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FEDERAL SUBSISTENCE BOARD MEETING

7

8

MAY 22, 2003

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10

VOLUME III

11

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Millennium Hotel

13

Anchorage, Alaska

14

15 BOARD MEMBERS PRESENT:

16

17 Mitch Demientieff, Chairman

18 Gary Edwards, Fish and Wildlife Service

19 Dr. Wini Kessler, Forest Service

20 Henri Bisson, Bureau of Land Management

21 Judy Gottlieb, National Park Service

22 Niles Cesar, Bureau of Indian Affairs

23

24 Keith Goltz, Solicitor

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1 PROCEEDINGS

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3 (Anchorage, Alaska - 5/22/2003)

4

5 CHAIRMAN DEMIENTIEFF: We'll call the
6 meeting to order. We're back on Proposal No. 5. And as
7 we begin the discussion the discussion we have an
8 amendment to the Regional Council recommendation that's
9 on the agenda. And let me just speak -- I speak against
10 the amendment even though our Cesar made the motion, I've
11 got to speak against the amendment.

12

13 And let me just say this, having slept on
14 this issue and staying up late at night, you know,
15 thinking about this, let me give you my observations on
16 why I will not vote for this amendment. I will not vote
17 for any amendment and the reason is, is that we have
18 failed as an institution.

19

20 Last year we asked for a stakeholders
21 group to come together and do work, work on this issue.
22 And it's been our somewhat more than casual observation
23 that as we sit down at the table, or stakeholders sit
24 down at the table that we find out that we are not very
25 far apart on issues and that there's some give and some
26 take. We involve the RAC, the local people, both rural,
27 non-rural, advisory committees, Feds, State and we find
28 out that we're not very far apart and we've worked out
29 very many thorny issues. We asked for it last year and
30 we didn't get it.

31

32 However, in the absence of that the
33 Regional Council has done its homework. They have done
34 and they have crafted up, maybe not the most perfect of
35 solutions but they have crafted up a plan and we haven't
36 done ours. So in the absence of our work, I intend to
37 vote straight down the parting line for the Regional
38 Council recommendation because they have done their
39 homework, and until we do ours I will vote against
40 anything that comes up that is contrary to the Regional
41 Council recommendation.

42

43 The only thing that I will support, the
44 only amendment that I will support is to make it a one
45 year regulation until we do our work. That is the only
46 thing that I, personally, will support. So just so you
47 know, as the Board works on this, to come to some
48 resolve, that's where I'm coming from and that's where I
49 intend to vote consistently all day. And so I don't
50 really need to -- you won't hear too much from me, I'll

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1 just direct traffic and let the Board go where it may,
2 but we have failed as an institution, failed, we haven't
3 done our work. Other discussion.

4

5 MR. EDWARDS: Mr. Chairman, other than
6 that, how do you feel about this issue?

7

8 (Laughter)

9

10 DR. KESSLER: Mr. Chair.

11

12 CHAIRMAN DEMIENTIEFF: Yes.

13

14 DR. KESSLER: As representing the lead
15 agency that has the charge with proceeding with the co-op
16 planning, I just, for the record, want to get on the
17 record that we have failed in completing the co-op, and
18 having the co-op process results ready for this meeting.
19 We certainly haven't been sitting idle. And as you know,
20 we have been very hard trying to pursue this process. We
21 encountered a number of thorny issues, several of them of
22 a legal nature. We've worked through those issues and
23 we're ready to proceed and we are, as before committed to
24 proceed with this co-op planning exercise.

25

26 CHAIRMAN DEMIENTIEFF: Wini, let me point
27 out that I'm not saying this to be critical, I'm not
28 criticizing or blaming anybody. I'm just pointing out
29 the fact that we didn't do our work so we -- and I'm not
30 saying Forest Service, I'm saying, we -- I think the
31 words were, we, as an institution have failed. We have
32 failed our process. And I'm not putting the blame on
33 anybody. I'm just saying that we have failed to do our
34 work.

35

36 MR. CESAR: Mr. Chairman.

37

38 CHAIRMAN DEMIENTIEFF: Niles.

39

40 MR. CESAR: As one who is not accustomed
41 to failure, you know, I'm going to move ahead because I
42 think we need to draft a compromise that we can live with
43 for this season. And after -- I didn't sleep on this
44 issue, I was watching a movie, but I do think that I've
45 had some discussion with both RAC committee members, as
46 well as other people and I believe that it is my job, my
47 responsibility to try to get this thing moving so that we
48 can have a reasonable season this year while we wait for
49 the outcome of more work done by the co-op group.

50

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1 And I'm trying, in my mind, and I ask the
2 other Board members here to help me. I know what I want
3 to do it's just a matter now of the process I need to go
4 through to get this on the floor. And I think after
5 thinking about it a bit it would probably be easier for
6 me to withdraw my amendment and withdraw my motion if the
7 second would agree and then come back in with -- I'm
8 think you did Henry, yeah. So I will move, at this point
9 -- Gary -- Gary did, I knew it was somebody down that
10 way.

11
12 I will move that I withdraw my amendment
13 and.....

14
15 CHAIRMAN DEMIENTIEFF: Let's deal with
16 that first. The maker of the motion to amend is
17 withdrawn, do we have the consent of the second, which is
18 Gary?

19
20 MR. EDWARDS: And you're going to come
21 forward with something else?

22
23 MR. CESAR: Better.

24
25 MR. EDWARDS: I'll withdraw my second,
26 Mr. Chair.

27
28 CHAIRMAN DEMIENTIEFF: Okay. So the
29 amendment is off the table.

30
31 MR. CESAR: Okay, so what is left on the
32 table?

33
34 CHAIRMAN DEMIENTIEFF: The Regional
35 Council recommendation.

36
37 MR. CESAR: Okay. Now, I move for the
38 adoption of the Regional Council recommendation with the
39 following modification.

40
41 First, I move that we raise the limit
42 back to four. That we do not tinker with the bag limit.
43 And that we close Unit 2 for the taking of deer by non-
44 subsistence users for the period of 1 August to -- is it
45 30 days in August or 31, I'm having a tough time today,
46 until the end of August, at which time it will reopen for
47 the taking of deer by all rural residents and the bag
48 limit will remain at four.

49
50 Now, I'd like a second on that so we can

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1 discuss it.

2

3 CHAIRMAN DEMIENTIEFF: Is there a second.

4

5 MS. GOTTLIEB: Second.

6

7 MR. CESAR: I don't have any real pride
8 of authorship in this thing and if we need to tinker with
9 it, I ask other Board members to help me in this process.

10

11 MR. EDWARDS: Mr. Chairman, if I could
12 respond. I would certainly concur with that portion that
13 deals with keeping the bag limit at four. I guess I have
14 some fundamental concerns with extending it to the extent
15 that is being suggested.

16

17 Currently what we did with the previous
18 consent agreement, we've added 17 days of, I don't know
19 if you'd call it exclusive hunting but certainly hunting
20 that would just be available for subsistence users. Also
21 in part of the discussion that we had yesterday and kind
22 of reflecting upon the amendment that the community of
23 Craig added later which talked about this core area which
24 was similar to which the Staff Committee -- but I did
25 hear some very persuasive arguments as to that that does
26 leave out several communities that didn't have an
27 opportunity to weigh in on that. And we also heard that
28 outside of -- within that unit there are other places
29 that may not be as problematic as far as hunting pressure
30 might go.

31

32 So I was thinking along lines of
33 something that would sort of have a core area, but the
34 core area would be the entire island and not the entire
35 unit. And so we're looking at something that would be
36 more along those lines with the season from the July date
37 to the August 10th date, which was actually in the RACs
38 original recommendation. So that expands the area that's
39 sort of exclusive but, yet, at the same time doesn't
40 exclude non-subsistence hunters from using these other
41 islands, which I understand although are not heavily used
42 would provide the opportunity for that to occur.

43

44 MR. CESAR: Mr. Chairman, again, I don't
45 have any heartache with that. I was just trying to bring
46 something forward. And I'm looking down at the RAC
47 member because I want to support them in as much as I can
48 and I don't see any disagreement coming from him for you
49 amending my motion, Gary, so -- or can we ask the RAC
50 member how he feels.

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1 CHAIRMAN DEMIENTIEFF: John.

2

3 MR. LITTLEFIELD: Mr. Chair. Mr. Cesar.

4 I have a couple questions. Number one is I don't think
5 you want to strike that through, I don't think that's
6 what you said. That I think the intent of that is just
7 to change the word two to four, because we still want to
8 maintain that as part of the regulation so we're not
9 striking through that bottom section.

10

11 The comment on Prince of Wales, including
12 all of Prince of Wales and the other islands I think is
13 well taken. Because that would include all the other
14 communities and specifically Hydaburg which did protest
15 as well as other communities on the north end. That's
16 not exactly what we approved but it's in the spirit of
17 that. We were looking at the original proposal.

18

19 But if you give away some you need to
20 somehow keep that percentage that we weighed. We tried
21 to balance these. So if you're taking away some you need
22 to give back in others. And adding some of the days back
23 to August 31st, I think it might be a good compromise.
24 It sounds reasonable to me, but obviously as the RAC, we
25 support the RAC rationale, but this seems to have some
26 merit.

27

28 MS. GOTTLIEB: Mr. Chair.

29

30 CHAIRMAN DEMIENTIEFF: Judy.

31

32 MS. GOTTLIEB: If I might perhaps another
33 question for the Southeast Chair. My understanding and I
34 know you explained real carefully about the core area and
35 people's distaste or just not having worked on it to
36 design it, that that would not be as acceptable. But my
37 question on the timing, I thought I understood from the
38 discussions at the RAC that people, of course, were
39 trying to make it -- to craft a solution as least
40 disruptive to people from Ketchikan and also the timing
41 issue had something to do with when schools were closed
42 in Ketchikan so that people could bring kids over and
43 learn how to hunt or where some of the areas were. So a
44 closure of all during August would change that idea then.

45

46 CHAIRMAN DEMIENTIEFF: If I might before
47 -- I'm going to have John respond. But I'll point out
48 that we have, by special action, you know, taken care of
49 those requests in the past, you know, for organized
50 functions. And if that's -- we do have a process to deal

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1 with that and I just point that out that if there is a
2 school group or, you know, a group of young people that
3 somebody wants to take somewhere we have allowed that in
4 past practice very commonly.

5
6 John, go ahead, you had something.

7
8 MR. LITTLEFIELD: Thank you, Mr. Chair.
9 Yes, we did discuss this as I mentioned earlier, quite a
10 bit, at great length, of the effect of our actions on
11 other users and you can see that in our recommendation
12 and rationale as well as others.

13
14 But if we get back to this particular
15 one, apparently there's some give and take here, what you
16 guys are trying to do is come up with some give and take.
17 If you only give the proponents the seven -- or the 10
18 days in the first of the month and then take away the two
19 bucks and go to four, well, then you've taken away
20 something from them and you need to add back something to
21 even up the mix. So the way to do that would be to give
22 them the more days.

23
24 In other words, we considered this as far
25 back as January or excuse me, the Juneau meeting in 2002,
26 I believe, where we considered closing down all of this
27 just exactly like this and we supported that at that
28 time. We still support that except we were trying to
29 balance things this time and if that can't be done, if
30 you won't support the RAC rationale then we would like
31 you to give back some other time and perhaps in days is
32 the way to do that.

33
34 MR. EDWARDS: Mr. Chairman, let me ask,
35 is there any flexibility with the Proposal 4, which
36 started the start date earlier in July. I don't know
37 what the implications, if you would start it, pick up
38 some additional days in July, what the implications of
39 that. So I guess I'd either ask the RAC Chair or the
40 State or Staff or whoever knows more about the
41 implications of that than I do.

42
43 CHAIRMAN DEMIENTIEFF: Go ahead, John.

44
45 MR. LITTLEFIELD: Mr. Chair. Yes, we
46 could make that date the first of January [sic]. But the
47 fact of the matter is that July is a heavy subsistence
48 use month for sockeye, for other fish and people are
49 basically doing other things in those months, during that
50 particular time.

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1 I agree with Proposal 4 entirely. It
2 provides an additional opportunity but it doesn't change
3 any of the numbers at all. It just allows them to have
4 unimpeded time where they can hunt -- the Federally-
5 qualified users have a head start on the other users.
6 But pushing that to the 1st of July I don't think is
7 going to do any good at all. I don't think it will be
8 used very much. Some people will use it but not very
9 many.

10
11 MR. BISSON: Mr. Chair, I guess the
12 question in my mind more is if you took away the July
13 hunt and extended the August hunt, say, by a week so that
14 you end up giving the folks from Ketchikan, at least, the
15 last week of August or the last eight or nine days of
16 August when the kids are not in school yet to go out and
17 hunt, so that you still end up with 17 or 18 or 20 days
18 but it just wouldn't be in July it'd be in August. Would
19 that be preferable to July, whatever it is until August
20 10th, which is the way, you know, between the two
21 propositions you would end up with now.

22
23 It would eliminate that overlap with
24 fishing for the sockeyes.

25
26 CHAIRMAN DEMIENTIEFF: Yes.

27
28 MR. LITTLEFIELD: Mr. Chair, I'm not
29 certain I understand that. In other words, would you
30 propose that the dates would be, say, July 24th to August
31 24th, is that what you're.....

32
33 MR. BISSON: No, August 1st to say August
34 21st, which would be a three week closure in August, but
35 there would be no July open season.

36
37 MR. LITTLEFIELD: Obviously you realize
38 that I can't be negotiating these. I mean the position
39 of the RAC is the position of the RAC. But as a personal
40 opinion I think that's a move in the right direction.
41 The spirit is there that we need to give them more days.
42 How many days, I don't have the ability to digest all
43 that. Look at all those six pages and you know hard it
44 is to come up with those numbers, I don't know what they
45 are.

46
47 MR. BISSON: Mr. Chair, I guess in my
48 mind, you know, it's my personal feeling that if we --
49 you know, and it's not to say we shouldn't go there
50 because of concerns about legal ramifications but if we

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1 go to a two buck requirement, I think we're going down a
2 path that's going to lead us into litigation. But I
3 think that to accommodate the subsistence users, to make
4 sure that they're able to do what they need to do, I
5 think that if we were to go with a 21 day closure in
6 August and with no closure in July, basically no season
7 in July then that's about a three week advantage at a
8 time when they're not going to be red fishing. And if we
9 did it for the island, which has been suggested in
10 previous discussions, so that people still, if they have
11 boats or they choose to hunt on other islands within that
12 unit, which are not affected by this issue, to me, that
13 seems like a reasonable proposition.

14

15 CHAIRMAN DEMIENTIEFF: Let me just --
16 let's just resolve this very simply. This is not the
17 forum for a potential legal issue with regard to the two
18 buck issue. It's just basically a two buck issue. But
19 let's just -- I don't want to sit here and argue, you
20 know, the merits of the case. Let me just ask the
21 Department of Law, is that something that Department of
22 Law would challenge, just simply yes or no?

23

24 MR. NELSON: On the bag limit, Mr.
25 Chairman?

26

27 CHAIRMAN DEMIENTIEFF: Yes.

28

29 MR. NELSON: Yes.

30

31 CHAIRMAN DEMIENTIEFF: And Keith, you've
32 done some research, I know, just simply yes or no, is
33 that something that you feel that we can defend?

34

35 MR. GOLTZ: Yes.

36

37 CHAIRMAN DEMIENTIEFF: Okay.

38

39 (Laughter)

40

41 CHAIRMAN DEMIENTIEFF: I don't want to --
42 this is not a court of law. And actually Henry if there
43 is a lawsuit against us, it will be the very first one.

44

45 (Laughter)

46

47 MR. GOLTZ: No.

48

49 CHAIRMAN DEMIENTIEFF: Okay, so we do
50 have a....

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1 (Laughter)

2

3 CHAIRMAN DEMIENTIEFF: We do have an
4 amendment, any further discussion on the amendment, no --
5 I mean you amended or made a motion.

6

7 MR. CESAR: I amended.....

8

9 CHAIRMAN DEMIENTIEFF: Oh, you made a
10 motion to.....

11

12 MR. CESAR: I made a motion to amend the
13 RAC Committee recommendation. We are now having
14 discussion on that. And as I said before, we're looking
15 for something that will fly. I think that maybe Henry
16 has something he wants to -- to amend the amendment.

17

18 CHAIRMAN DEMIENTIEFF: Right. Right now
19 we have before us a motion to adopt the RAC
20 recommendation, okay, and then now on that we have the
21 amendment that you offered, okay. So that's where we're
22 at procedurally. Because a motion was made to get it on
23 the table. You voted to -- or you made a motion
24 yesterday to move to adopt the minority opinion, which is
25 the RAC recommendation, okay, and now you have that
26 amendment on top of that, so that's where we're at
27 procedurally.

28

29 MR. BISSON: Mr. Chair, as I understand
30 what happened this morning the motion from yesterday was
31 withdrawn and what we have is Niles amended RAC
32 recommendation.

33

34 CHAIRMAN DEMIENTIEFF: No, this morning
35 Niles withdrew his first amendment, which was closing to
36 October 31st.

37

38 MR. EDWARDS: I don't think it was an
39 amendment, I think it was a new motion that basically
40 rejected the other ones and came up with a new motion.

41

42 CHAIRMAN DEMIENTIEFF: No, the motion was
43 made.....

44

45 MR. CESAR: That would be my intent.

46

47 CHAIRMAN DEMIENTIEFF:to get this
48 on the table to move the minority, okay, and then the
49 amendment, and that's the motion that he withdrew was the
50 amendment.

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1 MR. CESAR: Somehow I feel like I'm not
2 in the room. My intent is this. That I withdraw any
3 motions that I have previously made in favor of coming
4 forward with a new motion which accepts the Regional
5 Advisory Committee recommendation with modification. And
6 that's -- that has been seconded and I believe, and my
7 intent was we're at the point of making that modification
8 to the RAC recommendation.

9
10 CHAIRMAN DEMIENTIEFF: And that's exactly
11 what we have on the table right now. We have a motion to
12 amend the recommendation of the Regional Council. That's
13 where we're at. Then we have to come back and deal with
14 the main motion. The main motion is still on the table,
15 we haven't withdrawn that.

16
17 MR. CESAR: Well, you can -- there's
18 about 75 ways to skin this cat and I think we're looking
19 for the one that we, as Board members, most understand
20 and that understanding is that we have moved to accept
21 the Regional Advisory Committee recommendation with the
22 following modifications that we're working on right now.
23 And we've had a discussion on that and there have been
24 several changes in thinking here and I just want to see
25 if we have, right now, an understanding by the majority
26 of the Board members so we can vote on this. And in as
27 much as the Chairman is not going to support it anyway,
28 and he stated that, I think the discussion is between the
29 remaining Board members.

30
31 Let's go.

32
33 MR. BISSON: Could I perhaps read what I
34 think, at least, in my mind what -- offer something up
35 here and that would be an amendment to the Council
36 recommendation that could read as follows:

37
38 Federal public lands on Prince of Wales
39 Island are closed to the taking of deer
40 from August 1st to August 21st for
41 hunters who are not Federally-qualified
42 subsistence users.

43
44 We don't need to get into the harvest
45 limit. The State limit is four, it's not changing,
46 there's no change there whatsoever, so we don't even need
47 to get into that issue. If we set a four buck limit,
48 then, you know -- and I'm even willing to make this, you
49 know, for one year, the Federal public lands on Prince of
50 Wales Island are closed to kind of force the issue so it

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1 comes back next year. If the local committee doesn't get
2 it resolved, then we'll decide it once and for all next
3 year, but let's put this in place for one year as the
4 Chairman has suggested and kind of force people to sit
5 down and try to get this worked out within the next year.
6

7 But it gives them 21 days and, you know,
8 I don't -- the issue about the hunt in July, you know, I
9 don't know that it gives anybody anything one way or the
10 other because nobody's going to be out there so if you
11 count the time in July that basically gives them almost a
12 month which is what they were looking for.
13

14 MR. CESAR: Well, that's my understanding
15 of the motion and so to move this, I'm trying to frame
16 that in my mind, so what we would do is accept the
17 Regional Advisory Committee recommendation with the
18 following modification and the modification would be
19 that:

20
21 The taking.....
22

23 Why don't you add that for me, Henry, if
24 you wouldn't mind.
25

26 MR. BISSON: Federal public lands on
27 Prince of Wales Island are closed to the taking of deer
28 from August 1st to August 21st for hunters who are not
29 Federally-qualified subsistence users.
30

31 DR. KESSLER: And the rest is struck.
32

33 MR. BISSON: And the rest is struck.
34

35 MR. CESAR: Have we talked about this
36 enough or what?
37

38 CHAIRMAN DEMIENTIEFF: Wait a minute we
39 still have your motion before us to the end of August.
40

41 MR. BISSON: So I guess the question is,
42 do we -- this is a friendly amendment to your motion and
43 I'm not sure procedurally how to make this happen.
44

45 MR. CESAR: Procedurally we need to vote
46 that up or down and then go back to the main motion. So
47 I move for the question on the friendly amendment.
48

49 CHAIRMAN DEMIENTIEFF: Okay. So you made
50 a motion for a friendly amendment.

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1 MR. BISSON: I made a motion and somebody
2 needs to second it.

3

4 CHAIRMAN DEMIENTIEFF: Is there a second.

5

6 MS. GOTTLIEB: I'll second it.

7

8 CHAIRMAN DEMIENTIEFF: Okay. We have an
9 amendment to the amendment. All those -- if there's no
10 further discussion.

11

12 MS. GOTTLIEB: Mr. Chair.

13

14 CHAIRMAN DEMIENTIEFF: Judy.

15

16 MS. GOTTLIEB: Could we have it on the
17 screen before we vote.

18

19 CHAIRMAN DEMIENTIEFF: The amendment is
20 to change Niles' amendment from the 31st of August to the
21 21st, okay, so we vote that up or down. Is there any
22 further discussion on that amendment?

23

24 Wini.

25

26 DR. KESSLER: I'm confused as to whether
27 in the package we're considering is by Federal permit, is
28 that correct, is that verbiage going to get in there,
29 which would be really important to have -- to begin to
30 have the information we need.

31

32 MR. BISSON: None of these amendments
33 include those words, do they?

34

35 DR. KESSLER: I think so.

36

37 CHAIRMAN DEMIENTIEFF: Well, let's deal
38 with the dates first, okay. We got this amendment, it
39 gets the dates clarified. Okay, let's deal with that and
40 if you want to -- okay, and also the amendment is not to
41 change the bag limit; is that correct?

42

43 MR. BISSON: Basically if you strike that
44 sentence out it doesn't change the bag limit. I mean the
45 bag limit is whatever the State set, which is four
46 currently. If the State went out and increased it to six
47 then I think it would cause us to have to look at facing
48 up to this issue, but if they stay at four and we're
49 saying it's going to be four, we don't really have to do
50 anything.

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1 CHAIRMAN DEMIENTIEFF: Was that part of
2 your amendment, I was kind of -- part of Niles, yeah,
3 that was part of yours. Okay, that -- okay, I got it
4 now. I'm sorry I was asking some procedural questions
5 and I wasn't tracking.

6
7 MR. BISSON: The difference is that Niles
8 proposed.....

9
10 CHAIRMAN DEMIENTIEFF: Right. You're
11 just changing the.....

12
13 MR. BISSON:that we set a four buck
14 limit.

15
16 CHAIRMAN DEMIENTIEFF:date at this
17 point.

18
19 MR. BISSON: All I'm saying is we'd just
20 take it out and be silent on the issue.

21
22 CHAIRMAN DEMIENTIEFF: Right, okay.
23 Okay. So all of those in favor of the amendment to the
24 amendment, please signify by saying aye.

25
26 IN UNISON: Aye.

27
28 CHAIRMAN DEMIENTIEFF: All those opposed,
29 same sign. Aye.

30
31 MR. CESAR: So what we have now then.....

32
33 CHAIRMAN DEMIENTIEFF: We now have the
34 amendment which changes the date. My understanding is
35 that you were talking about Prince of Wales Island?

36
37 MR. BISSON: Yes.

38
39 CHAIRMAN DEMIENTIEFF: It's only Prince
40 of Wales Island.

41
42 MR. BISSON: That's correct.

43
44 CHAIRMAN DEMIENTIEFF: And the other
45 outlying islands just so we clarify, remain unaffected by
46 this action?

47
48 MR. BISSON: Correct.

49
50 CHAIRMAN DEMIENTIEFF: Okay. The permit

00286

1 language is in there.

2

3 DR. KESSLER: Well, that's what I wanted.

4

5 CHAIRMAN DEMIENTIEFF: Okay.

6

7 MR. BOYD: Actually it's not, that only
8 applies to antlerless deer, so we would have to add
9 Federal permit language.

10

11 DR. KESSLER: Mr. Chair.

12

13 CHAIRMAN DEMIENTIEFF: Yes.

14

15 DR. KESSLER: A wording change would
16 improve this so that the Federal permit pertains to where
17 we want it and not just to the antlerless portion. So it
18 would read:

19

20 Unit 2 deer. Let's see, four deer by
21 Federal registration permit only.

22

23 However.....

24

25 CHAIRMAN DEMIENTIEFF: On Prince of Wales
26 Island. Because that's the action that you took.

27

28 DR. KESSLER: The bottom paragraph closes
29 to the non-Federal subsistence and we're dealing with the
30 top here trying to put the Federal permit requirement in
31 the right spot is all we're trying to do and I think we
32 have it.

33

34 MR. BISSON: So what you're proposing is
35 that it would read under the C&T use determination:

36

37 Rural residents Unit 1A, 2 and 3, four
38 deer by Federal registration permit only,
39 however, no more than one may be an
40 antlerless deer.

41

42 And then you could actually put a period
43 after December 31st. Because they're going to have to
44 have a Federal permit, you don't need it in two places,
45 it's just in the wrong place is what you're saying.

46

47 DR. KESSLER: Uh-huh.

48

49 CHAIRMAN DEMIENTIEFF: Is that a motion
50 to amend -- it's administrative, okay, then we don't need

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1 to deal with it then. Okay, good.

2

3 MR. BISSON: Mr. Chair, there was an
4 issue, I did offer to make this proposal in place for one
5 year, and the question I have is should we be that
6 specific. I think that having it for one year actually
7 forces people to get this resolved before next year or we
8 may take a different action completely.

9

10 CHAIRMAN DEMIENTIEFF: Well, as I said in
11 my opening remarks that's the one amendment that I could
12 support, that we sunset it. That this is a one year
13 operation and the stakeholders get to the table and work
14 things out. So if you want to move to amend the....

15

16 DR. KESSLER: May I, Mr. Chair.

17

18 CHAIRMAN DEMIENTIEFF: Yes.

19

20 DR. KESSLER: To get some clarification.
21 If this were to be for one year only, would it
22 automatically next year be replaced by the existing one,
23 the one that preceded it, the old one?

24

25 CHAIRMAN DEMIENTIEFF: Correct. Correct.
26 Right, correct.

27

28 MR. BISSON: Unless a new proposal is
29 brought forth.

30

31 CHAIRMAN DEMIENTIEFF: Correct.

32

33 DR. KESSLER: Okay. Supersedes it, okay,
34 thank you.

35

36 CHAIRMAN DEMIENTIEFF: Henry are you
37 offering an amendment?

38

39 MR. BISSON: Yes, I'm offering to amend
40 this modification so that it's only effective for one
41 year. And I'm not exactly sure how to word that.

42

43 CHAIRMAN DEMIENTIEFF: That's it. That's
44 good enough. We'll let the regulatory people do that, we
45 know what the intent is. Is there a second to the
46 motion.

47

48 MS. GOTTLIEB: I'll second.

49

50 CHAIRMAN DEMIENTIEFF: Discussion on

00288

1 that. Go ahead.

2

3 MR. BOYD: I think it's important, maybe,
4 to capture the language in here so that it keeps everyone
5 in formed. However, I would remind the Board that these
6 are annual regulations. They do, in fact, sunset every
7 year, and having this language does instruct us to
8 provide some clarity with regard to what we're doing
9 here.

10

11 But as a technical matter they do sunset
12 every year.

13

14 MS. GOTTLIEB: Mr. Chair.

15

16 CHAIRMAN DEMIENTIEFF: Yes.

17

18 MS. GOTTLIEB: You know, I see what
19 you're saying, Tom, but I think if we didn't put the
20 sunset in then it puts the burden on users or others to
21 come forward to us with new ideas or proposals and I
22 think in this way it's the Board trying to take more of a
23 share of that responsibility and demonstrate the
24 willingness to work together with all the affected
25 parties and user groups to keep after this issue so we
26 can come to more consensus than we'll have today.

27

28 CHAIRMAN DEMIENTIEFF: Any other
29 discussion on the amendment. John.

30

31 MR. LITTLEFIELD: Thank you, Mr. Chair.
32 I have a question on the Federal registration permit, and
33 wondering whether that should be just registration
34 permit. Is your intent to get the State deer under a
35 Federal registration permit, too, or I don't understand
36 what's going on here. I fully support the requirement
37 for a registration permit and we need to do that. But
38 I'm just wondering if this language is the correct way to
39 do it. Maybe the State could weigh in on that. Because
40 it seems like we're asking the people who are hunting on
41 Native lands and other lands, too, as well to provide --
42 I'm not -- I'm just not clear exactly how that's going to
43 work with the Federal requirement.

44

45 CHAIRMAN DEMIENTIEFF: Fish and Game.
46 Kim.

47

48 MR. TITUS: Hi, this is Kim Titus. In
49 reading that, I will note that's pretty complex. I would
50 suggest that that be taken up among the agencies in terms

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1 of the intended -- the intention here, which I suspect is
2 some type of permit for those hunters, those Federally-
3 qualified hunters hunting on this early season on Prince
4 of Wales Island. That's not exactly what the first
5 paragraph says. So by inference a Petersburg hunter
6 could be on Heceta Island, which is in Unit 2 hunting
7 deer under a State permit in -- and it's more than this
8 Board wants to deal with but there are some pretty
9 important nuances between State and Federal permits or
10 non-permits that can have some pretty unintended
11 consequences here relative to -- because a Unit 3 hunter,
12 such as from Petersburg can still hunt under -- can sort
13 of choose which they want to hunt, which is part of the
14 issue with one of your other proposals on marten
15 trapping. And unless this is carefully crafted, it can
16 be a bit messy.

17
18 I would suggest the Board might not want
19 to work through all that here because it might be messier
20 than any of us can think through.

21
22 CHAIRMAN DEMIENTIEFF: In our -- go
23 ahead, Tom, you had something.

24
25 MR. BOYD: I would just add that I would
26 concur with Mr. Titus, as I've been sitting here trying
27 to understand the implications of that language change.
28 I haven't been able to sort it out. I think I would want
29 -- I agree there are some -- probably some unintended
30 implications of crafting it with this exact language here
31 and I think the intent here, though, is that we want to
32 somehow cover the user during periods and in locations
33 where it's different from the State, i.e., when we close
34 the Prince of Wales Island, as suggested here, to non-
35 qualified subsistence hunters, or restricted only to
36 qualified subsistence hunters.

37
38 So I think I guess I would ask the
39 Board's indulgence to try to work with this language and
40 work with the State to come up with a permit system that
41 is accommodating during those periods and in those
42 locations.

43
44 CHAIRMAN DEMIENTIEFF: Keith, you had
45 something.

46
47 MR. GOLTZ: Yeah, let me just put my
48 shoulder behind Tom's comments. The Staff is peopled by
49 extraordinarily good regulation writers. I think the
50 Board, if it states its intent can leave the exact

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1 language to them. They really are very good.

2

3 DR. KESSLER: Mr. Chair.

4

5 CHAIRMAN DEMIENTIEFF: Yes.

6

7 DR. KESSLER: I'm comfortable with
8 stating the intent and having it crafted by the experts.
9 But our intent, I think, is really two-fold. You know,
10 the permit side of it is one and where we really need to
11 get to as we approach the co-op management and all that
12 goes with that, is better information about the deer
13 population, the deer harvest and all of that. So if
14 there's -- so if the intention could also include some
15 reporting mechanisms. If they could work on that as well
16 to improve our information about this resource and about
17 the levels of harvest by different users that take. If
18 there's some way we can include that as well would be
19 beneficial to the users and the resource.

20

21 CHAIRMAN DEMIENTIEFF: Well, let me, you
22 know, the intent is to keep track of the harvest, okay.
23 So simply put, since we do have, you know, a cooperative
24 working arrangement with the State, I think simply an
25 amendment to put by Federal or State registration permit
26 only and let the managers work it out. That would be the
27 amendment that I think would -- so they're not mandated,
28 we're not mandated, we're just going to -- the managers
29 will work together to find the best way to track the
30 harvest. That's what we're trying to do.

31

32 So that's my suggestion is that you go
33 with Federal or State registration permit and strike the
34 only. However, I can't make the motion.

35

36 MR. CESAR: Mr. Chairman, it seems like
37 we're trying to run this through some kind of minutia. I
38 mean it seems to me like when you pass a motion you
39 express your intent of the motion and you give Staff
40 guidance to create a permitting system which will reason
41 -- which will account for the harvest, and then the Staff
42 in their wisdom crafts something and that's what happens.
43 I mean if we sit here today and try to figure out and the
44 second sentence should read this we're going to be here
45 forever and invariably we're going to screw it up.

46

47 MR. BISSON: Mr. Chairman, I believe the
48 Staff has actually put a sentence up there and they made
49 some modification to it that I think expresses what you -
50 - and it's fine with me. I mean it gives the Staff the

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1 flexibility to work with the State.

2

3 And basically what it says is the intent
4 is to have Federal or State registration permit when
5 needed and to provide for harvest monitoring. That's
6 probably all we need to say about it.

7

8 CHAIRMAN DEMIENTIEFF: Is that a motion
9 to amend?

10

11 MR. BISSON: Yes, it is.

12

13 CHAIRMAN DEMIENTIEFF: Is there a second.

14

15 MR. CESAR: Second.

16

17 CHAIRMAN DEMIENTIEFF: Discussion.

18

19 MR. CESAR: Question.

20

21 CHAIRMAN DEMIENTIEFF: Been called for.

22 All those in favor signify by saying aye.

23

24 IN UNISON: Aye.

25

26 CHAIRMAN DEMIENTIEFF: All those opposed,
27 same sign. Aye.

28

29 CHAIRMAN DEMIENTIEFF: Okay, now we have
30 the main motion before us as amended and amended. Is
31 there any further discussion on the main motion.

32

33 MR. EDWARDS: Mr. Chairman, my
34 understanding is what we have done that is different from
35 the RAC recommended is that we kept the limit at four, we
36 reduced the closed area to just Prince of Wales and we
37 provided 11 more days of hunting opportunity. And if
38 that's the case what I'd like to know, ask both the RAC
39 and the Staff and the State, what they see is the
40 consequences that we may have missed doing any of that.

41

42 CHAIRMAN DEMIENTIEFF: John, do you have
43 any observations?

44

45 MR. LITTLEFIELD: Thank you, Mr. Chair.
46 As I stated before the RAC has taken a position.
47 Personally, I can give you my personal opinion only on
48 this, I think this is a step in the right direction. No
49 one at the RAC meeting thought that this would solve
50 everything. It's important to note that these are up for

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1 reconsideration every year. I suspect that if the people
2 of Craig, Kasaan, Hydaburg and the others of POW are not
3 happy with this that you'll see it again next year. But
4 hopefully that's going to go before the planning
5 committee so we can get this resolved. So I would say
6 it's a positive step. I don't see anything wrong with it
7 right now in my personal opinion.

8

9 CHAIRMAN DEMIENTIEFF: Dave or anybody.

10

11 MR. JOHNSON: Mr. Chair. Gary. I
12 wouldn't comment or speculate on what the proponent of
13 the proposal would say or do or accept.

14

15 MR. EDWARDS: What about the implications
16 of the action for the subsistence hunters as well as
17 impact on non-subsistence hunters.

18

19 MR. SCHROEDER: Mr. Chair. Gary.
20 Obviously there's improved subsistence opportunity. Just
21 as Mr. Littlefield, seconding what he said, whether this
22 will meet the perceived subsistence needs on the island,
23 we really don't know. I think -- my personal view is I
24 think it's very positive to do something and to step off
25 the line on this and it sends a good signal that the
26 Board is paying attention to subsistence users and that
27 we need to do better planning work in this area.

28

29 CHAIRMAN DEMIENTIEFF: State.

30

31 MR. TITUS: Thank you, Mr. Chairman. I
32 think there are a couple of implications to this. First
33 of all, from a deer population standpoint and the harvest
34 of male deer and the fact that many of these August hunts
35 are alpine hunts. That there probably is no -- this
36 action, from the standpoint of the deer population, it's
37 probably unnecessary in my opinion.

38

39 One of the other potential impacts of
40 this is on non-resident hunters that, and perhaps guided
41 hunters that choose to hunt trophy Sitka black-tailed
42 deer in the alpine in velvet on Prince of Wales Island,
43 and while there aren't scores of those people they
44 probably already have their hunts booked and they will
45 have to cancel or go to Native corporation land if they
46 can be permitted to go there and gain that access or to
47 hunt in other areas in Unit 2, such as perhaps the alpine
48 on Heceta Island. Whether those things are feasible or
49 not, I can't say, but there are probably a small number
50 of non-resident hunters, because this area is advertised

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1 somewhat as a bit of a trophy Sitka black-tailed deer
2 hunting area there are non-resident hunters that do hunt
3 there and they will be precluded on basically short
4 notice.

5

6 MR. EDWARDS: Just a follow up question.
7 I'm assuming that impact would be there whether it was
8 the 10th or the 21st, right?

9

10 MR. TITUS: That's true. And, you know,
11 how much of it is I can't say.

12

13 MS. GOTTLIEB: Mr. Chair. Another
14 question for Kim. I couldn't quite hear one point before
15 the guided hunts, you said something was unnecessary and
16 I didn't quite hear what you said.

17

18 Thanks.

19

20 MR. TITUS: Well, many of the people, or
21 at least some of the people that go to Prince of Wales
22 Island on -- both residents of Prince of Wales and
23 Ketchikan hunters and others from Southeast Alaska, I
24 know Juneau hunters that go to Prince of Wales in August,
25 I don't know when, and they traditionally conduct alpine
26 hunts there. I don't want to say it's a popular activity
27 like you run into hundreds of people in the alpine,
28 anyway, from a biological standpoint the harvest of male
29 deer there and many of the hunters that hunt there in
30 August try to harvest large male deer, that -- that
31 opportunity is lost or at least some of it is lost and
32 from a standpoint of a deer biology standpoint it's
33 probably unnecessary relative to the health of the deer
34 herd.

35

36 CHAIRMAN DEMIENTIEFF: Any more
37 discussion on the main motion as amended and amended.

38

39 (No comments)

40

41 MR. CESAR: Question.

42

43 CHAIRMAN DEMIENTIEFF: Question's been
44 called for. All those in favor signify by saying aye.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN DEMIENTIEFF: All those opposed,
49 same sign. Aye.

50

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1 Okay, good, well, I'm really satisfied
2 that we made some progress and we know we've got a
3 mandate to go down there and get the work done to resolve
4 and come back with a solid proposal. So I'm really
5 comfortable with that part.

6
7 MR. EDWARDS: Mr. Chairman, one of the
8 things I guess I'm a little concerned about is that we're
9 going to get this group together and this approach and
10 it's going to be critical that we have good data to do
11 that. And I guess I'd like to ask the State, during this
12 period will you be getting information from non-
13 subsistence hunters? My point was that we really need
14 good data here if we are trying to get a resolution to
15 this and so everybody's kind of speaking from the same
16 sheet. And if we have a gap in that data then it seems
17 to me it's going to make it even more difficult. And I
18 don't know what does or does not take place, as far as
19 harvest data from the non-subsistence hunters, but that
20 would seem to me would be an important factor in all of
21 this.

22
23 MR. TITUS: You know, we -- the State has
24 struggled for a long time about this deer permit harvest
25 ticket reporting system and, you know, that's something I
26 have to talk to my leadership about and what authorities
27 we have to institute other things. I'll point out that
28 the Board of Game has consistently voted -- or not
29 adopted various types of increased reporting requirements
30 around the state over a number of years largely in
31 deference to rural users and the fact that in many cases
32 they don't want to have more stringent reporting
33 requirements.

34
35 I guess we'll run this up the flagpole
36 again through our Board system. In fact, I know there is
37 a Board meeting this afternoon, Board of Game meeting, so
38 maybe I can get that inserted, at least as an information
39 in that teleconference this afternoon.

40
41 CHAIRMAN DEMIENTIEFF: Thank you. John,
42 did you have some comment.

43
44 MR. LITTLEFIELD: Thank you, Mr. Chair.
45 I appreciate your vote on this. I think that people will
46 appreciate your taking action. The Board taking some
47 positive action. There is one thing that's left
48 unresolved and I'd like to get -- maybe the Board could
49 take some action on that.

50

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1 In our Hoonah meeting, wildlife meeting,
2 we passed a resolution that specifically said that the
3 RAC wanted to run the planning process under a
4 subcommittee that was under the control of the Regional
5 Advisory Council. That was our position then in Hoonah,
6 it's till our position today.

7
8 We're a couple years down the road and
9 like you said, we haven't done that yet. And I'd like to
10 prod the Board into taking some action on that, directing
11 either us to do that or some other that this be done.
12 And we're fully prepared to do this. We've already -- we
13 have members who are right on top of this and can take
14 care of it. So I would urge you to somehow take some
15 action on the planning process so we can get this moving.
16 Because we need to look at this, in conjunction, as the
17 Chairman mentioned, with the rural users, with the State,
18 with all the players, we need to get together and discuss
19 this and see whether we can come to some consensus or
20 not, and hopefully before next year.

21
22 CHAIRMAN DEMIENTIEFF: You know we do
23 have some responsibility on our side of it. And Wini, I
24 don't know what you feel about this, but maybe if we had
25 co-Chairs, with the RAC and the Forest Service. Go
26 ahead, Ken.

27
28 MR. THOMPSON: Yes, thank you, Mr.
29 Chairman. I have been given the lead Staff
30 responsibility for implementing this. And as you know
31 and as Wini's pointed out, we've had a number of hurdles,
32 some of those being legal hurdles which we discovered
33 late in the year, which we had to have addressed and try
34 to overcome. We believe we've worked through those
35 hurdles. There are some participant questions. I can
36 say for sure now that we have worked through those legal
37 hurdles and we will have a cooperative management
38 planning process that will involve the Council, it will
39 involve the Federal managers, key stakeholders, the State
40 and that will be implemented. The scoping part of this
41 planning process will be implemented very shortly.

42
43 As to assigning lead on this, I would
44 suggest that you let us follow through on that and assure
45 you that there will be co-equal -- co-equal
46 representation in this planning process involving the
47 Council and involving the key stakeholders.

48
49 That's kind of where we are now.
50

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1 CHAIRMAN DEMIENTIEFF: Well, all I'm
2 saying is that, you know, I understand that
3 administratively we have to have, you know, we obviously
4 have to be involved in putting this together both
5 organizationally, everything. But all I'm saying is that
6 in deference to the Regional Council resolution is that
7 we should seriously consider having them co-Chair with
8 Forest Service. I mean I think that's reasonable.

9
10 You're talking about somebody who can get
11 the people that -- the local users to the table, we would
12 leave that up to the Regional Council. Okay, now, you're
13 talking about your -- obviously the agency has to be
14 involved to get the agency people there and to do the
15 organizing, okay. But I'm just saying that I think it's
16 important that we consider the request and that we --
17 whoever is the lead person for Forest Service, that also
18 has equal weight with whoever the Regional Council
19 designates to be there. Because that's equally
20 important.

21
22 MR. THOMPSON: Mr. Chairman, I may not be
23 entirely capturing what the intent of your concern is but
24 I could assure you that this cooperative management
25 planning process, there will be equal voices, I mean
26 that's the whole point of the cooperative management
27 planning, is that everybody has an equal voice in trying
28 to craft a solution. And no matter how we structure this
29 administratively there will be Regional Council
30 representation in this process that will have very
31 effective total -- equal representation in this process.

32
33 How it's led is something that I would
34 urge you to leave to us managers to consider in the
35 context of some of the legal challenges that we've faced
36 this past year, primarily FACA, FACA related challenges.

37
38 MR. BISSON: Mr. Chair, I guess the
39 question I would have is, you know, is the timing. Would
40 you expect there to be significant progress by the time
41 the RAC meets this fall?

42
43 MR. THOMPSON: Yes.

44
45 MR. BISSON: Or by the time we meet in
46 December so that if things aren't going well we can
47 provide some stronger direction to make sure this is
48 resolved before this time next year?

49
50 MR. THOMPSON: Yes, absolutely.

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1 MR. BISSON: Can there be a reporting
2 back to this Board in terms of where you are in the
3 process periodically?

4
5 MR. THOMPSON: We can report as often as
6 you wish.

7
8 CHAIRMAN DEMIENTIEFF: What I'm getting
9 at is when you're actually conducting your meetings,
10 okay, and I'm getting at having co-Chair responsibilities
11 during the conduction of the meetings. Okay. So that
12 whoever is the lead person -- I'm assuming it's going to
13 be somebody from Forest Service, that whoever that lead
14 person is, somebody's going to run the meeting, it's not
15 just going to go willy-nilly, at that time, you know, you
16 should have a Regional Council co-Chair situation, and
17 that way the Council is fully involved. And I understand
18 what you say about equal representation. But I'm just
19 saying somebody's going to conduct the meeting. I mean,
20 you know, myself, serving as Chairman, sometimes when I
21 teleconference I've called upon Niles or I've called upon
22 Judy to help me out, you know, even though I was on line
23 100 percent of the time, but, you know, that is a strong
24 message to the request that the Regional Council is
25 making. And so when you're actually conducting the
26 meeting, then there are two Chairs basically.

27
28 That's what I'm getting at.
29

30 MR. THOMPSON: Yeah, Mr. Chairman, I hear
31 you. I hear your concern, what you want accomplished.
32 What we've recognized at this point is this is, of
33 course, a very controversial issue. Traditionally, in
34 these cooperative management planning processes, we tend
35 to, when you have an issue like this, that's so heated,
36 you try to get a third-party independent party, in other
37 words, a contractor who actually facilitates the planning
38 process and then the interested parties, us, the State,
39 the Council, the key stakeholders sit at the table as co-
40 equals and that facilitator actually directs that
41 planning process.

42
43 That's how we think -- if we characterize
44 this to all of the interested stakeholders we're most
45 likely to achieve success. We're most likely to find
46 common ground among the interested parties as opposed to
47 the Forest Service sitting up there in control or
48 somebody else as being perceived as the lead who is
49 somehow or another directing some objective they
50 personally have.

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1 That's kind of what we have in mind as a
2 planning concept.

3

4 CHAIRMAN DEMIENTIEFF: Wini.

5

6 DR. KESSLER: And of course, in co-op
7 management planing the group tries to come up with
8 solutions, develop recommendations, but those go to the
9 Council to be considered and dealt with and evaluated.
10 It doesn't, in any way, parallel or supplant the Council.
11 It is trying to help to give the Council the benefit of
12 these deliberations, this work. And so certainly it will
13 be very important, you know, we don't have the details
14 worked out, it will be very important to have the benefit
15 of the Council's wisdom, involvement and help with that,
16 but ultimately it is their legal role to take and
17 consider the results, the recommendations and so on.

18

19 So I almost sense that maybe there was a
20 thought here that somehow this group was going to
21 diminish the authority of the Council or something and I
22 just wanted to assure that wasn't the case at all. It's
23 meant to be a helpful exercise to try to find some
24 solutions through more extensive work and deliberations,
25 that's what it's intended to do with a wider range of
26 viewpoints.

27

28 CHAIRMAN DEMIENTIEFF: Who's actually
29 doing the planning for Forest Service, try and put this
30 together?

31

32 DR. KESSLER: Who's got the
33 responsibility?

34

35 CHAIRMAN DEMIENTIEFF: Who's the lead
36 person?

37

38 DR. KESSLER: Well, the responsibility,
39 the regional forester directed the Tongass National
40 Forest supervisor to do this and.....

41

42 CHAIRMAN DEMIENTIEFF: Put together the
43 planning group?

44

45 DR. KESSLER: I'll maybe let Ken answer
46 that, he's a little closer to it.

47

48 MR. THOMPSON: Yes, Wini's on the right
49 track. Mr. Bachor, Denny Bachor, the regional forester
50 has assigned this task to the Forest supervisor. That

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1 was done back early last winter. Subsequent to that
2 we've identified primarily some FACA, Federal Advisory
3 Committee Act constraints on Federally-sponsored planning
4 processes. And it took us awhile to weave our way
5 through that and to figure out how, if -- if we had to
6 have a Federally-led process and if the Board were to
7 utilize this information, how would it have to be
8 orchestrated through this planning process and we've got
9 answers to that now. We think we're ready to launch and
10 not run into those FACA problems.

11

12 But we will insist on having a process
13 which, one, is to design to maximize the potential
14 success of bringing to the Board some recommendations
15 that all interested stakeholders will buy into and most
16 likely it will be facilitated by a professional planning
17 facilitator who does not have a personal interest in this
18 process.

19

20 CHAIRMAN DEMIENTIEFF: Thank you. John,
21 you had a comment. Robert.

22

23 MR. SCHROEDER: Mr. Chairman, this has
24 been kind of a thorny and frustrating process of going
25 through figuring out how we might do anything with deer
26 on Prince of Wales, of course, but also the planning
27 effort. But I think we may benefit from just a slight
28 amount of discussion on this in that there are two --
29 there are kind of two branching ways to go from my
30 understanding and from talking -- being involved in
31 discussions so far.

32

33 Under FACA, FACA covers a large number of
34 government committees that advise the Federal government
35 on regulatory and management issues, not only dealing
36 with fish and wildlife. Many of these committees are
37 much like the Regional Advisory Councils, in that,
38 they're made up of volunteers or people who serve a small
39 amount of time -- devote a small amount of their time and
40 energy to these things, and they require someone to
41 actually go out and do a lot of the work, to come back to
42 them with information that they need and to provide
43 direction to a FACA committee. The structure under FACA,
44 as I understand it, and from the training that Fish and
45 Wildlife Service sponsored last September, is that, the
46 normal way of doing this is through a subcommittee
47 process and the subcommittee reports back to a main
48 committee. There are some administrative things that
49 take place in forming a subcommittee under FACA. If my
50 recollection is correct from our training last September,

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1 the body that forms the FACA committee needs to approve
2 of the subcommittee, so there is an action there. It
3 isn't something that simply takes place. And we'd have
4 to check the administrative things that occur there.

5

6 So that's a branch that we believe works
7 in terms of FACA. There may be other approaches that
8 don't go that route, however, FACA's pretty clear that if
9 Federal dollars are involved in developing
10 recommendations to a Federal agency, that FACA does
11 apply.

12

13 So that's my understanding of the
14 situation.

15

16 Under this -- the same structure that we
17 follow with the Regional Advisory Councils applies to the
18 subcommittees, in that various reports are needed,
19 various disclosures take place, meetings, there are
20 requirements about having open meetings, et cetera, et
21 cetera and those are fairly familiar and routine in
22 government and we're not treading -- we're not plowing
23 new ground there, in that, there are thousands and
24 thousands of FACA committees and subcommittees around the
25 United States.

26

27 I hope that provides a little bit of
28 clarification.

29

30 CHAIRMAN DEMIENTIEFF: Okay. Well, it's
31 clear anyway that there is a request. John.

32

33 MR. LITTLEFIELD: Thank you, Mr. Chair.
34 I guess I need to explain what the feelings of the
35 Regional Advisory Council are. Yesterday when I talked -
36 - I talked only about .805(a)(3)(a) when I talked about
37 the duties of the Council, the actual authority granted
38 under ANILCA, and that was the review and evaluation of
39 proposals, and I've mentioned that several times.

40

41 And I specifically said I wasn't going to
42 talk about B, C and D. Well, I'm going to talk about B
43 and C right now, because B says and I'll read it.

44

45 This is an authority of the Regional
46 Advisory Council. It is the provision of
47 a forum for the expression of opinions
48 and recommendations by persons interested
49 in any matter related to the subsistence
50 uses of fish and wildlife within the

00301

1 region.

2

3 C. The encouragement of local and
4 regional participation pursuant to the
5 provisions of this title in the decision-
6 making processes affecting the taking of
7 fish and wildlife on the public lands
8 within the region for subsistence uses.

9

10 Those two sections clearly say that this
11 is in our court. The Regional Advisory Council is where
12 this stuff is supposed to be taken care of and that's why
13 we had asked in Hoonah, and we're going to need -- as Dr.
14 Schroeder said, we're going to need action from the
15 Federal Subsistence Board to say, okay, we'll set up this
16 committee and run with it. And it can be formed exactly
17 as the Forest Service says, with all of the players
18 involved and treated equally. But it needs to be run by
19 the Regional Advisory Council, that's what our charge is.
20 That's our duties. And that's where we're coming from as
21 a Regional Advisory Council and why we wanted this.

22

23 DR. KESSLER: Mr. Chair.

24

25 CHAIRMAN DEMIENTIEFF: So if we did it
26 that way we could have had this done, this work done this
27 last year, basically. Go ahead, I'm sorry, Wini.

28

29 DR. KESSLER: Well, there's a couple ways
30 to look at it. I mean it's a very complex issue, the
31 deer situation in Unit 2. The Council has tried very,
32 very hard to solve this problem and part of it is
33 constraint, just the time they have in the meetings, the
34 time they have to work on it. The idea of seeking a
35 solution, a cooperative process was recognition that it's
36 going to take a lot of time and people and investment and
37 work and bringing in a wide range of views to offer to
38 the Council, a range of information, a range of views,
39 ways of looking at it, potential solutions, biological
40 dimensions, social dimensions, a lot of things, to make
41 that available to the Council. And in no way supplants
42 or replaces what the Council's doing so in no way
43 diminishes, it's brought to the Council as a resource.

44

45 We've explored a couple ways to set this
46 body up. One is a legally -- looks to be legally
47 acceptable with respect to FACA is to set it up as a
48 subcommittee of the Council. And John has spoken to,
49 from their view, a number of factors that speak in favor
50 of that.

00302

1 All along though has been also the view
2 that there's a lot of experience and some very good
3 success within the state of Alaska on processes such as
4 these, cooperative management processes, they have tended
5 to be led by the State, they have a great deal of
6 experience there. And so there's different ways to set
7 it up.

8
9 At this point, we are going forward now
10 with a contract, our intention is to let a contract with
11 a neutral third-party to get a good understanding of what
12 the expectations are of the different parties, affected
13 parties, what their expectations might be with respect to
14 the result that's desired, not the outcome so much but
15 the types of products that would result from the process.
16 Some testing of the waters to get some sideboards on the
17 solution space, the level of commitment to buy into
18 solutions.

19
20 I think that is going to give us a lot
21 more information about the most appropriate way to
22 proceed and structure this. Once we have that
23 information from those who are going to be a part of it,
24 or potentially a part of it, and certainly those who are
25 affected, with respect to their expectations the
26 sideboards they see about the potential solutions, then I
27 think we can be better informed about exactly how to
28 proceed with this.

29
30 I would be very uncomfortable being, at
31 this point, locked into one approach. Would not advise
32 that until we have this information.

33
34 CHAIRMAN DEMIENTIEFF: Anyway, so I --
35 you know, I will do nothing to slow the process down. If
36 this thing is ready to go, I think the message is
37 strongly received by Forest Service, that the Regional
38 Council people need to be heavily involved in the
39 process, in the planning process, okay. I will do
40 nothing to slow this process down. This train is leaving
41 the station. I will do one thing to speed it up and I
42 will insist that our Board has monthly work sessions and
43 I want a report on the progress of this working group at
44 every one of our work sessions, it will be on our agenda.
45 Tom, you got that?

46
47 MR. BOYD: Got it.

48
49 CHAIRMAN DEMIENTIEFF: Okay. I want a
50 monthly report on where it's going and the Regional

00303

1 Council be heavily involved with that.

2

3 We're going to move on to Proposal No.

4 10.

5

6 MR. BRELSFORD: Mr. Chairman, at risk of
7 trying your patience for just a short second. I think
8 one of the things we want to achieve in the cooperative
9 management plan is, in fact, to bring the State Boards
10 into concert with us. We've struggled today to provide
11 subsistence opportunities within the authorities of the
12 Federal system. What we're looking for is both the State
13 and the Federal systems working in concert. So I think
14 we want to conclude this item by expressing appreciation
15 for the efforts of the State to recognize the subsistence
16 priority that the Federal Board is responsible for and to
17 look forward to this shared effort on cooperative
18 planning recognizing that the State Board can help us, we
19 can all help each other do the best work on Prince of
20 Wales Island.

21

22 I thank you for the indulgence.

23

24 CHAIRMAN DEMIENTIEFF: Okay. Staff
25 analysis.

26

27 MS. REECK: Thank you, Mr. Chair.
28 Members of the Board. Regional Council Chairs. My name
29 is Jill Reeck. I'm a Forest Service biologist working
30 out of Ketchikan and I'll be presenting Proposal WP03-10
31 for Mr. Alyusious, the lead author who could not be here.
32 The proposal is located under Tab J beginning on Page 729
33 of your proposal book.

34

35 Proposal 10 was submitted by the
36 Southeast Regional Advisory Council and it deals with
37 wolves on Unit 2. The proponent wishes to increase
38 opportunities for rural hunters by extending the wolf
39 hunting season into the peak of the deer season.

40

41 Unit 2 subsistence wolf hunters hunt
42 wolves opportunistically mainly during the deer season and
43 only infrequently hunt solely for wolves. The current
44 wolf hunting season of November 15th through March 15th
45 begins after many of those wolf hunters have ceased their
46 deer hunting activities.

47

48 The proponent feels that an earlier
49 season would allow for greater utilization of the wolf
50 resource and increase the harvest of wolves by hunters.

00304

1 Wolf hunting seasons and limits within Unit 2 have
2 historically been more liberal than the current Federal
3 regulations and a detailed summary of Unit 2 wolf
4 regulatory history is provided in your proposal book in
5 Table 1 on Page 735.

6

7 I'm going to make a note that the
8 majority of the wolf mortality in Southeast Alaska is
9 human caused.

10

11 Conservation concerns have been raised
12 over the past about the viability of wolves within
13 Southeast Alaska and even more specifically within Unit 2
14 because of the intensive management that has gone on
15 there. The current regulations within Unit 2 were
16 implemented in response to the overharvest issues that
17 had occurred in the past. In order to maintain
18 population viability a harvest quota was implemented in
19 the recent past to ensure that only a percentage of the
20 Unit 2 wolves are harvested. This quota is based upon
21 Alaska Department of Fish and Game population estimates
22 and extensive research information from Dr. Dave Person
23 regarding the sustainable rates of wolf mortality in
24 areas where deer are the primary prey of wolves. His
25 research focused on Prince of Wales Island, which is the
26 main portion of the proposal area.

27

28 The current harvest quota is 30 percent
29 of the preseason population estimate or approximately 90
30 wolves. Currently, all wolves taken in Unit 2 under a
31 Federal or State regulation permit must be sealed by an
32 authorized representative of Alaska Department of Fish
33 and Game within 30 days of harvest. Of this trapping and
34 snaring accounts for the greatest percentage of the
35 human-caused wolf mortality in Unit 2. On average,
36 hunting accounts for only 22 percent of the recent
37 harvest. And if you'll refer to Page 737, Table 2 in
38 your proposal book you can see percentages by years
39 because it does vary a bit.

40

41 Extending the hunting season would
42 provide additional harvest opportunity to subsistence
43 hunters and it may increase the proportion of hunting
44 mortality as compared to trapping. Wolf hunting tends to
45 occur earlier in the season than trapping and therefore
46 there is a potential that subsistence trapping could be
47 impacted by an emergency closure if the harvest quota is
48 reached prior to the end of the season. However, unless
49 a substantial number of wolves were taken during that
50 early season, it is unlikely that a closure would occur

00305

1 early enough in the season to have a significant impact
2 on subsistence trappers. Furthermore, a large number of
3 the trappers are also hunters who would be hunting under
4 this proposal.

5
6 Federally-qualified subsistence users
7 have accounted for 81 percent of the wolves sealed
8 between 1991 and 2001, therefore, there would also be
9 minimal impact on non-rural users under this proposal.

10
11 Extending the hunting season earlier in
12 the fall has brought up questions about pelt primness.
13 But information from Southeast Alaska suggests there is
14 variation in the degree of prime pelts of wolves
15 throughout the season and the time at which primness
16 occurs. Furthermore, in discussions with various users
17 suggests that pelt primness may be less of a factor in
18 determining the value of wolf pelts to subsistence
19 hunters. Rather, what is important is the opportunity to
20 harvest one of these animals that would not otherwise be
21 available under the current regulations.

22
23 The resulting product is a rug or a
24 tanned hide that has considerable personal value
25 regardless of its commercial value.

26
27 In addition, wolves are also used in a
28 variety of other ways. Wolf parts are used in various
29 types of regalia and are used in various traditional,
30 cultural and ceremonial functions and activities.

31
32 In summary, extending the wolf season
33 would provide additional opportunity to subsistence wolf
34 hunters with minimal impacts on other users. Population
35 data suggests the current wolf harvesting practices and
36 levels do not threaten viability within Southeast Alaska
37 or specifically within Unit 2. Additional wolves taken
38 during the extending hunting season should not affect the
39 overall wolf population for four reasons.

40
41 1. Hunter harvest is only a small
42 portion of the total human caused wolf
43 mortality.

44
45 2. Although the season would be
46 extended, the five wolf limit would
47 remain in effect, and that is unchanged
48 from current regulations.

49
50 3. Additionally a combined

00306

1 Federal/State harvest quota will be set
2 prior to the hunting and trapping season.
3 Again, this is currently set at 30
4 percent of the estimated population.

5
6 4. Sealing requirements enable in-
7 season harvest monitoring which would
8 allow State and Federal managers to close
9 the hunting and trapping seasons, if
10 necessary, when the harvest quota is
11 reached.

12
13 Thank you. This concludes my
14 presentation.

15
16 CHAIRMAN DEMIENTIEFF: Thank you.
17 Summary of written public comments.

18
19 MR. SCHROEDER: Mr. Chairman, we have two
20 written public comments, both oppose.

21
22 One from the Defenders of Wildlife.
23 States that Prince of Wales Island wolf kills have
24 historically been high. They note that a cap of 30
25 percent of the population has been put on harvest. In
26 1999 the State implemented a closure by emergency order
27 when 90 wolves were killed in this area. The harvest in
28 2000 was similar reaching the upper limits of
29 acceptability. Pelts hold little or no value in early
30 fall and pup vulnerability to trapping is high during
31 this time and could injure long-term population goals.
32 They point to extensive and continued forest removal and
33 road building creating better access for hunters and
34 trappers. And believe that liberalizing the season is
35 biologically unsound.

36
37 Similar comment from Alaska Wildlife
38 Alliance. Says that making the season earlier would
39 increase the amount of wanton waste. Wolves are not
40 eaten, wolves are not marketed for their trophy value,
41 their only recognized value as far as harvesting of
42 wolves is concerned has to do with their pelt and it does
43 not become prime until about December, which is why
44 trappers begin harvesting them in earnest at that time.
45 Fish and Game record show that almost all taking of
46 wolves by trappers occurs from December onwards, even
47 though the State allows them to be taken much earlier.
48 Except in those circumstances where control programs have
49 been authorized, hunting of wolves at a time of year when
50 the pelt has little or no value, not only serves no

00307

1 purpose, it contributes to lost opportunity for those who
2 do not value the resource.

3

4 Mr. Chairman, that concludes the written
5 public comments.

6

7 CHAIRMAN DEMIENTIEFF: Thank you. We
8 have one request for additional public testimony. And
9 that would be Karen Deatherage. I don't see her, I
10 haven't seen her this morning. Karen Deatherage.

11

12 MR. BOYD: I haven't seen her either.

13

14 CHAIRMAN DEMIENTIEFF: Okay. We'll move
15 on, Regional Council recommendation.

16

17 MR. LITTLEFIELD: Thank you, Mr. Chair.
18 The Southeast Alaska Regional Council recommendation was
19 to support with a modification.

20

21 The Council amended the proposal and
22 recommended that the hunting season for wolf in Unit 2 be
23 opened on September 1st and to close on March 31st to
24 conform with other wolf hunting regulations in Southeast
25 Alaska. The Council heard from Staff that wolf pelts
26 prime early in Unit 2 and that this earlier season would
27 allow subsistence hunters take wolves that they might
28 encounter while deer hunting.

29

30 Mr. Douville, who I consider to be Dr.
31 Douville, because of his expertise, is among Prince of
32 Wales Island's most expert wolf trappers, most of the
33 numbers you see on these lists can be attributed to him,
34 confirmed that the wolf pelts are often in good shape
35 early in the season on Prince of Wales and that
36 subsistence deer hunters wanted an opportunity to take
37 wolves that they might encounter.

38

39 Wolves on Prince of Wales are managed
40 under a harvest cap agreed on by both Federal and State
41 of Alaska management agencies. This cap calls for
42 closing the wolf hunting and trapping season when 30
43 percent of the estimated number of wolves in the
44 population have been taken. Closures have rarely
45 occurred.

46

47 The Council also amended the proposal to
48 drop language that would delegate authority for the
49 closing of the wolf hunting and trapping seasons to the
50 Forest supervisor. The Council believes that it needs to

00308

1 be involved in any closure action that would affect
2 subsistence harvesting of this species on Prince of Wales
3 Island. Federal Staff plan to clarify the procedures
4 that would be followed to close the season when the
5 harvest cap was reached.

6

7 Mr. Chair.

8

9 CHAIRMAN DEMIENTIEFF: Thank you. Staff
10 Committee.

11

12 MR. THOMPSON: The Staff Committee urges
13 the Board to adopt Proposal 10 as modified, as
14 recommended by the Southeast Regional Council.

15

16 The modified regulation would have the
17 season begin on September 1st, would delete the 30
18 percent quota and would add a requirement to consult with
19 the Southeast Council Chair. The modified regulation
20 would read:

21

22 Unit 2 wolf hunting. Five wolves
23 September 1st to March 31st. The Forest
24 supervisor has the authority to close the
25 Federal hunting and trapping season in
26 consultation with ADF&G and the Chair of
27 the Southeast Regional Council when the
28 combined Federal/State harvest quota is
29 reached.

30

31 Our justification for this recommendation
32 is as follows:

33

34 Additional wolves harvested during an
35 extended hunting season for rural residents would not
36 appreciably affect the wolf population in the area since
37 hunter harvest is a small part of the overall wolf
38 mortality. Furthermore, although the season would be
39 extended, the harvest limit of five wolves would remain
40 unchanged. The combined Federal/State harvest quota will
41 be set prior to the hunting and trapping season which is
42 currently 30 percent.

43

44 Sealing requirements enable harvest
45 monitoring so Federal and State managers can close the
46 hunting and trapping seasons prior to excessive wolf
47 harvest occurring. This will help ensure a healthy and
48 viable wolf population while allowing for subsistence
49 use.

50

00309

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN DEMIENTIEFF: Thank you.
4 Department.

5

6 MR. TITUS: Thank you, Mr. Chairman. The
7 Department is neutral on this proposal as modified by the
8 Interagency Staff Committee. This proposal will
9 establish a Federal wolf hunting season in Unit 2 that
10 opens three months earlier than the corresponding State
11 season.

12

13 One of the comments I guess I'd like to
14 make about that is it once again brings the State and the
15 Federal seasons on Prince of Wales Island for, in this
16 case for wolves, different between Ketchikan hunters and
17 Prince of Wales hunters. So there will be more confusion
18 in the regulations.

19

20 One reason given for providing additional
21 opportunity in the Federal regulations is to facilitate
22 wolf harvest during the fall hunting season. If the
23 proposal as modified is adopted, Federally-qualified
24 subsistence users will need to be reminded that
25 additional wolf hunting opportunity in September,
26 October, November applies only to Federal public lands.
27 Timely harvest reporting may be required to ensure that
28 managers can effectively monitor this hunt and close the
29 season, if necessary, for conservation purposes. I'd
30 like to remind the Board that this species was petitioned
31 to the U.S. Fish and Wildlife Service for listing under
32 the Endangered Species Act back in the early '90s and
33 that's where the harvest cap guideline came from through
34 the cooperation of the Board of Game, the U.S. Fish and
35 Wildlife Service, the Forest Service and the Federal
36 Board.

37

38 Retention of the 30 percent harvest cap
39 is an essential management tool that will be effective
40 only if used by State and Federal management agencies in
41 concert as a trigger for closing the wolf hunting season.
42 As such, we really urge that the authority be delegated
43 down to the Forest supervisor. As you know my area
44 biologist has the authority to close this season in a
45 very timely way and we would ask that the Federal
46 Subsistence Board grant that authority to the lowest
47 level line officer within the Forest Service that they're
48 comfortable with so that timely action can be made in
49 terms of closing this season.

50

00310

1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Administratively
4 that would probably happen anyway, wouldn't it?

5

6 MR. THOMPSON: Mr. Chairman, I believe as
7 Kim has pointed out, it's important to keep the authority
8 at the lowest level possible. I believe it would be an
9 option for the Board to further identify delegation down
10 to perhaps a district ranger level on Prince of Wales who
11 would probably be much more accessible, available for
12 making these closure decisions, if necessary.

13

14 CHAIRMAN DEMIENTIEFF: Does that have to
15 be done by Board action or is that something that can be
16 done administratively, that's what I'm asking?

17

18 MR. BOYD: Mr. Chair, I think I would
19 recommend a Board action to specifically delegate from
20 the Board because the Board has the authority to do that
21 and not the agencies, as I understand it.

22

23 CHAIRMAN DEMIENTIEFF: So, Ken, you're
24 recommending district ranger Federal well, we'll advance
25 this to Board discussion anyway.

26

27 Do we have a motion on the proposal.

28

29 Wini.

30

31 DR. KESSLER: I move to adopt Proposal 10
32 as modified by Staff Committee.

33

34 CHAIRMAN DEMIENTIEFF: Is there a second.

35

36 MR. BRELSFORD: I second.

37

38 CHAIRMAN DEMIENTIEFF: We have heard
39 discussion about modifying the proposal to delegate the
40 responsibility to the district ranger in charge of Prince
41 of Wales Island. And I think the Chair would welcome a
42 friendly amendment to delegate that responsibility to the
43 appropriate person. I think if I understand this right,
44 district ranger, right?

45

46 DR. KESSLER: So would the preference be,
47 instead of having the Forest super responsibility as
48 currently worded, to replace that with delegation to the
49 district ranger?

50

00311

1 MR. BRELSFORD: To substitute one role
2 for the other.

3
4 MR. CESAR: Mr. Chairman, why don't we
5 just delegate it -- well, I don't know it depends on how
6 specific you want it, I guess.

7
8 DR. KESSLER: Yeah. Well, I mean we'll
9 definitely work with the Board to make the delegation.
10 You know we've set it up so the responsibility is with
11 the supervisor, but we've certainly commonly give
12 delegated authority at the district ranger level. We do
13 that with fisheries a lot. And we certainly would pursue
14 that, we'd do that.

15
16 CHAIRMAN DEMIENTIEFF: That's what I was
17 asking.

18
19 DR. KESSLER: Yeah.

20
21 CHAIRMAN DEMIENTIEFF: Does the Board
22 necessarily need to do this or can it be done
23 administratively. And so if it can be done
24 administratively, I'm entirely satisfied.

25
26 MR. CESAR: Well, I don't think so. I
27 think we need to make a formal Board action delegating.
28 The question I had is who do we delegate it to. That's
29 the question I had for Forest Service.

30
31 DR. KESSLER: Uh-huh.

32
33 MR. CESAR: Who should the Board delegate
34 this to?

35
36 MR. EDWARDS: Mr. Chairman, I mean if the
37 Forest Service says that they're planning on doing this
38 why don't we leave it as it is with the understanding
39 that that's what they're going to do.

40
41 MR. CESAR: I'm only saying that because
42 my learned lawyer on the left-hand of seat tells me that
43 we should have a formal action from the Board.

44
45 CHAIRMAN DEMIENTIEFF: Dave.

46
47 MR. JOHNSON: Mr. Chairman, there are two
48 district rangers on Prince of Wales Island. And a
49 suggestion is to assign that delegation to the same
50 ranger that has in-season authority for fisheries on

00312

1 Prince of Wales Island, and that's Dale Kannen at Craig
2 District.

3

4 CHAIRMAN DEMIENTIEFF: Works for me.
5 Keith.

6

7 MR. GOLTZ: Yeah, the whole trick on
8 Federal delegations is to make sure you're express. In
9 other words, say what you want. There's been litigation
10 in this area and generally the Federal agencies have
11 gotten in trouble when they just assumed there was a
12 delegation but actually make it. So my suggestion is
13 whatever you want to do make sure you do it on the
14 record.

15

16 CHAIRMAN DEMIENTIEFF: Gary.

17

18 MR. EDWARDS: I mean one way, couldn't we
19 designate it to the supervisor or his designee?

20

21 MR. GOLTZ: That could be done, too. But
22 then the supervisor has the responsibility to make sure
23 it's an expressed delegation, a letter, a memo, or
24 something like that.

25

26 CHAIRMAN DEMIENTIEFF: Or else he gets 30
27 lashes.

28

29 DR. KESSLER: We'll make sure that
30 happens, we'll make that delegation in writing.

31

32 CHAIRMAN DEMIENTIEFF: Kim.

33

34 MR. TITUS: Thank you, Mr. Chairman. The
35 State's recommendation is very much likes the Forest
36 supervisor or his designee.

37

38 CHAIRMAN DEMIENTIEFF: So is there a
39 motion to amend to add or his designee.

40

41 DR. KESSLER: I'll make that motion.

42

43 CHAIRMAN DEMIENTIEFF: Is there a second.

44

45 MR. CESAR: I'll second.

46

47 CHAIRMAN DEMIENTIEFF: Any further
48 discussion.

49

50 (No comments)

00313

1 CHAIRMAN DEMIENTIEFF: All those in favor
2 signify by saying aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN DEMIENTIEFF: Those opposed,
7 same sign.

8

9 (No opposing votes)

10

11 CHAIRMAN DEMIENTIEFF: Motion carries.
12 We now have the main motion before us as amended, is
13 there any further discussion.

14

15 (No comments)

16

17 CHAIRMAN DEMIENTIEFF: Hearing none. All
18 those in favor of the motion as amended please signify by
19 saying aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN DEMIENTIEFF: Those opposed,
24 same sign.

25

26 (No opposing votes)

27

28 CHAIRMAN DEMIENTIEFF: Motion carried.
29 Proposal No. 10 has been adopted, let's go to No. 11.

30

31 MR. SCHROEDER: Mr. Chairman, I'll be
32 presenting -- Bob Schroeder will be presenting this
33 proposal. Chuck Parsley is the main author. Proposal
34 WP03-11 is found on Page 743 and subsequent pages in your
35 Board book. This proposal would remove the motorized
36 vehicle restriction for harvesting marten, mink and
37 weasel within the Northeast Chichagof Controlled Use
38 Area.

39

40 This proposal was before the Regional
41 Advisory Council and the Federal Board in the last cycle
42 and it was deferred on the recommendation of the
43 Southeast Regional Advisory Council until a meeting could
44 be arranged with Federal Staff, trappers and State of
45 Alaska managers to come up with a consensus solution for
46 how marten might be managed in this area.

47

48 The Northeast Chichagof Controlled Use
49 Area is delineated in a map and the write up on your
50 screen. The State season in Northeast Chichagof

00314

1 Controlled Use Area is December 1 through December 31.
2 The remainder of Unit 4 is open for trapping December 1
3 to February 15th. Trappers operating under State
4 regulations may use motorized vehicles in Unit 4
5 including the controlled use area. There are no limits
6 on the number of animals that may be taken under either
7 State or Federal regulations. All marten pelts must be
8 sealed.

9

10 Federal public lands comprise
11 approximately 96 percent of Unit 4 all of which are
12 administered by US Forest Service. Federal lands
13 comprise about 86 percent of the Northeast Chichagof
14 Controlled Use Area. The residual amount is Native
15 corporation land.

16

17 All rural residents are included in the
18 customary and traditional use determinations for marten,
19 mink and weasel in Unit 4.

20

21 The regulatory history for marten in this
22 area has a number of area closures, emergency orders and
23 other management actions that have been taken over the
24 past 10 or 15 years to protect the marten population.
25 Specifically the trapping season was closed in 1991 and
26 '92 because of -- excuse me, it was closed in 1990/91
27 because of concerns about depleted marten population.
28 The current Federal ban on subsistence in Federal
29 Subsistence Regulations banning motorized use came into
30 effect when the season was reopened in 1991/92.

31

32 Marten naturally inhabits the mainland of
33 Southeast Alaska on many islands. They were transplanted
34 to Chichagof Island in the early 1950s. This transplant
35 may be a new introduction or it may have simply
36 supplemented the existing population of marten on that
37 island. The quantity and quality of winter habitat is
38 thought to be the most limiting factor for marten in
39 Southeast Alaska. Due to lower snow accumulations,
40 habitats at lower elevations have higher value for
41 wintering marten. Coastal habitats and riparian areas
42 have the highest value followed by upland habitats below
43 1,500 feet in elevation. Old growth forest have the
44 highest value because they intercept snow providing cover
45 and denning sites and provide habitat for prey species
46 used by marten. Dispersal between islands is limited,
47 but marten are very mobile on land. Marten are easily
48 trapped and can be overharvested. Road, and there are an
49 extensive number of roads in this area, in the Northeast
50 Chichagof Controlled Use Area provide additional access

00315

1 for trappers and may result in increased harvest.

2

3 Marten populations were at a reduced
4 level in Northeast Chichagof in areas with road access in
5 the early 1990s. Recent monitoring by Fish and Game
6 indicates that marten populations have recovered. The
7 primary factor in the furbearer population increase was
8 probably an increase in food availability due to some
9 high deer winter mortality in 1998 and 1999.
10 Additionally, marten track long-tailed voles population
11 cycles as well.

12

13 Table 2 and 3 provide information on
14 harvest levels and who participates in the harvest of
15 marten trapping in this area. Primarily, most of the
16 harvest that takes place in this area is by local
17 trappers. In some years there is interest in other
18 trappers going into that area. The overall harvest level
19 in years where there has been any harvest has varied
20 quite a bit from a high of 341 animals taken in '96/97, a
21 low of 19 sealed animals in '93/94 and as I mentioned the
22 season was closed in 1990 and '91.

23

24 The Southeast Regional Subsistence
25 Advisory Council discussed this proposal last year, as I
26 said, and did the deferral to see if a consensus approach
27 could be reached. On October 11th, 2002, the State
28 management biologist, Dave Johnson, Chuck Parsley from
29 Forest Service, Dave Belton from the Hoonah Indian
30 Association and several local trappers attended a meeting
31 at Hoonah to discuss issues connected with this proposal.
32 A monitoring strategy was agreed upon, it would maintain
33 the current Federal season and allow for motorized
34 vehicles use in the Northeast Chichagof Controlled Use
35 Area and the remainder of Chichagof Island as well. Fish
36 and Game and Forest Service biologists plan to monitor
37 the harvest to ensure that overharvest does not occur and
38 conservation of the resource is provided. The intention
39 was that trappers would be encouraged to submit their
40 skinned marten carcasses to the local Forest Service
41 office. The management goal under this compromise
42 solution was to maintain the percentage of total of males
43 harvested below 55 percent, more importantly the
44 monitoring would make sure that the ratio of total young
45 of the year to adult females would not fall below four to
46 one.

47

48 So in order to ensure that overharvest
49 did not occur, Forest Service and Fish and Game
50 biologists plan to monitor the harvest and determine the

00316

1 sex and age ratios of the harvested animals.

2

3 And at that same meeting the State and
4 Federal wildlife managers in concurrence with the Hoonah
5 Indian Association and area trappers agreed that managers
6 would close the trapping season when sex and age ratio
7 thresholds were exceeded.

8

9 In looking at the effects of the
10 proposal, the current Federal regulation is more
11 restrictive than the State regulation regarding access to
12 trapping sites in this area. Specifically motorized use
13 is not allowed.

14

15 The Federal season is longer than the
16 State season so in that respect it's less restrictive.

17

18 Removing the restriction would allow
19 motorized vehicles to be used and as a result increased
20 access for subsistence users would be provided.

21

22 Subsistence trappers would be able to
23 trap for two and a half months and be able to use
24 motorized land vehicles, while trappers operating under
25 the State regulations would continue to have a one month
26 long season and be able to use motorized access at that
27 time.

28

29 The existing season, Federal season
30 December 1 to February 15th will remain in effect. The
31 main action would be to allow motorized land vehicles for
32 the taking of marten, mink and weasel during the entire
33 season and this would be similar to the regulations that
34 apply to State side for the State's shorter trapping
35 season.

36

37 Mr. Chairman, that concludes our
38 analysis.

39

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

42

43 MR. SCHROEDER: Mr. Chairman, was comment
44 included by error in here. We have no written public
45 comments on this proposal.

46

47 CHAIRMAN DEMIENTIEFF: Okay, thank you.
48 Regional Council recommendation.

49

50 MR. LITTLEFIELD: Thank you, Mr. Chair.

00317

1 The Southeast Regional Council's recommendation is to
2 support with modification. Unit 4 marten, mink and
3 weasel were to be all rural residents, no limit, December
4 1st to February 15th, with the addition of the amendment,
5 the Forest Supervisor may close the Federal trapping
6 season for marten in consultation with the ADF&G when the
7 sex and age ratio thresholds are exceeded. Total males
8 harvested below 55 percent and total young of the year
9 ratio, adult female falls below four to one.

10

11 This area was closed from motorized
12 access some years ago. At its wildlife meeting in 2002,
13 SERAC requested the Forest Service, Hoonah Indian
14 Association and ADF&G to meet with trappers in Hoonah and
15 develop a consensus management approach. Staff from the
16 Forest Service, ADF&G and the Hoonah Indian Association
17 and local trappers met in Hoonah on October 11th, 2002 to
18 work out a consensus approach for managing trapping in
19 this area. At this meeting the Federal and State of
20 Alaska biologists agreed that monitoring age and sex
21 ratios of trapped martens would provide them with an
22 indication of the effect of trapping on the marten
23 population. When age and sex thresholds were exceeded,
24 the Federal managers would close the Federal trapping
25 season. Trappers agreed to provide the reporting and
26 biological samples needed to track the age and sex
27 thresholds.

28

29 The preliminary conclusion reflects this
30 consensus. The Council accepted the Staff conclusion
31 including wording to establish age and sex thresholds
32 with minor editorial corrections.

33

34 The Council was puzzled by ADF&G's verbal
35 and written commitments at the Ketchikan meeting opposing
36 this proposal since the ADF&G area management biologist
37 Jack Whitman participated in the October 11th, 2002
38 meeting and helped draft the suggested language and
39 supported the solution to this management issue. This
40 was somewhat distressing to the Council that this was a
41 supposedly consensus agreement that everybody agreed it,
42 it was presented to us and then they backed out of it.
43 Hopefully that won't happen on U-2 deer so we were a
44 little bit disturbed that the Hoonah Indian people were
45 treated this way, Hoonah Indian Association.

46

47 CHAIRMAN DEMIENTIEFF: Staff Committee.

48

49 MR. THOMPSON: Mr. Chairman, the Staff
50 Committee recommends Proposal 11 be deferred. We

00318

1 reviewed additional marten harvest information recently
2 available from last years sealing records that was not
3 available for consideration by the Southeast Regional
4 Council when they formulated their recommendation.
5

6 The Staff Committee recognizes that State
7 and Federal managers and users met to develop a consensus
8 proposal as requested by the Board last May and has been
9 referred to here in this testimony and agreed on a
10 liberalized access provision and in-season harvest
11 monitoring program. However, the more recent data
12 indicate very high marten harvest levels occurred this
13 last winter. When combined with the cyclic nature of
14 marten populations and the expectation for a declining
15 marten population, State and Federal managers anticipate
16 a conservation concern to develop during the 2003/04
17 season.
18

19 As a result the Staff Committee concluded
20 that the liberalized regulations requested in the
21 proposal are not appropriate. And that the current
22 access restrictions should be maintained. The Staff
23 Committee recommends deferring Proposal 11 to enable
24 State and Federal managers, the Council and local
25 trappers to review the additional information about
26 marten populations and to determine if some modification
27 of the access restrictions and in-season monitoring is
28 appropriate given the expected decline in the marten
29 population on Northeast Chichagof Island. The existing
30 vehicle restriction provides the most effective way of
31 avoiding excessive harvest of marten, short of closing
32 the season entirely.
33

34 The number of marten harvested by
35 subsistence users in January and February, however, is
36 small and does not represent a conservation threat,
37 hence, the Staff Committee does not recommend eliminating
38 the January/February portions of the existing Federal
39 season.
40

41 Staff Committee believes that adopting
42 the Southeast Regional Council recommendation at this
43 time could likely violate recognized principles of
44 wildlife conservation.
45

46 Thank you, Mr. Chairman.
47

48 CHAIRMAN DEMIENTIEFF: Thank you.
49 Department.
50

00319

1 MR. TITUS: Thank you, Mr. Chairman. The
2 Department supports deferral as recommended by the
3 Interagency Staff Committee. The Department agrees that
4 the Staff and the public need to review the available
5 information to determine if the current access
6 restrictions in the Northeast Chichagof Controlled Use
7 Area and in-season monitoring strategies should be
8 modified.

9
10 A high marten harvest of 351 from this
11 area in 2002/2003 complicates implementation of the
12 action sought in this proposal and in my opinion strongly
13 suggests changes to both State and Federal marten
14 trapping regulations that might be needed.

15
16 One of the subjects that we've been
17 approached and I've provided copious amounts of testimony
18 on this subject and have met with Staff repeatedly since
19 the RAC meeting about this current marten regulation is,
20 in my opinion, there's both issues with regard to the
21 State trapping season and the Federal seasons that may or
22 may not need modification here, but basically what
23 happens is the trappers out there pick the -- those
24 things that are the most liberal under both regulations
25 within which to operate. And at the time when those
26 consensus agreements were struck by my area biologist,
27 quite frankly my research staff with eight years of work
28 over there were not consulted and their conclusions are
29 different from that.

30
31 We're certainly not opposed to in-season
32 management. I'm not entirely convinced that the Forest
33 Service recognizes how expensive in-season management
34 will be to conduct and all things being equal it may be
35 best to have a short season without in-season management
36 that you know you can continue over time rather than
37 potentially different type of regulations that are, one,
38 very expensive to the agency and two, don't provide
39 predictability to the trappers both in Hoonah and in
40 Tenakee. And so I think we need to make another run at
41 this.

42
43 The other thing that I guess I would like
44 to speak to is access is everything with regard to marten
45 and in most of the Lower 48 marten are either threatened
46 or endangered as a species. They're extremely easy to
47 trap as this Board knows and the high trapping this year
48 leads us to question whether we should have an emergency
49 order sometime this summer to close the trapping season
50 next fall and we haven't fully explored that yet, but

00320

1 that's certainly an outcome. The trapping is just as
2 high -- the take is just as high now as it was nine or 10
3 years ago when an emergency order was in effect.

4
5 How in-season management can work and how
6 effectively it can work and how much money the Forest
7 Service wishes to spend to do in-season management, I'm
8 not sure at this time.

9
10 The other thing that the State would very
11 much like to see is an access analysis. We've requested
12 and we think is integral to this. The Tongass Forest
13 Plan has large conservation old growth reserves that are
14 presumably unroaded and would limit access in that area
15 to trappers by the fact that there aren't roads in them.
16 And it's my belief from working there that some of the
17 old growth reserves, in fact, have roads in them. So the
18 question is how does all of that fit together, to, one,
19 provide ample opportunity for trappers out there, two,
20 stability over time in terms of how they trap and three,
21 whether they would prefer in-season management and how
22 much that would cost to implement that relative to marten
23 and getting those carcasses and doing that in a timely
24 way, and four, whether there should be a voluntary or
25 mandatory sort of program. Currently if a trapper
26 chooses not to comply with that they don't have to.

27
28 So you know I think there's some more
29 questions out there.

30
31 And I guess the final issue is, really,
32 in my opinion there needs to be, potentially from a
33 conservation standpoint some possible fixes on the State
34 side so that there's consistency in the regulations here
35 and that the trappers can't play one system off the
36 other.

37
38 I guess one of my staff did an analysis
39 just last week with regard to this and showed some very
40 interesting things that happened relative to enforcement.
41 For example, the Federal ban on access was interpreted by
42 both law enforcement parties over there through the early
43 1990s as the Federal ban on access was pushed over into
44 the State side of things. So trappers were basically
45 told they couldn't use the road for trapping even though
46 they could and for a number of years they just believed
47 that and that's what happened so none of this came
48 forward as an issue. That changed a few years ago when
49 the local Fish and Wildlife Protection Officer left and a
50 new one came in town. And it's really thrown a bit of a

00321

1 ringer into the whole thing.

2

3 So we'll see where we end up on this one.

4

5 Thank you.

6

7 CHAIRMAN DEMIENTIEFF: Okay, thank you.

8 John.

9

10 MR. LITTLEFIELD: Mr. Chair, I think this
11 is a perfect example of Interagency Staff Committee and
12 ADF&G having submitted reams, literally reams of
13 information after the Regional Advisory Committee held
14 their meeting. I've seen most of this stuff because it's
15 been copied to me but it was not presented at the
16 Regional Advisory Committee. And furthermore, I note for
17 the record that the marten are an imported species. And
18 they have virtually wiped out the hooters. I don't hear
19 them anymore. I heard them when I was a kid, you know,
20 spruce grouse and stuff, we don't hear them anymore.
21 Ptarmigan, small birds. And I don't believe you can trap
22 those marten out of existence.

23

24 So I'd like to see this deal go through
25 for one year. It's not going to hurt anything for one
26 year. It's self-limiting. You can't trap them all and I
27 don't think anybody says that they can. And it was a
28 deal made with the users. And I'd like to see it proceed
29 and if the State wants to present four or five more reams
30 of information, I suggest that the proper place to do
31 that is at the next meeting.

32

33 Thank you.

34

35 CHAIRMAN DEMIENTIEFF: Board discussion.

36

37 MS. GOTTLIEB: Mr. Chair.

38

39 CHAIRMAN DEMIENTIEFF: Yes.

40

41 MS. GOTTLIEB: I think we've seen this in
42 a few examples where there has been information that's
43 come up post-RAC meetings and I think we, in general,
44 need to think of a better process to loop the RAC back
45 into those updated information or discussions that take
46 place with Interagency Staff Committee.

47

48 But the second question was either for
49 the Department of Forest Service. And that has to do
50 with, so what are the impacts of high trapping in 2002 to

00322

1 the 2003 populations? I just don't know enough about the
2 marten life cycle to know that answer.

3

4 MR. TITUS: Thank you. I've spoken with
5 my marten research biologist about that and the likely
6 scenario is trapping the -- the marten population has
7 been significantly depleted. You can -- based on
8 radiotelemetry studies on this place, not from somewhere
9 else, over 80 to 90 percent of the radio-tagged martens
10 can be caught by the trappers in a 30 day season. So the
11 likely scenario is there will not -- if things remain at
12 the status quo, there will likely be a much lower trapper
13 harvest next year with assuming the same effort. There's
14 just fewer marten out there.

15

16 CHAIRMAN DEMIENTIEFF: With regard to in-
17 season management, that question was raised by the State
18 and maybe Forest Service can respond to that or Staff or
19 somebody.

20

21 MR. JOHNSON: Mr. Chairman.

22

23 CHAIRMAN DEMIENTIEFF: Yes.

24

25 MR. JOHNSON: I think the place to go
26 back to is the drawing board on the planning process.
27 Meet with the Hoonah Indian Association, the district
28 wildlife biologist for the Forest Service and then
29 representatives from the State and discuss what these
30 implications have.

31

32 At this point if you'll look at the table
33 on Page 754, if effort was to remain the same, following
34 341 marten that were taken in '96/97, 74 marten were
35 taken the following season but I have no idea if it was
36 the same amount of effort or -- but that's at least one
37 piece of information.

38

39 Thank you.

40

41 MR. EDWARDS: Mr. Chairman, one thing I'm
42 trying to understand is that, at least, both by Staff and
43 the State, certainly not by the RAC, there does appear to
44 be a conservation concern. And it's my understanding
45 that the Staff Committee was trying to respond to that
46 based upon their recommendation of deferral. But at the
47 same time the State is still going to go forward, at
48 least, currently, right, with access during December
49 which is the critical month. So if the State continues
50 down that road, what affect will our action have?

00323

1 MR. TITUS: If the Federal Subsistence
2 Board does nothing or defers, then basically what will
3 happen is those trappers aren't -- can now -- essentially
4 they will trap under the State season in December which
5 will give them access. In other words, there's been a
6 reinterpretation about the way this works, and so they
7 will have access -- they will use road access during
8 December and then on January 1st, they won't have access.

9
10 The likely scenario is that there won't
11 be any marten. They will go out there, set their traps
12 using road and boat access and all the people doing the
13 road trapping will hit it very hard in early December the
14 traditional way that marten trapping occurs everywhere in
15 the state for three weeks or so and then their trapping
16 will fall off in terms of their success and most of them
17 won't trap in January anyway.

18
19 MR. EDWARDS: Well, then why would the
20 State continue to allow that if there is a conservation
21 concern?

22
23
24 MR. TITUS: The State's been unable to
25 get a road access passed through the Board of Game.

26
27 CHAIRMAN DEMIENTIEFF: So basically a
28 deferral doesn't disenfranchise subsistence trappers
29 anyway; is that my understanding?

30
31 You know, I understand that information
32 does need to -- this doesn't necessarily need to go on
33 the record, but I understand we were very close to an
34 agreement on this issue, and then the discussions fell
35 apart at the last minute. You know, I -- I don't know,
36 what's the pleasure of the Board anyway?

37
38 MR. EDWARDS: Mr. Chairman, in order for
39 further discussion, I would move that we would accept the
40 Staff Committee's recommendation to defer.

41
42 CHAIRMAN DEMIENTIEFF: There's a motion.
43 Is there a second.

44
45 DR. KESSLER: I'll second.

46
47 CHAIRMAN DEMIENTIEFF: Discussion.

48
49 MR. EDWARDS: Mr. Chairman, in making
50 that motion, at least, my understanding is that

00324

1 recognizing that there is a conservation issue and we're
2 taking the responsible action to address that.
3 Unfortunately it does not appear that the State may
4 follow suit and I guess we still ought to be doing the
5 right thing if it's a conservation issue.

6
7 CHAIRMAN DEMIENTIEFF: Well, I don't
8 think it's a real conservation issue to defer a proposal,
9 given the fact that the opportunity is still there for
10 subsistence trappers to trap under the State regulations.
11 Deferral, again I understand we were very close to
12 working out a consensus by all the above, so we are not -
13 - by deferring we are not disenfranchising subsistence
14 trappers. That's clear.

15
16 And, you know, given the fact that we
17 were very close to having a complete agreement, I guess I
18 don't really have a problem accepting the deferral and
19 hoping that we can get back on track in getting everybody
20 lined up again. But again, I point out that we are not
21 disenfranchising subsistence trappers at this time
22 because they still have access under the State
23 regulations.

24
25 So I don't have a problem with us going
26 back to the drawing boards on this one, too.

27
28 DR. KESSLER: Mr. Chair.

29
30 CHAIRMAN DEMIENTIEFF: Yes.

31
32 DR. KESSLER: Yes. I intend to vote in
33 favor of the deferral. I think it's really the necessary
34 and prudent thing to do in light of there's new
35 information which would suggest a conservation concern
36 exists or is near. The biologist wants to see that new
37 information and dissect it and analyze it and understand
38 it better, but again we have a timing issue. The
39 information came in, again, after the Council had its
40 deliberations. It suggests that we need to be concerned
41 with the future of this resource and this wouldn't be a
42 good time to put additional pressure on it. I think
43 deferring is the prudent thing to do until we can work
44 through this and better understand the possibilities.

45
46 MS. GOTTLIEB: Mr. Chair.

47
48 CHAIRMAN DEMIENTIEFF: Yes.

49
50 MS. GOTTLIEB: Another question then.

00325

1 What if we did allow or we did remove the restriction for
2 motorized access just for the month of December, then
3 that's consistent with the State regulation and then keep
4 it closed the other months. I'm not entirely clear why
5 we would be more restrictive than the State. I
6 understand conservation reasons, but I don't -- I'm just
7 trying to figure how incrementally we would be any
8 different by following that route.

9

10 MR. JOHNSON: Mr. Chairman, currently
11 under Federal regulation the January portion is closed
12 but the State, you can still harvest under State
13 regulations.

14

15 CHAIRMAN DEMIENTIEFF: Ron, you had
16 something.

17

18 MR. SAM: A quick question. Thank you,
19 Mr. Chair. If this is an imported species, where does
20 this concept to conservation issues, just for my
21 clarification.

22

23 CHAIRMAN DEMIENTIEFF: Well, across the
24 Board we address, you know, once the species is there
25 it's there. We have imported species, you know, all
26 around the state and we manage them as subsistence
27 resources, so we do that across the board.

28

29 Any other discussion on the motion.

30

31 MR. CESAR: Mr. Chair, I'm not quite
32 clear yet. What would be the practical effect of a
33 deferral. Wouldn't there still be a subsistence trapping
34 season this year, so what have we accomplished by
35 deferral?

36

37 MR. EDWARDS: Well, I guess my view is
38 that we don't accomplish anything. But one of our
39 charges are to act when we think there's a conservation
40 issue. We don't have any control over what the State
41 does. Maybe by us setting the right example, maybe
42 they'd be willing to follow suit. But I think it would
43 not be in our best interest if we think there's a
44 conservation issue then to not address it, whether it has
45 an effect or not. At least it makes me feel good.

46

47 MR. CESAR: Yeah, and I think that's our
48 charge is to act when there is a conservation issue. And
49 I guess I wasn't sure from the Staff, are they declaring
50 this a conservation issue, is that what we're dealing

00326

1 with here?

2

3 DR. KESSLER: Mr. Chair.

4

5 CHAIRMAN DEMIENTIEFF: Yes.

6

7 DR. KESSLER: I do see that there's an
8 effect here. Because were we to vote to remove the ban
9 on motorized, we'd be putting in place an increased,
10 significantly increased pressure on the resource. If we
11 had indications that the resource could sustain that,
12 that'd be no problem with that. But we have some
13 evidence now that the resource is in a potentially
14 precarious position so at this time it wouldn't be
15 prudent to allow that access. So we're not removing the
16 opportunity to trap, we're just removing the additional
17 access at this -- we're not approving the additional
18 access.

19

20 MR. CESAR: Yeah, and I understand that
21 part of it. Now, it's a little clearer to me. The
22 question that I had and I guess it's been answered there
23 is, in fact, a conservation issue here and that's what's
24 being told to me.

25

26 MR. THOMPSON: Yes, that's correct.

27

28 MR. CESAR: And then I think that really
29 kind of limits or narrows our choices, in my mind,
30 anyway, because that is the essential charge that we
31 have. And so I would vote to defer.

32

33 CHAIRMAN DEMIENTIEFF: Further
34 discussion.

35

36 (No comments)

37

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

41

42 IN UNISON: Aye.

43

44 CHAIRMAN DEMIENTIEFF: Those opposed,
45 same sign.

46

47 (No opposing votes)

48

49 CHAIRMAN DEMIENTIEFF: Motion carries.

50 We now have before us the consent agenda items and

00327

1 they're not in numerical order but I'll read them just as
2 they're presented to us.

3

4 The Chair would entertain a motion to
5 adopt Proposals 40, 41, 13, 17, 20, 21(a), 21(b), 22, 23,
6 29, 30, 34, 31, 32, 35, 36, 39, 43, 44, 45, 46, 48, 49,
7 50, 51, 53, 3, 4, 6, 7, 8, 15, 16, and 55.

8

9 MR. CESAR: So moved, Mr. Chairman.

10

11 CHAIRMAN DEMIENTIEFF: Is there a second.

12

13 MR. EDWARDS: Second.

14

15 MR. CESAR: Question.

16

17 CHAIRMAN DEMIENTIEFF: Question's been
18 called for, all those in favor of the motion please
19 signify by saying aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN DEMIENTIEFF: Those opposed,
24 same sign.

25

26 (No opposing votes)

27

28 CHAIRMAN DEMIENTIEFF: Motion carries.
29 We have two small reports, you guys want a short break?

30

31 (Board nods affirmatively)

32

33 CHAIRMAN DEMIENTIEFF: Yeah, it shouldn't
34 take very long for the rest of it so we'll just take a
35 little break.

36

37 (Off record)

38

39 (On record)

40

41 CHAIRMAN DEMIENTIEFF: We'll call the
42 meeting back to order. I would just like to note for the
43 record that we have a memorandum from the State to
44 Marianne See from Lance Nelson dated April 15th, 2003,
45 subject, Federal bag limits for non-Federal hunters, and
46 I'm going to enter this into the record and so I'll give
47 it to the recorder and it will be in the record.

48

49 Okay, other business, administrative
50 correction. Judy.

00328

1 MS. GOTTLIEB: Thank you, Mr. Chair. I
2 just wanted to bring to the attention to the Board and
3 ask that you consider a permanent change in a date having
4 to do with the Batzulnetas culture camp moose permit that
5 we have in effect, and this is, of course, within
6 Wrangell-St. Elias Park near -- or within Katie John's
7 area.

8
9 Under the current Federal Subsistence
10 regs, one moose may be taken by the culture camp, making
11 a small change in the date of this already approved
12 permit hunt would provide the camp operators and the
13 National Park Service with an additional tool for
14 addressing the degraded condition of the access route to
15 the camp site. There would be no effect on the moose
16 population and the quota, of course, remains unchanged.
17 The harvest of the moose for this educational camp is
18 already permitted under our regulations and occurs solely
19 on National Park Service lands within Unit 11 and 12 and
20 it's carried out by two hunters from Chistochina or
21 Mentasta Village, the villages who organize the camp.

22
23 Our specific change would be to modify
24 the hunt dates from the current June 20 to 30, to June 20
25 to July 31. And the reason is, for those of you who were
26 on the trip last year out there, the condition of the
27 trail gets severely degraded by water and if we have this
28 a little bit later it's going to lessen the impact to the
29 trail and delaying the camp so that the ground might have
30 a chance to dry out which certainly would be a useful
31 approach and make the experience a lot more pleasant.

32
33 So I wanted the public to hear this and
34 we would like this change to be permanent, so, therefore,
35 move to the Board that we permanently change the
36 allowable date for the hunt from June 20 to 30 to June 20
37 to July 31.

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

41
42 MR. CESAR: Second.

43
44 CHAIRMAN DEMIENTIEFF: Okay, it's been
45 moved and seconded. Any discussion.

46
47 (No comments)

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

00329

1 aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN DEMIENTIEFF: Those opposed,
6 same sign.

7

8 (No opposing votes)

9

10 CHAIRMAN DEMIENTIEFF: Motion carries.
11 Okay. Western Arctic Caribou Herd Management Plan. I
12 read this thing last night and it's a heck of a piece of
13 work. Who's going to lead us, John Trent.

14

15 MR. TRENT: Good morning, Mr. Chairman.
16 Thank you for the opportunity to be here. I'd like to
17 introduce my colleagues who have worked very hard on the
18 Western Arctic Caribou Herd Cooperative Management Plan.
19 Willie Goodwin has been working with the Caribou Working
20 Group for years and, of course, you know him as a former
21 RAC Chairman from the Northwest Arctic RAC. Willie's not
22 actually on the Caribou Working Group but he's influenced
23 us in many ways and he will have a brief statement.

24

25 Our whole presentation is intended to be
26 brief and to the point and to encourage you to pass this
27 resolution supporting the plan.

28

29 I would also like to introduce Mr. Phil
30 Driver, who has been a master guide in Alaska for many
31 years and is the voting chair on the Caribou Working
32 Group representing the guiding industry. So they will
33 both have something to say.

34

35 I did want to introduce myself, as well.
36 I'm John Trent, a wildlife biologist with the Alaska
37 Department of Fish and Game. I live in Anchorage but I
38 mostly work up in the Northwest.

39

40 I spoke two days with Raymond Stoney on
41 the telephone. He was unable to come here because of
42 weather. Raymond is our chairman of the Caribou Working
43 Group, and he was actually quite eager to be here to
44 support this plan with you and he did say to me, and this
45 is a quote, that it's very important to all of us that
46 this resolution supporting the plan be passed. So I did
47 want to pass that on. I'll just make a few short
48 descriptive statements about this cooperative plan that
49 you should all have in front of you. The audience, there
50 are some copies of the plan out in the hallway. And then

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1 I will read a brief statement by John Sheen who was
2 unable to stay here to present and then Willie and Phil
3 will speak briefly.

4
5 The Caribou Working Group consists of 20
6 voting chairs representing stakeholders, all the known
7 stakeholders involved with using or valuing caribou in
8 the Northwest Arctic and the Western Arctic Herd. The
9 working group members who wrote this plan represent the
10 people who use and value the herd. No stakeholder group
11 was excluded from participating. The plan provides
12 guidelines for managing the herd. The working group is
13 the permanent forum for reviewing work progress outlined
14 by the plan identifying future needs, suggesting
15 regulatory change and adjusting the plan as needed, and
16 finally the plan encourages interagency coordination
17 through a technical committee that will meet once a year
18 and report to the working group.

19
20 So those are just some points that I
21 wanted to make.

22
23 CHAIRMAN DEMIENTIEFF: John, I must be
24 getting tired. That was the testimony of John Shoen?

25
26 MR. TRENT: I'm about to read John
27 Shoen's testimony, yeah.

28
29 CHAIRMAN DEMIENTIEFF: Okay, go ahead.

30
31 MR. TRENT: Yeah. In fact, I'll go on to
32 that if that's okay.

33
34 CHAIRMAN DEMIENTIEFF: Go ahead.

35
36 MR. TRENT: All right, this is Dr.
37 Shoen's statement. John has been on the Caribou Working
38 Group for several years and was the chair of the planning
39 committee that developed the plan that you have in front
40 of you. Here is his statement.

41
42 Mr. Chairman, and committee members, my
43 name is John Shoen. I am the senior scientist for
44 Audubon Alaska and serve as a voting chair of the Western
45 Arctic Caribou Herd working group representing
46 conservation interests. I also served as chair of the
47 planning committee that developed the cooperative
48 management plan for the Western Arctic Caribou Herd.
49 This was a most rewarding experience for me. In my
50 opinion everyone on the working group is pulling in the

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1 same direction. Our common goal is the long-term
2 conservation of the Western Arctic Caribou Herd. This
3 herd is important to many people who depend on it for
4 subsistence as well as others who value the herd in many
5 ways. This plan represents an important blueprint for
6 managing this herd as its population fluctuates naturally
7 over time.

8

9 On behalf of the conservation community,
10 I strongly endorse this plan and encourage the Federal
11 Subsistence Board to lend your support to it as well.

12

13 Thank you.

14

15 So that's Dr. Shoen's statement, and I'll
16 then.....

17

18 CHAIRMAN DEMIENTIEFF: John, before you
19 go any farther.

20

21 MR. TRENT: Yes, sir.

22

23 CHAIRMAN DEMIENTIEFF: Somebody grab that
24 letter and be sure to get it to the recorder because we
25 need it in the record.

26

27 MR. TRENT: We also have a written
28 statement from Mr. Driver that you could enter as well
29 when he's done.

30

31 That's it for me. I'll defer to Mr.
32 Goodwin.

33

34 MR. GOODWIN: Thank you, John. Mr.
35 Chairman, members of the Board. My name is Willie
36 Goodwin. I'm the special assistant to the superintendent
37 for the Western Arctic National Park Lands in Kotzebue.

38

39 The National Park Service has been
40 heavily involved in formulating this plan. Dave Spirtes,
41 the previous superintendent for Western Arctic Park Lands
42 drafted the first plan for the one that's before you was
43 amended over a number of meetings. Contributions by the
44 Park Service has been noted throughout the years with its
45 monitoring -- on monitoring the herd. Management of the
46 herd has been carefully watched by the Park Service. And
47 the herd traverses all the parks in Northwest Alaska.

48

49 And it's a resource that's important to
50 all of the people in Northwestern Alaska, also other

00332

1 parts of the state.

2

3 I was involved in some of the earlier
4 drafts, the State draft that first came out, of course,
5 we were, as local residents, somewhat opposed to it
6 because there was hardly any public involvement in it.
7 Also Manilaaq Association at that time, right after the
8 State draft came out took a stab at drafting a plan, and
9 that was -- there was a lot of concerns by the Federal
10 agencies, also State agencies with that draft so that was
11 dropped. And I can't appreciate enough how much
12 diligence John Trent has in this process. If it wasn't
13 for him we wouldn't be this far. He got all the
14 stakeholders involved, got the State money to have the
15 meetings in Kotzebue and other parts of Alaska, involving
16 other stakeholders. We had meetings in Nome, we had
17 meetings in Anaktuvuk Pass, in Point Hope, throughout the
18 range of the caribou herd.

19

20 And as a result we have a plan that's
21 been approved by the stakeholders of the herd from all
22 parts of the range, and especially the stakeholders that
23 are heavily involved in it. It's something that, as a
24 resident of the area, I want to see adopted. It's been
25 adopted by the working group and if the Federal
26 Subsistence Board adopts or supports the plan and then
27 we'll present it to the State Board this fall in
28 Kotzebue, it's something that at least gives us to look
29 forward to.

30

31 Back in the early '70s when the herd
32 crashed, we were caught unaware by the restriction of
33 harvest levels, of regulations and it really affected the
34 people in Northwest Alaska, and also the people that did
35 business up there.

36

37 With this plan it won't happen like it
38 did in the early '70s. As long as the monitoring of the
39 herd occurs and the surveys are done, there are certain
40 levels in this plan that certain things have to kick in
41 and those will be followed through very closely by all of
42 the stakeholders. So it's a plan that I am very happy
43 that it's here. It's something that we can work with in
44 Northwest Alaska. It's something that we can look
45 forward to and be assured that the herd will be managed
46 properly.

47

48 I urge you to support the resolution.

49

50 Thank you.

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1 CHAIRMAN DEMIENTIEFF: The Chair would
2 entertain a motion to adopt Resolution 03-01. I'm sorry,
3 go ahead.

4
5 MR. DRIVER: Good morning, Mr. Chairman.
6 My name is Phil Driver. I'm a professional hunting guide
7 here in Alaska, I've been so for about 35 years. I
8 represent the licensed hunting guides of this state on
9 this group.

10
11 The main emphasis that was put to me by
12 my constituents was to actively participate and organize
13 into this group and try to come up with a working plan
14 for management of caribou. A lot of people said at one
15 time this group could never work, it was too diverse and
16 too much personal agenda for us to work together. Well,
17 this proves that they were absolutely wrong. The beauty
18 of this whole working group was the fact that we did work
19 together for the conservation of this caribou herd
20 through the scientific information we had from the
21 agencies and from the on the ground knowledge that was
22 acquired by the hunters and people who use this herd.

23
24 I think we've done a wonderful job and I
25 would urge you to approve this plan that we've come up
26 with.

27
28 I thank you for your time.

29
30 CHAIRMAN DEMIENTIEFF: Thank you, very
31 much. Grace.

32
33 MS. CROSS: Our RAC is very comfortable
34 with this plan. We had reports on it and our area is
35 very well represented.

36
37 Thank you.

38
39 CHAIRMAN DEMIENTIEFF: Thank you. I must
40 be in my adjournment mode, I'm starting to skip over
41 people. We got a Staff Committee recommendation.

42
43 MS. FOX: We serve whatever you want to
44 do. Okay, the Staff Committee consensus is to offer this
45 resolution of support for the Western Arctic Caribou Herd
46 Cooperative Management Plan for your consideration.

47
48 This is a non-binding resolution and the
49 plan is a continuing work in progress. The working
50 group's goal is to obtain support from the regulatory

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1 bodies of the State and the Federal Subsistence Board.

2

3 This plan has been presented to the four
4 affected Regional Advisory Councils, which are North
5 Slope, Northwest Arctic, Seward Peninsula and the Yukon-
6 Kuskokwim Delta. And as I understand, all Councils have
7 had an opportunity to review this plan and I would
8 suggest that we invite the Chair to seek their comments.
9 Grace has already offered hers, I see the others aren't
10 here, so I guess we'll just continue.

11

12 I'd like to also recognize John Trent on
13 behalf of the Staff Committee for his personal dedication
14 to this collaborative effort and for his ability to keep
15 the goal in sight and orchestrate the document before
16 you.

17

18 With that, I would like to read the
19 resolution into the record, however, you do have it
20 before you so I'll leave that your discretion, Mr. Chair.

21

22 CHAIRMAN DEMIENTIEFF: I think we just
23 need to enter it into the record, everybody's had the
24 opportunity to read it.

25

26 MS. FOX: Thank you.

27

28 CHAIRMAN DEMIENTIEFF: Okay, with that
29 we're ready for.....

30

31 MR. CESAR: So moved, Mr. Chair.

32

33 CHAIRMAN DEMIENTIEFF: Move to adopt 03-
34 01. Is there a second.

35

36 MR. EDWARDS: Second.

37

38 CHAIRMAN DEMIENTIEFF: Moved and
39 seconded. Again, I'll just offer my personal comments.
40 Ron, go ahead.

41

42 MR. SAM: Thank you, Mr. Chairman. While
43 we aren't mentioned specifically, the Koyukuk River Basin
44 really appreciates all the efforts that have been
45 presented in the plan. We do have a representative on
46 there and Willie did thank us for appointing him. And
47 with that I'd just like to express Koyukuk River Basin's
48 appreciation for providing us with all the benefits that
49 comes our way as I mentioned before.

50

00335

1 Thank you.

2

3 CHAIRMAN DEMIENTIEFF: Thank you. Go
4 ahead.

5

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

7 Well, we're not affected here either but I would like to
8 compliment you on your consensus approach and look
9 forward to the same results in Unit 2, and are you guys
10 available for deer. Thank you. Congratulations.

11

12 CHAIRMAN DEMIENTIEFF: Yeah, we'll just
13 move that team down there. But I, too, just want to
14 compliment everybody on their hard work. And this is
15 another classic example and I think Phil's point of view
16 about approaching this issue, you know, this can't work,
17 too diverse, you know, and that's another classic example
18 of getting the stakeholders to a table and things just
19 work out. And that's how we've solved all kinds of
20 thorny problems, and this is just another classic example
21 of that. It's the most effective management tool that we
22 have today in Alaska. And I just compliment you for
23 that.

24

25 And with that we'll just go ahead -- oh,
26 Taylor.

27

28 MR. BRELSFORD: Mr. Chairman, thank you,
29 if I may. On behalf of the BLM, I'd like to make three
30 observations regarding the plan.

31

32 First of all this planning effort has
33 been groundbreaking in several respects. You have proved
34 false the assertion in the literature that cooperative
35 management only arises in a time of crises. This is a
36 proactive plan looking ahead creating consensus in that
37 fashion and it's required a great deal of commitment on
38 the part of local people as well as all the agencies.

39

40 Secondly, this plan breaks new ground in
41 its scale and diversity of stakeholders. We've not seen
42 a plan that has to address concerns across nearly a fifth
43 of the state of Alaska. The cultural diversity among the
44 40 subsistence reliance villages is quite significant and
45 the stakeholder diversity, the group of people that have
46 come together to look for the greater good, and this is
47 really an extraordinary model that we want to draw a lot
48 of lessons from.

49

50 The second thing that I'd like to mention

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1 is that the BLM, nationally has undertaken a major
2 initiative in the area of environmental conflict
3 resolution or alternative dispute resolution. They are
4 designing a web site to identify best practices in each
5 of the states where the BLM is active and the Western
6 Arctic Caribou Herd Plan will be one of the two Alaskan
7 examples of best practices in the area of collaborative
8 action and environmental conflict resolution.

9

10 And finally, I want to end on a note of
11 hope for another challenge facing us, we are moving into
12 an era where the Regional Councils will have a more
13 diverse composition and I think we're a little tentative
14 about how that's going to play out. I believe that the
15 spirit of statesmanship and of problem-solving that's
16 been demonstrated by the many stakeholders in the Western
17 Arctic Caribou Herd planning effort shows that it can be
18 done. People can rise to the occasion and find the
19 common good.

20

21 So I share the Chair's comments that this
22 is really quite a remarkable achievement and I applaud
23 you.

24

25 CHAIRMAN DEMIENTIEFF: Ron.

26

27 MR. SAM: Thank you, again, Mr. Chair.
28 For many of our public's information, this would be a
29 second plan that has worked out so successfully. As many
30 of you know the Federal Subsistence Board/OSM and ADF&G
31 have created the Koyukuk River Moose Management Working
32 Group and you approved the plan a couple years ago, that
33 plan and its implementation has been very successful and
34 I would like to commend both the Federal Subsistence
35 Board, OSM and Alaska Fish and Game for creating that
36 plan and making it work, too.

37

38 Thank you. For the record.

39

40 CHAIRMAN DEMIENTIEFF: If there's no
41 further discussion.

42

43 (No comments)

44

45 CHAIRMAN DEMIENTIEFF: All those in favor
46 of the motion, please signify by saying aye.

47

48 IN UNISON: Aye.

49

50 CHAIRMAN DEMIENTIEFF: Those opposed,

00337

1 same sign.

2

3 (No opposing votes)

4

5 CHAIRMAN DEMIENTIEFF: Motion carries.

6 Thank you very much.

7

8 We have no other business -- oh, yeah, we
9 do. God, I must be in my adjournment road. Okay, we
10 have awards for customary trade individual recognition
11 award.

12

13 These are the people, there are many
14 individuals who assisted in the development of the
15 regulatory language defining customary trade.

16

17 The Federal Subsistence Board initiated a
18 process in the fall of 2000 and adopted the final rule at
19 their January 2003 meeting. Throughout this process
20 numerous meetings were held by various entities for the
21 purpose to collect information which would assist the
22 Board in developing the language necessary to clearly
23 define the allowable levels for customary trade. Federal
24 agency staff spent an enormous amount of time researching
25 and compiling data making sure that the information
26 provided at these meetings and to the Board was accurate
27 and informative. Public members gave freely of their
28 time and provided to be the vital link in accurately
29 portraying customary and traditional practices pertaining
30 to customary trade.

31

32 At times this process would prove to be
33 highly controversial, arduous and divisive. Challenging
34 the patience and energy of all of these individuals to
35 continue in meeting the goals and objectives asked of
36 them.

37

38 However, it was through their hard work
39 and dedication that the Board was successful in
40 developing regulatory language. Therefore, I strongly
41 feel that it is important for the Board to recognize
42 these individuals and acknowledge their hard work and
43 dedication for a job well done.

44

45 Some of them are not here. Ralph Lohse,
46 he was here yesterday so we gave him his letter and gift
47 yesterday. Dolly Garza, we'll ship that off. Pete
48 Abraham, he's here.

49

50 MR. BOYD: This is just a small token of

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1 our appreciation but we thought maybe they could put it
2 on their dashboard and fill it up with something warm.

3

4 (Laughter)

5

6 MR. ABRAHAM: Thank you. I don't know
7 whether I deserve it or not, but it's a good cup.

8

9 (Applause)

10

11 CHAIRMAN DEMIENTIEFF: Robert Nick.
12 Lester Wilde. Gerald Nicholia. Bert Griest. Chuck
13 Miller. Mike Pakoktak. Della Trumble, she's here.

14

15 MR. BOYD: Thank you, Della.

16

17 (Applause)

18

19 MS. TRUMBLE: Thank you, Mr. Chair. I
20 just want to make a statement in regard to this working
21 group. For my own purposes and where I live, and
22 statewide I have learned a tremendous amount from this
23 working group and how people, in their respective areas
24 do in their lifestyles and as far as their subsistence
25 and I really appreciate being able to have been a part of
26 it.

27

28 Thank you.

29

30 CHAIRMAN DEMIENTIEFF: Grace Cross is
31 here.

32

33 (Applause)

34

35 MS. CROSS: Thank you, very much. It
36 certainly was a learning experience. We started out with
37 chaos and ended up with a product. I'm surprised you
38 gave me a cup, thank you.

39

40 CHAIRMAN DEMIENTIEFF: And also Ray
41 Collins from McGrath will be sent one. And finally, this
42 one is a double gift. Bill Thomas was a member of that
43 working group, in addition, we have another gift in
44 appreciation since he was one of our original program
45 Chairman and so we got a small little token of our
46 appreciation for Bill's years of service as Chair of the
47 Southeast Regional Advisory Council.

48

49 (Applause)

50

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1 CHAIRMAN DEMIENTIEFF: We have letters of
2 appreciation for all of the above, too.

3

4 Let me see, one other thing that I wanted
5 to note is that we're losing a very valuable long-term
6 member of our Staff Committee this year, Ken Thompson is
7 retiring and I just wanted to acknowledge that we
8 appreciate his work. He will be -- his replacement is
9 next to him. We appreciate all of his long hours of work
10 and I mean the Staff Committee does really work hard.
11 And I just want to note that we appreciate that, Ken,
12 thank you very much.

13

14 MR. THOMPSON: Thank you.

15

16 (Applause)

17

18 CHAIRMAN DEMIENTIEFF: I think I've
19 covered all the bases. I don't think there's any other
20 business so I'll give the RAC Chairs any parting shots.
21 Della.

22

23 MS. TRUMBLE: Thank you, Mitch. I wanted
24 to make a statement in regard to some recent work that
25 was done on the Kodiak/Aleutians RAC and the Kodiak
26 Advisory Council, Fish and Game in regard to the goat
27 issue. They did put in a lot of time and effort and
28 outreach to the public to come to a really good, I think,
29 we all feel a good solution. I'd like to thank, not only
30 them, but also the Staff members from the Federal side
31 that have helped participate with that.

32

33 Thank you.

34

35 CHAIRMAN DEMIENTIEFF: I forgot to note
36 that this is a one shot deal. Pete.

37

38 MR. ABRAHAM: I just want to thank you
39 people here with you working and I work as an RIT back
40 home and a RAC member at the same time. And it makes me
41 proud to work with you people because we have a good
42 connection now with the Native people out in the bush and
43 they're beginning to understand what we're doing and what
44 we're doing over here by gosh we're doing a good job and
45 you guys best of all are doing the best job.

46

47 Thank you, very much.

48

49 CHAIRMAN DEMIENTIEFF: Thank you. Grace.

50

00340

1 MS. CROSS: I want to thank everybody
2 that is involved in helping to solve our fish and game
3 problems up my way. People have been most cooperative
4 and I really appreciate the Board for making changes for
5 us when we need to. We hope that eventually with
6 everybody working together our region's problems will
7 become better.

8

9 Thank you.

10

11 CHAIRMAN DEMIENTIEFF: Ronny.

12

13 MR. SAM: Thank you, Mr. Chair. As
14 former Chairman Thomas so ably said recently, before you
15 were Chairman we never used to have wars in Western
16 Interior. But then I don't see Harry Wilde here, but I
17 would just like to inform the Board that we have been
18 meeting privately and we do expect a resolution to our
19 problem. And while it may be premature, I do expect that
20 we will by our joint meetings. And I would like to thank
21 your efforts, Interagency Staff Committee efforts and
22 your efforts in directing us in the right way.

23

24 Thank you.

25

26 CHAIRMAN DEMIENTIEFF: John.

27

28 MR. LITTLEFIELD: Mr. Chair. I would
29 like to thank the Board for helping me along on my first
30 trip before you. I thoroughly enjoyed it. I enjoy
31 these. I learn something every time I sit down here.
32 And as well as the other -- listening to the other
33 Council Chairs. Thank you very much for that
34 opportunity.

35

36 I'd also like to thank you for
37 recognizing in some small way, Mr. Thomas. I think he's
38 done an admirable job for the people of Southeast in
39 representing their interests and has been an advocate in
40 the truest sense of ANILCA. And I've tried to follow
41 that a little bit by asking you to give deference to the
42 RACs as ANILCA requires and I believe he's asked you to
43 before.

44

45 Thank you, very much, for this
46 experience.

47

48 CHAIRMAN DEMIENTIEFF: Thank you. Terry,
49 you had a comment.

50

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1 MR. HAYNES: Mr. Chairman, thank you. As
2 always, the Department appreciates the opportunity to
3 participate in this process and we appreciate the
4 consideration given to comments and input that we
5 provide. I appreciate the fact that Della brought up the
6 Kodiak goat process because that is another example of
7 how some of these contentious issues can get resolved at
8 the local level and because that proposal was on the
9 consent agenda, I wanted to make sure it did get some
10 acknowledgement on the record so I appreciate Della
11 bringing it up.

12

13 Thank you again.

14

15 CHAIRMAN DEMIENTIEFF: Board members, any
16 parting shots.

17

18 MR. CESAR: Mr. Chairman, again, I learn
19 something every time. And this time I learned I wasn't
20 as good a parliamentarian as I thought I was.

21

22 (Laughter)

23

24 MR. CESAR: But I also, you know, know
25 that if I were running this thing we'd be out of here a
26 hell of a lot faster.

27

28 (Laughter)

29

30 MS. GOTTLIEB: Mr. Chair.

31

32 CHAIRMAN DEMIENTIEFF: Thanks for the
33 dig, Niles.

34

35 (Laughter)

36

37 MS. GOTTLIEB: I'm not sure I agree with
38 that. But I do want to thank everybody who made this
39 meeting happen. We had some tough issues and I'm really
40 pleased with the positive feedback from the RAC Chairs.
41 As we do say, our system is not perfect but I'm glad to
42 hear maybe we're making a little bit of progress towards
43 that goal and thank everybody for the work of what
44 they've done to get us as far as we have.

45

46 CHAIRMAN DEMIENTIEFF: Taylor.

47

48 MR. BRELSFORD: Mr. Chairman, on Henry's
49 behalf I'd like to convey to the Board a comment that
50 he's made recently. Although he's relatively new to

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1 Alaska I have heard him say that he considers the
2 subsistence management responsibility one of the most
3 exciting and challenging issues that he's faced in his
4 career. And I know he was sorry to have to miss today.
5 His responsibilities in the energy arena are really quite
6 heavy at this point. But he holds this program in very
7 high regard and I find that he is quite diligent in his
8 prepa -- he asks very hard questions, I want you all to
9 know, so I offer his words of appreciation.

10

11 MR. EDWARDS: Mr. Chairman, I don't
12 always leave these meetings feeling good about everything
13 we did but I think in my mind I can leave this meeting
14 feeling very good about the things we did.

15

16 DR. KESSLER: Yes. I'll follow that with
17 saying that I believe we've made some significant
18 progress on what are some of our thorniest issues and
19 we've got a lot more work to do. But I just want to
20 thank everybody for this progress we've been able to
21 realize.

22

23 CHAIRMAN DEMIENTIEFF: Okay. And in my
24 closing remarks, I just have a word of caution for the
25 Board. And there is a growing perception that the Staff
26 Committee plays -- is driving the ship. In actuality,
27 the Staff Committee works on consolidating the
28 information necessary for us to make a decision from the
29 proposal maker and from the input from the Regional
30 Council. But there is one little note that I want to
31 make and that is, somewhere along the line we got off --
32 we got off track of moving the Regional Advisory Council
33 recommendation, and how we used to do it is we used to
34 move -- move the Regional Advisory Council recommendation
35 as amended by the Interagency Staff Committee, and
36 somewhere along the line we started moving the
37 Interagency Staff Committee recommendation, which I think
38 lends to that -- to the idea that maybe the Interagency
39 Staff Committee is developing these. Well, they do work,
40 each one of us has a Staff Committee member, each Board
41 member, and they just do the work getting us prepared as
42 individual Board members. So the next time we meet, I'd
43 just like to suggest strongly to the Board that we move
44 the Regional Council recommendation and you can, you
45 know, add as amended by the Interagency Staff Committee
46 recommendations.

47

48 But that is the operating motivating
49 factor for us. So if we just keep that in mind beginning
50 -- we used to do it all the time and just, I don't know,

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1 somehow we got away from it. But it was just one of the
2 things I thought about last night as we were preparing --
3 or as I was working on the Proposal No. 5 issue, it's
4 another thing that I thought and I was glad that we
5 finally got back to, you know, to -- because we use the
6 Regional Council recommendation as the basis to build off
7 of on the consensus. So we just need to get back to
8 doing that if we can, please. I think it sends the right
9 message to our Board members.

10

Keith, what?

12

13 MR. GOLTZ: I'd just like to thank the
14 working groups for putting the lawyers out of business.
15 Keep it up.

16

(Laughter)

18

19 CHAIRMAN DEMIENTIEFF: And anyway, in
20 closing I'll just say I do appreciate all the work, you
21 know, there's always lots of hard work that goes into
22 this and everybody does take the time to get prepared, to
23 get here and I just thank everybody that's involved with
24 the process and with that, we'll get out of here.

25

Adjourned.

27

28 (END OF PROCEEDINGS)

