then we came up with a subsistence  
17 use amounts and until that was resolved there's no more  
18 working groups. I think the action needs to continue on  
19 those protocols and working groups, notwithstanding  
20 working on the subsistence use amounts, but we shouldn't  
21 use that to hold hostage stopping working on everything  
22 else.

23

24 Deer management planning. We just went  
25 through a couple weeks ago your actions authorized the  
26 subcommittee that will be meeting next week and we intend  
27 to meet with the Central Kuskokwim moose manager, Randy  
28 Rogers, to get some hints. We'll have a report for you  
29 next month. We appreciate your authorizing that to go  
30 forward. We still have a problem with deer management  
31 and information, but we'll hopefully address all that in  
32 that subcommittee.

33

34 We will be addressing subsistence needs,  
35 use amounts. We need to somehow figure out how to get  
36 money to have Staff do this. All of us work for nothing  
37 as you well know. We're all volunteers. So it's quite  
38 hard to put together something like this without having  
39 all the Staff prepare all the numbers you need. I'm not  
40 certain how to do this, but we do need Staff help. If you  
41 want those subsistence use amounts from us and needs, we  
42 need help from the Staff to prepare this, so that's going  
43 to take money.

44

45 Lastly, Mr. Chair, is something we've  
46 asked for several times and I did have a chance to talk  
47 to Mr. Brelsford about the program he attended on  
48 training of ANILCA. This is something we need for all  
49 the members of the community as well as our managers and  
50 people that are involved in ANILCA-related subsistence.

1 We need to understand what the law says. It will clarify  
2 a lot of hostile attitudes that people have for each  
3 other and I think if we can develop a program to get the  
4 information out to the public as well as all the  
5 managers, we will be well-served and everybody will  
6 benefit from that. Thank you, sir.

7  
8 CHAIRMAN DEMIENTIEFF: I'll just let you  
9 know, John, that we do spend one entire work session  
10 where that's what we take up, so we will develop  
11 responses in accordance with our normal process, but it  
12 is something that is very important to us because we do  
13 care about the work that does go on by the RACs and we  
14 will respond. Ron.

15  
16 MR. SAM: Thank you, Mr. Chair. We had  
17 five key points that we wanted to submit for the record.  
18 However, they are in writing and they have been submitted  
19 and this concerns some of the things that we incorporate  
20 into our annual report. One other concern that I have at  
21 this time is I would like to see continued funding for  
22 the Koyukuk River moose management plan. Not the plan  
23 itself, but the process of implementing this plan beyond  
24 2005.

25  
26 The other thing I was going to say or  
27 present to Fenton Rexford is that I was going to commend  
28 village of Kaktovik and Fenton himself for not using the  
29 phrase since time immemorial. That term is overused and  
30 abused too often.

31  
32 In closing, I would like to say I really  
33 appreciate and deliberations on Proposal 65. I cannot  
34 see it speeding up the process on 67. This is a total  
35 different animal and I intend to work on it in the middle  
36 of August and at our October meeting, even though it is  
37 out of sequence in this process. So, with that, I would  
38 like to thank you for your deliberations. Thank you.

39  
40 CHAIRMAN DEMIENTIEFF: Thank you. Craig.

41  
42 MR. FLEENER: Thank you, Mr. Chair. I've  
43 got a number of things listed to talk about and I believe  
44 they've also been presented. I guess a major topic of  
45 concern to us is salmon management in the Yukon River and  
46 I think it's very important that the Federal Subsistence  
47 Board understand the very serious nature of the problem  
48 with salmon returning to the Yukon River and make sure  
49 that they're on top of managing that resource to ensure  
50 that we have it long into the future.



1                   One of the problems in particular is that  
2 salmon are not making it to the spawning grounds in the  
3 abundance that they need to be making it to the spawning  
4 grounds and we've had recent actions by the State that  
5 actually decreased the requirement to get salmon to the  
6 spawning grounds and I think the Federal Subsistence  
7 Board needs to stand up very strongly in opposition to  
8 those sorts of actions. We have many streams that feed  
9 the Yukon River that no longer have salmon spawning in  
10 them and we have even more streams that are in jeopardy  
11 of not having the number of salmon returning there that  
12 they used to.

13  
14                   In addition to that, we have lots of  
15 communities along the entire Yukon River Drainage that  
16 are not able to meet their subsistence needs because  
17 there aren't enough salmon. So it's very important for  
18 us that the fishery is properly managed.

19  
20                   A few things that our Council brought up  
21 was that in salmon management you need to look at the  
22 entire salmon life cycle and try to determine the best  
23 ways to protect and manage those salmon stocks. There  
24 was a comment that we need to remain unified against  
25 liberalizing the Area M fishery. If there's a problem  
26 with chum salmon out there, then we need to be concerned  
27 about it and we need to stay involved and the Federal  
28 Subsistence Board needs to take whatever appropriate  
29 action they can.

30  
31                   We need to look at drainage-wide  
32 solutions that protect the resource and still continue to  
33 provide subsistence needs while, of course, getting  
34 salmon to the spawning grounds, which should be the  
35 number one priority.

36  
37                   Something that's very important to our  
38 Council is that the three Regional Councils on the Yukon  
39 River need to continue trying to work together and we  
40 need to all recognize that we need to have salmon in  
41 order to argue about salmon and that we need to protect  
42 the salmon stocks before we subsistence fish on them and  
43 before we commercial fish on them.

44  
45                   There was a mention by a couple of our  
46 Council members that wanted to appreciate the OSM's  
47 funding of local projects that are done in rural Alaska  
48 through local organizations. Of course, one of them is  
49 mine, which is the Council of Athabascan Tribal  
50 Governments. We've received funding in the past and our

1 Council appreciates that funding and would like to see  
2 more of it because that type of funding and those types  
3 of projects actually address local concerns. A number of  
4 State and Federal projects address State and Federal  
5 concerns, not local concerns. There are a number of  
6 concerns on a local level that are usually ignored or  
7 overlooked because of lack of funding or lack of interest  
8 or whatever and the idea that you continue to fund local  
9 organizations, tribal organizations, is one that we  
10 appreciate and would like to see more support.

11

12                   Lastly, I think we need to talk about  
13 predator/prey relationships. We have a number of areas  
14 in the Eastern Interior and I've talked about a few of  
15 them and you've heard from other people where we have  
16 very serious problems with prey species that not only  
17 wild predators depend on, but us, as predators, depend on  
18 and we need to appropriately manage those species so that  
19 we can both benefit, so that we can all benefit. We need  
20 to make sure that there are enough prey to go around  
21 while still maintaining an abundant resource that is  
22 predators. We need to make sure that we're managing it  
23 wisely, managing all the species wisely I should say, but  
24 make sure that we actively manage predators so that man,  
25 as a predator, can continue to use those resources.

26

27                   Proactive management is necessary to meet  
28 this program's mandate to provide for subsistence needs.  
29 Of course, we believe that humans are part of the  
30 management equation. It's been part of our traditional  
31 practice for -- I won't say that bad word -- but for a  
32 very long time. Thank you.

33

34                   CHAIRMAN DEMIENTIEFF: Is there anything  
35 else?

36

37                   MR. LITTLEFIELD: Mr. Chair.

38

39                   CHAIRMAN DEMIENTIEFF: Yes.

40

41                   MR. LITTLEFIELD: There is a publication  
42 called HaHaE (ph) which the goldsmith Haas report from  
43 the 1940's that, if you're interested, defines exactly  
44 what day time immemorial began.

45

46                   CHAIRMAN DEMIENTIEFF: As for me, I  
47 probably speak for the rest of the Board, we know what  
48 day time immemorial began. We can all feel it. It began  
49 Tuesday morning.

50

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(Laughter)

CHAIRMAN DEMIENTIEFF: Okay. If there's nothing else, again, I wanted to go back to thanking certainly the public, all the help that they've provided and the insight. The Staff, all their hard work in getting us prepared to do that. The Councils for all of your hard work and in getting us informed to be able to make a decision. With the fall of the gavel, we shall stand adjourned and we will all become free-ranging Board members.

(END OF PROCEEDINGS)

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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 291 through 412 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME III taken electronically by Salena Hile on the 21st day of May 2004, beginning at the hour of 8:30 o'clock a.m. at the Millennium 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 28th day of May 2004.

\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 3/12/2008 \_