

1 FEDERAL SUBSISTENCE BOARD
2
3 PUBLIC REGULATORY MEETING
4
5 VOLUME II
6
7 COAST INTERNATIONAL INN
8 ANCHORAGE, ALASKA
9
10 APRIL 30, 2008
11 8:30 o'clock a.m.
12
13 MEMBERS PRESENT:
14
15 Mike Fleagle, Chair
16 Thomas Melius, U.S. Fish and Wildlife Service
17 Thomas Lonnie, Bureau of Land Management
18 Marsha Blaszak, National Park Service
19 Denny Bschor, U.S. Forest Service
20 Niles Cesar, Bureau of Indian Affairs
21
22 Ralph Lohse - Southcentral RAC
23 Randy Alvarez - Bristol Bay RAC
24 Bertrand Adams - Southeast RAC
25 Sue Entsminger - Eastern Interior RAC
26 Patrick Holmes - Kodiak/Aleutians RAC
27 Victor Karmun - Northwest Arctic RAC
28 Jack Reakoff - Western Interior RAC
29 Greg Roczicka - Yukon-Kuskokwim Delta RAC
30 Myron Savetilik - Seward Peninsula RAC
31
32
33 Commissioner Denby Lloyd/Ken Taylor, State of Alaska
34 Representative
35
36 Keith Goltz, Solicitor's Office
37
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P R O C E E D I N G S

(Anchorage, Alaska - 4/30/2008)

(On record)

CHAIRMAN FLEAGLE: Good morning. The Federal Subsistence Board reconvenes. Today is April 30th, we're in Anchorage, and it was trying to snow earlier, so it is springtime still. April

And we're going to start out with the public comment period, but before we go there, I'm going to look to the Board and Pete, are there any announcements that need to be made before we get going. Pete.

MR. PROBASCO: Thank you, Mr. Chair. Just a reminder to the Board that we do have a proposal that's time certain, and it's 30/31, which I believe we all agreed would take place right after lunch.

CHAIRMAN FLEAGLE: You bet. Thanks. Other comments.

(No comments)

CHAIRMAN FLEAGLE: All right. Moving on, public comment period for non-agenda items. Do we have any people that wish to testify.

MR. PROBASCO: Mr. Chair, I have no slips for testimony.

CHAIRMAN FLEAGLE: How about public comment period for consensus agenda items.

MR. PROBASCO: I also have no sheets for comments.

CHAIRMAN FLEAGLE: All right. That concludes our morning comment period, and we're moving back into proposals. Excuse me.

And we left hanging Proposal 08-03 at close of business yesterday.

MR. PROBASCO: 03/04.

CHAIRMAN FLEAGLE: Yeah, 03/04. And,

1 Marcia.

2

3 MS. BLASZAK: Good morning, Mr.
4 Chairman. I'd like to begin this morning by proposing
5 to withdraw my motion from yesterday afternoon on
6 Proposal 08-03/04.

7

8 CHAIRMAN FLEAGLE: Pete, who was the
9 second?

10

11 MR. PROBASCO: The second was Mr.
12 Melius.

13

14 CHAIRMAN FLEAGLE: Do you concur?

15

16 MR. MELIUS: Sure, Mr. Chairman.

17

18 CHAIRMAN FLEAGLE: Any objection.

19

20 (No comments)

21

22 CHAIRMAN FLEAGLE: All right. Motion
23 withdrawn.

24

25 MS. BLASZAK: Thank you, Mr. Chair.
26 And I'd like propose a new motion on the same wildlife
27 proposal, and that would be that we accept the
28 recommendation of the Council, with one amendment.
29 Currently in the regulations the end date for wolverine
30 is shown as January 31st, and recognizing that tying
31 the end date of the wolverine season to the end date of
32 the lynx season would accomplish the desired objective
33 that we discussed yesterday. What we're proposing is
34 to amend the proposal as it was submitted from the
35 Council to include tying the end date to the end date
36 of lynx, and.....

37

38 CHAIRMAN FLEAGLE: Okay. Can I
39 interrupt just a minute.

40

41 MS. BLASZAK: Sure.

42

43 CHAIRMAN FLEAGLE: Let's just -- in
44 order to do it a little more fluidly I guess, that
45 makes it easier to follow, let's have a motion that's
46 just move to adopt Proposal 08-03 and then let's get a
47 second on that, and then move for the amendment so that
48 if the amendment.....

49

50 MS. BLASZAK: Thank you.

1 CHAIRMAN FLEAGLE:doesn't happen
2 or doesn't carry, then we're left with the main
3 proposal. And then we'll address the Council
4 recommendation and the justification.

5
6 MS. BLASZAK: Thank you. I'd like to
7 move to adopt the proposal.

8
9 MR. MELIUS: Second.

10
11 CHAIRMAN FLEAGLE: All right. We have
12 the proposal before us as presented. And then the
13 amendment.

14
15 MS. BLASZAK: I'd like to amend the
16 proposal to tie the end date for wolverine with the end
17 date for lynx.

18
19 MR. MELIUS: Second.

20
21 CHAIRMAN FLEAGLE: All right. We do
22 have an amendment. Would you want to go ahead and
23 speak to that.

24
25 MS. BLASZAK: Again, after the
26 discussion yesterday, I believe this accomplishes what
27 was proposed, and because the lynx season is set
28 annually, if we tie the end date, it would accomplish
29 the objective of not having to have wolverine caught
30 beyond the season for wolverine be turned in, that they
31 could be kept.

32
33 CHAIRMAN FLEAGLE: Further discussion.
34 Denny, go ahead.

35
36 MR. BSCHOR: No, Mr. Chair. I was just
37 shaking my head that I think that would be a good idea.

38
39 CHAIRMAN FLEAGLE: Okay. All right.
40 I'm going to vote against the amendment, because as
41 stated yesterday, I still believe that we can have a
42 wolverine season that ends at a time certain without
43 causing a conservation concern to the lynx population.
44 But sensing that the amendment will pass, I will
45 support the proposal as presented -- I would support
46 the proposal as originally presented, so I'm going to
47 vote against the amendment. I guess I should make it
48 that quick.

49
50 Are we ready for the question.

1 MR. CESAR: Question.
2
3 CHAIRMAN FLEAGLE: The question's
4 called on the amendment. Pete. To tie the wolverine
5 season to the end of the lynx season.
6
7 MR. PROBASCO: Okay. Action on the
8 amendment to WP08-03/04. Mr. Lonnie.
9
10 MR. LONNIE: Yes.
11
12 MR. PROBASCO: Mr. Cesar.
13
14 MR. CESAR: Yes.
15
16 MR. PROBASCO: Mr. Bschor.
17
18 MR. BSCHOR: Yes.
19
20 MR. PROBASCO: Mr. Melius.
21
22 MR. MELIUS: Yes.
23
24 MR. PROBASCO: Mr. Fleagle.
25
26 CHAIRMAN FLEAGLE: No.
27
28 MR. PROBASCO: And Ms. Blaszak.
29
30 MS. BLASZAK: Yes.
31
32 MR. PROBASCO: The amendment carries,
33 five/one.
34
35 CHAIRMAN FLEAGLE: Thank you. We now
36 have the main motion on Proposal 08-03. Pete, go
37 ahead, poll the Board, please.
38
39 MR. PROBASCO: Final action on WP08-
40 03/04. Mr. Cesar.
41
42 MR. CESAR: Yes.
43
44 MR. PROBASCO: Mr. Bschor.
45
46 MR. BSCHOR: Yes.
47
48 MR. PROBASCO: Mr. Melius.
49
50 MR. MELIUS: Yes.

1 MR. PROBASCO: Mr. Fleagle.
2
3 CHAIRMAN FLEAGLE: Yes.
4
5 MR. PROBASCO: Ms. Blaszak.
6
7 MS. BLASZAK: Yes.
8
9 MR. PROBASCO: Mr. Lonnie.
10
11 MR. LONNIE: Yes.
12
13 MR. PROBASCO: Motion carries,
14 six/zero.
15
16 CHAIRMAN FLEAGLE: All right. Great.
17 And that dispenses with Proposal 04 as well since it
18 was rolled right into 03, right? We dealt with both of
19 them?
20
21 MR. PROBASCO: Yep. 03/04 was
22 combined.
23
24 CHAIRMAN FLEAGLE: Okay. That moves us
25 forward now to Proposal 11 dealing with Unit 6 moose.
26 Take a moment for the Staff change out.
27
28 (Pause)
29
30 CHAIRMAN FLEAGLE: I'd like to
31 recognize Ken Lord to the table from the Solicitor's
32 Office. Welcome.
33
34 MR. LORD: Thank you.
35
36 CHAIRMAN FLEAGLE: All right. We're
37 prepared for the lead analysis -- or, I mean, the
38 analysis from OSM, and we have Chuck Ardizzone and good
39 morning.
40
41 MR. ARDIZZONE: Mr. Chair, I'd like to
42 introduce Milo Burcham, Forest Service.
43
44 CHAIRMAN FLEAGLE: Good morning.
45 Welcome. Thanks.
46
47 MR. BURCHAM: Yeah. Milo Burcham,
48 Forest Service biologist from the Cordova Ranger
49 District, and I wrote the analysis with OSM on this
50 Proposal 08-11. This can be found on Pages 309 through

1 319 in your book. It has to do with moose in Unit 6C
2 on the Copper River Delta.

3
4 This Proposal was submitted by the
5 Alaska Department of Fish and Game and requests that
6 the Federal portion of the Unit 6C moose harvest be
7 changed from 100 percent of the antlerless moose
8 permits and 75 percent of the bull moose permits to 30
9 antlerless moose permits. And when fewer than 30
10 antlerless moose are allocated in the harvest, the
11 difference will be taken from the State bull harvest to
12 maintain 30 subsistence moose permits.

13
14 The proponent believes that with the
15 moose population at or above the population objectives
16 stated in the management plan, and historically high
17 harvests, the number of Federal subsistence moose
18 permits in Unit 6C, which was up to 104 last year, is
19 greater than intended when the Federal management of
20 moose in Unit 6C began in the year 2000. Since the
21 population objective is to manage for a stable herd
22 size, a fixed allocation that meets the subsistence
23 needs, rather than a percentage, would be more
24 appropriate. They also suggest that the subsistence
25 harvest continue to be taken from Unit 6C as it is the
26 most productive segment of the moose population in Unit
27 6, and that the majority of the harvest from adjacent
28 units, 6A and 6B, are already being taken largely by
29 Cordova residents under State regulation.

30
31 For some background, the ownership in
32 the area is -- basically on the west Copper River
33 Delta, Unit 6C, is 71 percent Federal lands and that's
34 all Forest Service Land. And this will come up in my
35 discussion here in a few minutes, for more background.

36
37
38 The Copper River Highway is the primary
39 road access in Unit 6C, and through moose habitat on
40 the delta -- within moose habitat, the highway passes
41 through approximately 12 miles of Federal public lands
42 and 8 miles of non-Federal lands, meaning that
43 approximately 40 percent of the road is closed to --
44 you know, hunting from the road in that area is closed
45 to Federal subsistence hunting.

46
47 For more regulatory background, in 2000
48 the Board approved five Unit 6C cow permits, which was
49 100 percent of the allowable harvest for the time for
50 the Federal subsistence program. On average, in the

1 State drawing in the past, 66 percent of the permits in
2 the random draw, generally, you know, about that, went
3 to Cordova residents.

4
5 In 2002, after what Cordova residents
6 might term a bad draw -- in 2002, following the State
7 drawing where approximately 50 of the 6C bull moose
8 permits went to non-local residents, Alaska residents
9 outside of Cordova, a proposal was submitted asking
10 that 100 percent of the 6C bull permits be moved to the
11 Federal subsistence program. The Board, acting on
12 recommendations from the Council, provided bull moose
13 -- provided Federal permits for the harvest of 75
14 percent of the allowable bull moose harvest quota in
15 addition to the cow moose harvest allocation that was
16 already in place. This allocation roughly reflected
17 the Federal land ownership as well as the average
18 percent of permits that Cordova received through the
19 State drawing.

20
21 Current cooperative moose management
22 objectives are to maintain a post-hunting population of
23 400 moose on the west Copper River Delta. Moose
24 numbers in Unit 6C have increased since the
25 implementation of this management plan, reaching
26 historic high of 560 moose in the winter of 2006/2007,
27 allowing for the largest harvest ever from that unit.
28 Also because of relatively easy access to Unit 6C,
29 especially by road and airboat, hunter success is
30 nearly 100 percent for moose permit holders, and the
31 hunt is extremely popular among Cordova residents. The
32 Federal subsistence hunt is very popular.

33
34 Last year, with the high number of
35 moose permits that was available, 900 rural residents
36 applied for the 104 permits that were out there. But
37 in general, in the past seven years since I've been
38 there, the number of people applying has ranged from
39 600 to 900 for anywhere from 20 to 100 permits.
40 Anyway, it is very popular.

41
42 We looked at a couple alternatives in
43 analyzing this proposal. The first one was moving all
44 Unit 6C moose harvest into the Federal subsistence
45 program, which would increase the number of permits
46 going to Federally-qualified subsistence users. But we
47 also decided that although it had the advantage of all
48 those permits going to Federal subsistence users, it
49 had a negative result as well. And that would
50 effectively close a significant portion of the unit,

1 the non-Federal lands to all moose harvest. And that
2 goes back to what I told you about the road running
3 through non-Federal lands, the eight miles of the
4 Copper River Highway that pass through non-Federal
5 lands, limiting opportunity for those who only form of
6 transportation is highway vehicles.

7
8 Another thing we looked at was
9 splitting the antlerless moose harvest allocation in 6C
10 to 75 percent for the Federal subsistence program and
11 25 percent for the State program and is done for the
12 bull moose harvest quota. This would ensure that the
13 harvest is distributed across Federal and non-Federal
14 lands, as well as continue a priority for qualified
15 subsistence users. This would increase the opportunity
16 to harvest an antlerless moose along the road system
17 for those who hunt under the State permit, but by
18 reducing the Federal allocation, could open for
19 consideration no Federal open season language in other
20 parts of Unit 6.

21
22 The OSM conclusion is to oppose
23 Proposal WP08-11, and the justification is that the
24 demand for moose by Federally-qualified subsistence
25 users in Unit 6 greatly surpasses the number of moose
26 permits that are available for harvest, even with the
27 increased harvest quota in the last several years.
28 Proposal WP08-11 would reduce the number of moose
29 permits available to Federally-qualified subsistence
30 users and would be inconsistent with the subsistence
31 priority provided by ANILCA. A fixed allocation of 30
32 moose as recommended by the proponent does not allow
33 for fluctuations in the moose population, or increased
34 harvest as has occurred recently in Unit 6C.

35
36 And I'll leave it at that.

37
38 CHAIRMAN FLEAGLE: Okay. Thank you,
39 Milo.

40
41 Summary of written public comments.
42 Donald Mike, good morning.

43
44 MR. MIKE: Good morning, Mr. Chair.
45 Thank you. You'll find your written public comments
46 starting on Page 319.

47
48 And there was one written comment
49 received. The Copper River/Prince William Sound
50 Advisory Committee opposed the proposal. The advisory

1 committee's concern was the limited number of moose
2 available for harvest under the current management
3 plan. There's a high proportion of Cordova residents
4 that request the drawing hunt, and giving back to the
5 State would limit Cordova residents' ability to fulfill
6 their subsistence needs.

7

8 Thank you, Mr. Chair. That concludes
9 the written summary of public comments.

10

11 CHAIRMAN FLEAGLE: Thank you, Don.
12 Public testimony, Pete.

13

14 MR. PROBASCO: Mr. Chair. We have no
15 one signed up for this proposal.

16

17 CHAIRMAN FLEAGLE: Thank you. Regional
18 Council recommendation. Do we have -- Ralph Lohse.

19

20 MR. LOHSE: Thank you, Mr. Chair. The
21 Regional Council voted unanimously to oppose this
22 recommendation -- this proposal, and I'll speak to the
23 proposal later in the discussion period.

24

25 CHAIRMAN FLEAGLE: Thank you, Ralph.
26 Eastern Interior. Sue.

27

28 MS. ENTSMINGER: We don't have that
29 one.

30

31 CHAIRMAN FLEAGLE: You don't. Okay.
32 I'm looking at the wrong page. Sorry.

33

34 All right. Let's move on then. Alaska
35 Department of Fish and Game comments. I suppose they
36 have comments. Ken Taylor.

37

38 MR. TAYLOR: Thank you, Mr. Chairman.
39 I'm sure we do. Terry Haynes will speak to this
40 proposal.

41

42 CHAIRMAN FLEAGLE: Thank you. Good
43 morning, Terry.

44

45 MR. HAYNES: Mr. Chairman. Thank you.
46 Our written comments are on Page 318 of your Board
47 meeting book.

48

49 Existing regulations allocate a high
50 percentage of the harvestable surplus of moose in Unit

1 6C to the Federal subsistence hunt, totalling 100
2 percent of the antlerless moose quota and 75 percent of
3 the bull quota, or about 95 percent of the overall
4 harvest quota. As the moose population has grown in
5 recent years, this formula has resulted in a growing
6 number of moose being set aside for the Federal hunt,
7 while the population of Federally-qualified subsistence
8 users remains constant. Our proposal would allocate a
9 specific number of moose to the Federal hunt instead of
10 a percentage of the harvestable surplus.

11
12 Staff analysis has pointed out in
13 numerous places that demand for moose in Unit 6C by
14 Federally-qualified subsistence users greatly exceeds
15 supply. However, it is also true that moose harvest by
16 Cordova residents in Units 6A, 6B and 6C combined have
17 grown steadily in recent years -- over the past 10
18 years from 34 in 1997 to 102 in 2006. In Unit 6C
19 during the same 10-year period, Cordova residents
20 harvested a low of 15 moose in 2001 and a high of 73 in
21 2006.

22
23 Mr. Chairman. The Department believes
24 this proposal illustrates the fundamental process issue
25 of the need for the Federal Subsistence Board to
26 determine how many moose in Unit 6 are necessary to
27 provide for continued subsistence by Cordova residents.
28 Under the current regulatory framework, the number of
29 moose allocated to the Federal hunt in Unit 6C will
30 continue to grow unchecked as the moose population
31 increases, although we do acknowledge that future
32 growth of this population likely will be limited. But
33 this ever increasing allocation has the effect of
34 restricting opportunities for other hunters without
35 first determining the amount reasonably necessary for
36 subsistence, and results in unnecessary restrictions to
37 other uses.

38
39 Thank you, Mr. Chairman.

40
41 Alaska Department of Fish and Game
42 Comments to Federal Subsistence Board

43
44 Wildlife Proposal WP08-11:

45
46 Adjust the number of moose allocated to
47 the federal subsistence moose hunt in Unit 6C.

48
49 Introduction:

50

1 Existing regulations allocate a high
2 percentage of the harvestable surplus of moose in Unit
3 6C to the federal subsistence hunt, totaling 100% of
4 the antlerless quota and 75% of the bull quota (about
5 95% of the overall harvest quota). As the moose
6 population has grown in recent years, this formula has
7 resulted in a growing number of moose being set aside
8 for the federal hunt while the population of federally-
9 qualified subsistence users remained constant. This
10 proposal would allocate a specific number of moose
11 (n=30) to the federal hunt instead of a percentage of
12 the harvestable surplus.

13

14 Impact on Subsistence Users:

15

16 Based on moose harvest trends among
17 federally-qualified subsistence users in recent federal
18 and state hunts and based on projected harvests under
19 the proposed change in allocation, adoption of this
20 proposal would have no negative impacts on subsistence
21 users.

22

23 Opportunity Provided by State:

24

25 The state moose hunt in Unit 6C is open
26 to residents only and is administered by drawing
27 permit. One bull may be taken during the September 1
28 October 31 season. Federally-qualified subsistence
29 users have obtained an average of two-thirds of the
30 state drawing permits issued annually for this hunt
31 over the past 10 years. Under current regulations, 75%
32 of the harvestable surplus of bulls is allocated to the
33 federal hunt and 25% to the state hunt.

34

35 Other Comments:

36

37 The staff analysis points out several
38 times that demand for moose in Unit 6C by federally-
39 qualified subsistence users greatly exceeds supply.
40 However, it is also true that moose harvests by Cordova
41 residents in Units 6A (West), 6B, and 6C combined have
42 grown steadily over the past 10 years, from 34 in 1997
43 to 102 in 2006. In Unit 6C during the same 10-year
44 period, Cordova residents harvested a low of 15 moose
45 in 2001 and a high of 73 in 2006.

46

47 Recommendation:

48

49 Adopt. This proposal illustrates the
50 fundamental process issue of the need for the Federal

1 Subsistence Board to determine how many moose in Unit 6
2 are necessary to provide for continued subsistence uses
3 by Cordova residents. Under the current regulatory
4 framework, the number of moose allocated to the federal
5 hunt in Unit 6C will continue to grow unchecked as the
6 moose population increases (although that future growth
7 of this population likely will be limited). This ever
8 increasing allocation has the effect of restricting
9 opportunities for other hunters without first
10 determining the amount reasonably necessary for
11 subsistence and without evaluating unnecessary
12 restrictions on other uses.

13

14 CHAIRMAN FLEAGLE: Thank you, Terry.
15 Interagency Staff Committee comments, Larry.

16

17 MR. BUKLIS: Thank you, Mr. Chairman.
18 The InterAgency Staff Committee comments can be found
19 on Page 317.

20

21 In addition to the kind of standard
22 statement I read on the first day, there are several
23 points the Staff Committee makes. I'll highlight
24 those.

25

26 The State makes two main arguments.
27 First, that the Board needs to determine how many moose
28 in Unit 6 are necessary to provide for subsistence uses
29 by Cordova residents, and (2) based on moose harvest
30 trends among Federally-qualified subsistence users and
31 based on projected harvests under the proposed change
32 in allocation, adoption of this proposal would have no
33 negative impacts on subsistence users. The Federal
34 InterAgency Staff Committee does not agree.

35

36 The Federal program is under no
37 obligation to quantify the numbers of moose necessary
38 for Cordova residents. ANILCA provides for a
39 subsistence take priority on public lands over take for
40 other purposes. There is no cap set on the amount of
41 take. Even if there were a cap, Cordova residents
42 request far more permits to harvest moose in Unit 6C
43 than are available. It is clear that when over 900
44 people representing 500 or more households apply for a
45 Federal permit in Unit 6C and only approximately 100
46 permits are available, that the moose available under
47 current regulations should be provided to Federally-
48 qualified subsistence users consistent with ANILCA
49 Section 804.

50

1 The InterAgency Staff Committee brings
2 to the Board's attention that Unit 6 moose regulations
3 are anomalous. In most areas of the State, Federal
4 lands in Unit 6C would be closed to non-Federally-
5 qualified subsistence users, because the harvestable
6 surplus of moose is insufficient to meet subsistence
7 demand. However, rather than close Federal lands, a
8 workable solution has been established based on
9 recommendations of the Southcentral Council for
10 distributing the available moose permits.

11
12 Also unusual, Units 6A and 6B are
13 closed to Federal subsistence moose hunting, although
14 both units include considerable Federal public land,
15 and the majority of successful hunters are Federally-
16 qualified subsistence users, but hunting moose under
17 State regulations.

18
19 Federally-qualified subsistence users
20 and the Council seem to be supportive of these
21 anomalous characteristics in Unit 6 and support the
22 status quo.

23
24 Thank you, Mr. Chairman.

25
26 CHAIRMAN FLEAGLE: Thank you, Larry.

27
28 Discussion. Ralph, did you want to
29 jump in now?

30
31 MR. LOHSE: Thank you, Mr. Chair. This
32 is one of the -- this meeting for the Southcentral
33 Regional Advisory Council was held in Cordova, and the
34 testimony was overwhelmingly in favor of opposing this
35 proposal.

36
37 As has been pointed out, there were 900
38 applications for 100 moose. Out of those 100 moose,
39 probably close to 100 percent were taken. If you've
40 ever been in Cordova and watch how moose are taken care
41 of and shared, it would be amazing. Cordova residents
42 probably have one of the best -- they probably turn out
43 moose meat that looks closer to beef than any place
44 else in the State. They have the facilities to take
45 care of it and they take care of it as a group.

46
47 I sat down and just ran a few numbers
48 out of that. There's about 2,000, 2,500 residents in
49 Cordova. If you take 100 moose and you multiply them
50 times 800 pounds, you've got about 80,000 pounds of

1 meat, which comes out to 40 pounds of meat per
2 resident. From that standpoint, I don't think you can
3 say that the subsistence needs of Cordova are met by
4 100 moose. Thankfully there are other things to eat,
5 too.

6
7 Obviously even more could be taken.
8 It's probably one of the places that has the least
9 waste of anything, any place that takes animals. And
10 the Cordovans really felt that if there was 200, they
11 could use all of them, and they could probably use
12 more.

13
14 Now, the one thing we need to remember
15 is we're dealing with an anomaly. We're reacting to an
16 anomaly. As has been pointed out, we had a high moose
17 take the last two years. We have a goal to have -- we
18 had a goal to have that moose herd at 400. Cordova
19 residents have voluntarily -- and, see, Cordova planted
20 these moose. Cordova has managed these moose. And
21 they voluntarily reduced their take for a number of
22 years to bring the moose up to 400. Well, we had a
23 couple winters, we didn't get good flying, we didn't
24 get good counts, and the moose count went above 400, so
25 what they did is we had a large season to bring them
26 back to the desired level. The take that we had this
27 year is not going to be the normal take every year.
28 This is an anomaly.

29
30 We were talking about the land being 71
31 percent Federal. That leaves 29 percent State. But if
32 you go take a look at the ownership of that 29 percent,
33 you find that most of that land is owned by either the
34 Native Village of Eyak or the Chugach tribe, the
35 Chugach people, which live in Cordova. So the majority
36 of the remaining land is owned by Cordova residents,
37 the Native Village of Eyak. And as they pointed out at
38 the meeting, they would just as soon the moose stayed
39 in the Federal hunt, because they get to hunt them in
40 the Federal hunt, and the land that's open for the
41 State, everybody else can draw for the State, including
42 Cordova residents, and they do.

43
44 The fact that Cordova residents take
45 most of the moose in B and C is -- in fact, in C you'll
46 find that all of the moose aren't taken, is because
47 nobody else wants to apply for them. They're hard to
48 get. Everybody would love to apply for the ones right
49 along the road, which is where Cordova does most of its
50 hunting. Cordova is an isolated community. It doesn't

1 have access to the rest of the road system, except by
2 ferry. and if you looked at the ferry schedule for
3 this last year, you'll find that it was pretty awkward,
4 pretty hard -- it was even hard for us to get our ball
5 teams out to go play ball some place

6
7 else. And so it looks at this as a --
8 it looks at this a proprietary moose herd, simply
9 because they were raised -- they started raising them
10 in the lawn of the post office in town. There's a lot
11 of people, including one of the members of the Council,
12 can remember feeding the baby calves before they
13 released the first calves out on the delta. They've
14 watched this herd. They've taken care of this herd.
15 They've been the most active in management proposals
16 for the herd.

17
18 As you see, the Prince William
19 Sound/Copper River Advisory Committee opposes this
20 proposal. That's the Fish and Game Advisory Committee
21 out of Cordova. They have been very, very active in
22 the management of this herd and the harvest of this
23 herd, and being the first to allocate protection when
24 the herd is down, allocate -- you know, to advocate, I
25 mean, protection is down, advocate a management plan to
26 bring the herd back up.

27
28 I'll just say that I think we're
29 stepping on -- I think we're stepping on pretty shaky
30 ground right here, because about the time that we want
31 to say that there's more moose than Cordova can use
32 from a subsistence standpoint, I think we would find
33 real quick that if there was more moose, Cordova could
34 even use more moose. So from that standpoint, I
35 disagree with the State's argument in that direction.

36
37 I do recognize that only 71 percent of
38 the land is Federal there, but if you take that 71
39 percent of the land and take a look at it, from Mile 0
40 to Mile 26, a lot of the land that is State -- like was
41 pointed out there's about 8 miles of the road that's
42 State land, and a lot of the land that's State land is
43 also land that people live on. So the majority of the
44 hunting does take place on Federal land. Even the
45 State hunting, the majority of the State hunting takes
46 place on Federal land.

47
48 So from that standpoint, our Council,
49 and our Council from all over Southcentral was
50 unanimously opposed to this proposal. The testimony in

1 Cordova was unanimously opposed to this proposal.
2 People came and talked about how it was shared, how
3 they'd never gotten -- in all the years that they'd
4 been there, they'd never gotten drawn for a moose. In
5 all the years that I had opportunity to apply in
6 Cordova, I've never been drawn for a moose. This last
7 year one of my sons was drawn for a moose, that's the
8 first time that's happened. It's 100 to 900. Usually
9 it's 30 to 600 or 30 to 900 or 30 to 800. I don't
10 think that you could say that there is -- that
11 Cordova's subsistence needs are being met by the amount
12 of moose that are in Cordova at this point in time.

13

14 And with that, I'll leave it go. Any
15 questions, you can ask me.

16

17 CHAIRMAN FLEAGLE: Further discussion.

18 Ken.

19

20 MR. TAYLOR: Thank you, Mr. Chairman.
21 Just a couple of points of clarification.

22

23 That moose herd was started back in I
24 believe 1955 with a transplant of several calves from
25 the Mat-Su Valley working with the Cordova residents.
26 And it was one of the more successful transplants that
27 the State has undertaken, I think primarily due to the
28 strong support from Cordova for that.

29

30 In Ralph's discussion though about
31 lands that are open under the Federal system versus
32 lands that are open under the State system, I was a
33 little bit confused by the native corporation lands,
34 which are open under State system and closed under the
35 Federal system. And I think part of our desire was to
36 have some of those permits available so people can hunt
37 those lands.

38

39 Thank you, Mr. Chairman.

40

41 CHAIRMAN FLEAGLE: Thank you. Further
42 discussion. Terry.

43

44 MR. HAYNES: Yeah. Mr. Chairman. I'd
45 just like to make another point, too, and I don't
46 disagree with a lot of what Ralph has stated.
47 Certainly our proposal was not popular at the
48 Southcentral Council meeting in Cordova. I heard a lot
49 from the public there.

50

1 But I think it's -- what's really
2 important is to understand you can't -- if the effort
3 and the objective was to provide all the animals that
4 subsistence users wanted, we would never get there
5 anywhere in the State. And that's a different number
6 than providing a number that's reasonably necessary to
7 provide for subsistence uses. And I think that's where
8 we're coming from is that at some point there has to be
9 some understanding of when has that opportunity for
10 Federally-qualified subsistence users been met so that
11 opportunity for other users can be provided. And under
12 the current system, we have absolutely no way of
13 knowing that. And I guess theoretically under the
14 current regime, if circumstances were to allow the
15 moose population in Unit 6C to just keep on growing, we
16 would never get to the point where there would be an
17 opportunity for other users under what we're hearing.
18 That until there's a moose in every pot in Cordova,
19 that they're subsistence aren't being met.

20
21 So what I've struggled with is trying
22 to understand. In the State system we have some
23 numbers, amounts necessary for subsistence that help
24 guide regulatory decisions so that you have some
25 information that you can use to see what we need to
26 accommodate subsistence users. And when that
27 opportunity's being provided, then there can be
28 opportunity for other users. Under the Federal system,
29 we have no way of knowing that, so it makes it a real
30 challenge for us to understand at what point Federal
31 regulations have done their job. And so we -- that's
32 one of the purposes of this proposal is to try to
33 understand in the Cordova situation, when have we
34 reached that point.

35
36 And so I just wanted to add that. Mr.
37 Chairman.

38
39 CHAIRMAN FLEAGLE: Thank you, Terry.
40 Ralph.

41
42 MR. LOHSE: Thank you. And I agree
43 with Terry on that, and I know that he sat in the
44 meeting. And that's one of the things that I've
45 struggled with ever since we've been dealing with this.
46 But I think it's something I think we're going to deal
47 -- we're going to struggle with in the future both as a
48 State, if the State comes into compliance with
49 subsistence, and as the Federal as we deal with
50 subsistence, and especially if things tighten up and

1 stuff like that, is what are the amounts necessary for
2 subsistence, and what constitutes subsistence.

3
4 If all of the resource is used by
5 subsistence users, and they still could use more, have
6 you reached the amounts necessary for subsistence? And
7 that's going to be -- that's going to be an issue in
8 the State as time goes on. It's going to be an issue
9 in other places.

10
11 I'll just use -- I'll use myself and
12 our family as an example. Like I said, my son got
13 drawn for a moose this year. it's the first time we've
14 ever been drawn for one. We have a fairly large
15 extended family in Cordova. That moose was shared with
16 the rest of the family. It was a nice, big bull moose.
17 I'll say it had 800 pounds of meat on it. That's
18 probably an exaggeration, but it's not much of an
19 exaggeration. That 800 pounds of meat is gone. I
20 mean, the extended family in Cordova has eaten that 800
21 pounds of meat. There is no -- there is no freezer
22 full of moose meat sitting around at this point in
23 time. There's no moose meat that's going to go to the
24 Alaska Zoo or anything like that this spring. It's
25 gone.

26
27 And that's probably the case with most
28 of the moose that was taken in Cordova. Most of the
29 moose that was taken in Cordova didn't go to an
30 individual. And even when it came time to getting
31 moose, people in Cordova went out and helped other
32 people get their moose. One thing about it, if you had
33 a permit and you didn't have your moose and somebody
34 was out driving the road and they saw a moose, as soon
35 as they got to the nearest phone, they would give a
36 call, find somebody that had a moose permit and tell
37 them there's a moose out at Mile 11 standing off the
38 road, or something like that. And, I mean, it was a
39 cooperative effort.

40
41 Now, the question comes, at what point
42 in time are subsistence needs being met? And nobody in
43 Cordova's starving to death. But the meat was sure
44 welcome in Cordova this winter. Fuel oil prices, \$4.67
45 a gallon. Gas prices, \$4.68 right now, or 69 cents
46 when I left town. That moose meat helped Cordova's
47 subsistence residents get through the winter.

48
49 And from that standpoint, that's
50 something I really think that this State and this

1 Federal government is going to have to deal with.
2 Maybe not in Cordova. Cordova happens to be a very
3 I'll say subsistence wealthy community. If we don't
4 have moose meat, possibly the smelt will come to the
5 harbor in the winter. If you don't have smelt, then
6 you have an excuse to go out, you can go catch yourself
7 a king salmon maybe. We have deer on the islands, you
8 know. So Cordova, if you take a look at the records,
9 you'll see that Cordova is a very high subsistence use
10 consumptive area. It's that way because it has a lot
11 of resources, but those resources aren't in excess of
12 its needs. Those resources go towards meeting its
13 needs.

14
15 There's a lot of communities in the
16 State that don't have that kind of resources, that their
17 subsistence needs aren't being met by the current
18 amount of subsistence use they get from the animals
19 that live in their area. And that's where you're --
20 you know, this is an easy one. This one here, you're
21 not going to totally disrupt people if you go one way
22 or the other on this proposal. But there are areas in
23 the State where this is a much more critical question.
24 And as things get tighter, there's going to be areas in
25 the State where it's going to get even more critical
26 yet. And I think the State's bringing up a very good
27 question when they say, what are the amount of needs,
28 what is the amount that's necessary for subsistence?
29 And how should we leave some left for those that aren't
30 in a subsistence lifestyle?

31
32 And ANILCA says, it's -- the
33 subsistence priority is for rural residents, Native and
34 non-Native. And that's the Federal mandate, to manage
35 the game and the fish for the rural resident, Native
36 and non-Native. And when those needs are met, then
37 there should be something left for the non-subsistence,
38 the non-rural person. But if those needs aren't met,
39 that's when you guys have to do some soul searching,
40 and that's when the state has to do some soul
41 searching. And it's pretty hard to say when somebody
42 else's needs are met if they don't have any left in
43 their freezer.

44
45 So with that, I'm going to get off my
46 soapbox and shut off.

47
48 CHAIRMAN FLEAGLE: Thank you. Board.
49 Denny.
50

1 MR. BSCHOR: Yeah, Mr. Chair. A
2 question for Mr. Lohse. The thing that surprised me
3 about this -- initially about this proposal was that I
4 thought we had a pretty workable solution in Cordova,
5 and it involves those other two units, 6A, 6B, and the
6 fact that if we didn't do something together on this,
7 that the option would be to close all Federal lands.
8 Could you expand on that for the Board's sake, and for
9 my sake, too, as far as how does -- how have things
10 been working, and just help us understand the situation
11 better there.

12
13 CHAIRMAN FLEAGLE: Ralph.

14
15 MR. LOHSE: Well, I've never heard --
16 you know, I guess it's maybe the people I'm around have
17 never talked about closing all Federal lands to other
18 people. That's never been -- I'm not saying that that
19 hasn't been considered by some people, it hasn't been
20 talked about by people. But the people that I run with
21 have never talked that way.

22
23 We've looked at managing the herd with
24 the idea that managing it for Cordovans, but, you know,
25 allowing other people the opportunity. And the
26 opportunity is there in other units of Unit 6C, and
27 its' -- and as you noticed, part of it was reserved.

28
29 Again, we have to remember that these
30 last two years were anomalies. The percentage that was
31 reserved for other -- or that was taken by non-
32 Cordovans in the past was higher. That's true, because
33 it was a smaller amount of animals. And from that
34 standpoint, I think -- now this is my own personal
35 opinion, I think the management of the Cordova moose
36 herd has been a good example for the rest of the State.
37 The involvement of the people that live there, the --
38 when somebody comes -- up to this point in time, when
39 somebody comes to hunt moose in Cordova, Cordovans are
40 all over themselves helping them go get one. You do
41 something like this, that same kind of reaction is not
42 going to be there. They're going to become much more
43 I'll say protective or whatever you want to call it,
44 because they've looked at it as sharing in the past,
45 but they looked at it as a very minor part of -- like
46 State pointed out, a very small percentage of the
47 moose, because of the access problem, were taken by
48 other people. Even when it was an open State drawing,
49 it wasn't a high amount of people from other places
50 that applied until recently.

1 And as we look at things changing, we
2 look at a fast ferry being put in and stuff like that,
3 Cordova becomes a little bit more insular if you want
4 to put it that way, you know. They start looking at --
5 we see what's happening right now with our silver
6 salmon, for example. We've watched a growth on our
7 silver salmon spawning grounds in the last 10 years
8 that has just skyrocketed, and everybody's sitting and
9 saying, you know, we should have -- 10 years ago we
10 should have put a regulation in that above the road was
11 closed to silver salmon fishing where the spawning
12 grounds. It's because all of a sudden we have people
13 up there in the little three-foot wide creeks that are
14 six inches deep snagging silvers out and hauling them
15 out of town. And that's that -- that silver salmon
16 spawning area is what -- for a lot of the fishermen in
17 Cordova, they looked at silver salmon, you hoped that
18 by the end of the rest of the fishing season you've
19 paid all your bills, and you've got everything taken
20 care of for the year, and silver season would come, and
21 silver season is when you got a little money to go
22 through the winter. And all of a sudden you look out
23 and you see 14 cars parked on this silver salmon
24 stream, and 12 cars parked on this one, and people out
25 there catching silver salmon in what we always
26 considered the spawning grounds. And you say to
27 yourself, well how long is that going to last?
28

29 And so you see the same thing on the
30 moose. As we get more access, how long is it going to
31 last? And at this point in time, they're very sharing,
32 but they're starting to feel pressured.

33
34 But I honestly have never heard anybody
35 say close all the Federal land to other users. And
36 that was the same thing that was testified by the Eyaks
37 who have a lot of the land, a lot of the Native land
38 out there. They didn't see it as a threat that they
39 would be limited to hunting on State land. It wasn't a
40 case of opening other land by having a bigger State
41 season to them, you know. I mean, if they couldn't
42 take it there, they could take it on the Federal land,
43 and they were happy to do that.

44
45 It's kind of like a trapper that says,
46 this area of my trap line I don't trap. And if I don't
47 trap it, it becomes the feeding ground that feeds the
48 rest of my trap line. So if we don't hunt the moose on
49 this eight miles, or don't hunt very many moose in this
50 eight miles, you and all know how moose move. They're

1 going to move over on this other chunk of land anyhow,
2 and that's just that much more that -- you know, that
3 much more that gets by, that much more that can be
4 there. So from that standpoint, I think it's worked
5 real good.

6
7 CHAIRMAN FLEAGLE: Further discussion.

8
9 (No comments)

10
11 CHAIRMAN FLEAGLE: Is the Board ready
12 to tackle this issue?

13
14 MR. MELIUS: Yes.

15
16 CHAIRMAN FLEAGLE: Yes. Tom Melius.

17
18 MR. MELIUS: Denny's probably.....

19
20 CHAIRMAN FLEAGLE: Denny. Somebody.
21 We can step down if you need a minute Denny.

22
23 MR. BSCHOR: Yeah. Mr. Chair. Hearing
24 this, and knowing that the State has a concern about
25 use numbers, but knowing that our regs right now don't
26 require that, that's an issue, and it's another issue
27 that we will as I think Mr. Lohse explained and the
28 State has suggested, we'll be tackling at some point in
29 time.

30
31 However, as I look at the information
32 before us, it seems that the demand is way more than
33 what the availability is. To disrupt the system that
34 is still working fairly well relative to others being
35 welcomed in and setting -- and the potential of setting
36 up a situation where there's more conflict, I
37 personally don't see that we should change this at this
38 point.

39
40 And anyway, I'm prepared to make a
41 motion. And at the desire of the Chair who has
42 suggested we make the motion in the affirmative, I will
43 make a motion to adopt the proposal. However, I will
44 say that I will vote against that proposal and will
45 explain my reasons why. So I would make the motion to
46 adopt the proposal.

47
48 CHAIRMAN FLEAGLE: Is there a second.

49
50 MS. BLASZAK: I'll second.

1 CHAIRMAN FLEAGLE: Thank you, Marcia.
2 Denny.

3
4 MR. BSCHOR: Yes, Mr. Chair. I really
5 accept the Regional Advisory Council's position and
6 their rationale.

7
8 I think that to further expand my
9 rationale, discussing some of the State's comments as
10 shown on Page 318 of our Board book, and their spoken
11 testimony, the State makes two arguments. How many --
12 the Board needs to determine how many moose are in Unit
13 6 and that there are no negative impacts on subsistence
14 users. I think that the impact on subsistence users,
15 there would be a negative impact on subsistence users,
16 and that's been explained fairly clearly I think both
17 in the Staff analysis and by Mr. Lohse.

18
19 The question about quantifying numbers,
20 that's something we're not going to solve today, but
21 when there are 900 people applying and there's only 100
22 permits, it seems to me that we still have -- we have a
23 need to maintain the current status quo. And I think
24 that the Federally-qualified subsistence users' use is
25 consistent with ANILCA 804.

26
27 Let me see. And I think I've already
28 discussed the other reasons in my early discussion
29 before the motions, so I think I'll just leave it at
30 that, Mr. Chair.

31
32 CHAIRMAN FLEAGLE: Thank you, Denny.
33 Comments, Board members. Discussion. Tom.

34
35 MR. MELIUS: Mr. Chairman. I looked
36 over this proposal pretty closely, and while the
37 question that Terry did bring up is a question that is
38 justified and I think as Denny pointed out, the Board
39 will be dealing with that, I don't think this is the
40 issue for that discussion. I do think the 900 plus
41 individuals wanting permits where only 100 are provided
42 does indicate a rather large need, so I would be
43 supportive of not adopting this proposal.

44
45 CHAIRMAN FLEAGLE: Ready for the
46 question? The question is recognized. Pete, on
47 Proposal 11, please poll the board.

48
49 MR. PROBASCO: Thank you, Mr. Chair.
50 Final action on WP08-11. Mr. Bschor.

1 MR. BSCHOR: No.
2
3 MR. PROBASCO: Mr. Melius.
4
5 MR. MELIUS: No.
6
7 MR. PROBASCO: Mr. Fleagle.
8
9 CHAIRMAN FLEAGLE: No.
10
11 MR. PROBASCO: Ms. Blaszak.
12
13 MS. BLASZAK: No.
14
15 MR. PROBASCO: Mr. Lonnie.
16
17 MR. LONNIE: No.
18
19 MR. PROBASCO: And Mr. Cesar.
20
21 MR. CESAR: No.
22
23 MR. PROBASCO: Mr. Chair. The motion
24 fails zero/six.
25
26 CHAIRMAN FLEAGLE: All right. Thank
27 you.
28
29 That moves us on to Proposal No. 14.
30 And do we need a second -- yeah, we'll take a second to
31 restaff the front table there.
32
33 (Pause)
34
35 CHAIRMAN FLEAGLE: And we have joining
36 us from Staff, we have Dr. Polly Wheeler and Liz
37 Williams. Welcome, good morning.
38
39 MS. WILLIAMS: Good morning, Mr. Chair.
40 Members of the Board. I'm Liz Williams, anthropologist
41 with OSM. And I'm presenting the analysis for WP08-14,
42 which begins on Page 322 in your book.
43
44 Initially Proposals 13 and 14 were
45 analyzed together because of their similar content.
46 However, during Counsel reviews, it became clear that
47 they should be presented separately. Much of the
48 ethnographic information in this analysis was also
49 cited in the analysis of Proposal 13. And so for that
50 reason, I'll refer you to a couple of citations in the

1 analysis of Proposal 13 during this presentation. I'll
2 be referring to quotations on Page 76, so if you'd like
3 to, you can turn to that page now.

4

5 Proposal 14 was submitted by Dean
6 Wilson, Jr. and requests a change in salvage
7 requirements for brown bear in Unit 11. The specific
8 change requested is that only the hide and the skull of
9 brown bear must be salvaged for the duration of the
10 season.

11

12 The proponent states that traditionally
13 the local AHTNA people have not harvested brown bear
14 meat for human consumption. The hide and other parts
15 have been used traditionally for clothing, handicrafts,
16 tools, and for making other traditional items.

17

18 ANILCA provides for customary and
19 traditional use of resources that are taken for
20 subsistence. In the case of Unit 11, it does not
21 appear to be nor have been customary and traditional to
22 harvest brown bears solely for their hides and skulls
23 at any time of the year. The ethnographic literature
24 and public testimony regarding brown bear in Unit 11
25 point to a variety of uses and beliefs about brown
26 bear. Practices and beliefs guiding the harvest of
27 brown bears and the consumption of the meat also appear
28 to vary throughout the AHTNA community.

29

30 If you look at the last line of the
31 second quote, at the top of Page 76, from the 2002
32 Southcentral RAC meeting, you can see that in some
33 cases whether or not a person eats brown bear meat may
34 depend on their clan affiliation. Some people eat it,
35 some don't.

36

37 None of the ethnographic information or
38 public testimony cited indicates the practice of
39 harvesting brown bear only for skulls and hides. The
40 ethnographic literature and the Southcentral RAC
41 transcripts do indicate that it is customary and
42 traditional for some residents of Unit 11 to harvest
43 brown bear meat and fat for food, and to use the other
44 parts of these bears to make other items.

45

46 The Southcentral RAC has supported the
47 notion of full utilization of animals harvested under
48 subsistence regulations, including the use of non-
49 edible parts as handicrafts. They have not, however,
50 supported this use for brown bear, only for black bear.

1
2 In 2002, one of the early approaches to
3 bear handicraft regulations included a proposal to
4 classify bears as fur-bearers. The Southcentral RAC
5 voted against this. If you turn to Page 77 and look at
6 the first quotation at the top of the page, you can see
7 their rationale for not doing this, and it was
8 essentially a reiteration that they didn't want to
9 classify bears as furbearers, but they did want full
10 utilization of animals harvested for subsistence.

11
12 The Federal season for brown bear in
13 Unit 11 runs from August 10th through June 15th with a
14 harvest limit of one bear. The majority of Unit 11 is
15 National Park Service lands. Federal regulations for
16 all units state that if you take a brown bear for
17 subsistence, you must salvage the hide and the edible
18 meat.

19
20 State of Alaska brown bear hunting
21 regulations in Unit 11 are more liberal than in any
22 other areas or most other areas of the State. In Unit
23 11, the State brown bear hunting season is August 10th
24 through June 15th for both residents and non residents
25 with a harvest limit of one bear every regulatory year.
26 Under State regulations, brown bear hunters are not
27 required to salvage the meat of bears taken in Unit 11,
28 although the skull and hide must be presented for
29 sealing within 30 days of the kill. State regulations
30 apply to Wrangell-St. Elias National Preserve lands
31 which comprise approximately 20 percent of Unit 11.

32
33 It appears that it's customary and
34 traditional practice in Southcentral Alaska to harvest
35 brown bears throughout the year and that they were and
36 continue to be harvested for their meat, fat and other
37 parts, but not just for hides and skulls. In the fall,
38 bear meat may not be considered palatable by some
39 people, but it is by others, and this may depend on if
40 you harvest it in a highland or a lowland area, and
41 what point in the bear is harvested. For many people,
42 bear fat is the best in the fall.

43
44 Section 803 of ANILCA is not intended
45 to mandate that people eat everything they harvest.
46 However, the Southcentral RAC transcripts and the
47 ethnographic record don't indicate it was or is
48 customary and traditional to harvest brown bear only
49 for their skulls and hides in the fall.

50

1 So for these reasons, the OSM
2 conclusion is to oppose Proposal 14.

3
4 CHAIRMAN FLEAGLE: Thank you, Liz.

5
6 Summary of written public comments.
7 Donald Mike.

8
9 MR. MIKE: Thank you, Mr. Chair.
10 You'll find your written public comments starting on
11 Page 327. There was three written public comments
12 received.

13
14 The Copper River native Association and
15 AHTNA, Inc. both wrote in support of the proposal,
16 stating that very few people hunt in Unit 11 due to
17 limited access. The mortality rate in Unit 11 on moose
18 and caribou calves will also decline if the proposal is
19 adopted.

20
21 The Wrangell-St. Elias Subsistence
22 Resource Commission wrote in support of the proposal as
23 written.

24
25 Thank you, Mr. Chair.

26
27 MR. PROBASCO: Thank you, Don.

28
29 Public testimony. Pete.

30
31 MR. PROBASCO: Thank you, Mr. Chair.
32 We do have one person that signed up. Mr. Robert
33 Fithian.

34
35 CHAIRMAN FLEAGLE: Thank you. Good
36 morning, Bobby. You know the drill. Turn on the mic,
37 state your name for the record and testify.

38
39 MR. FITHIAN: Thank you, Mr. Chairman.
40 Good morning. Members of the Federal Subsistence
41 Board. For the record, my name is Bobby Fithian. I
42 live in Lower Tonzina, Alaska. For a number of years,
43 I've operated a concession, professional guide business
44 within GMU 11. And I'd like to speak specific to this
45 proposal.

46
47 Much of GMU 11 is preserve and/or lands
48 where brown/ grizzly bear can currently be harvested
49 without salvage of meat requirements. And at the
50 conclusion of this meeting, if this and the next

1 proposal that the Board will consider are supported or
2 approved, persons could take their air or jet boats up
3 the Chitina beginning August 10th and harvest sheep,
4 goat, with meat salvage requirements, and brown/grizzly
5 bear without meat salvage requirements all on hard park
6 lands. In reflection of Mr. Lohse's comments about
7 being an example for our children, and as a comment for
8 consideration, I would ask if we're truly talking about
9 a subsistence hunt.

10

11 I also have reservations about where
12 the deletion of meat salvage requirements for
13 brown/grizzly bear harvest on Federal hunts without any
14 known C&T use will lead us.

15

16 That concludes my comments. Thank you,
17 Mr. Chairman.

18

19 CHAIRMAN FLEAGLE: All right. Thank
20 you, Bob. Appreciate it.

21

22 Regional Council recommendation. This
23 is Eastern Interior, right? Go ahead.

24

25 MS. ENTSMINGER: Okay. Help me. Clear
26 me up. Are we on 13 or 14 or both?

27

28 CHAIRMAN FLEAGLE: 14.

29

30 MS. ENTSMINGER: 14. Okay. We took
31 this proposal up and we didn't take any action on 13.

32

33 On 14, we support. This proposal with
34 align with existing State regulations, which would
35 reduce confusion and the need to know Federal/State law
36 jurisdictions. Passage or 14 would provide additional
37 opportunity under Federal regulations.

38

39 Based on this action on 14, we didn't
40 take action on 13.

41

42 CHAIRMAN FLEAGLE: Okay. Thank you,
43 Sue. Ralph.

44

45 MR. LOHSE: Thank you, Mr. Chair. As
46 you can tell by some of the things that our presenter
47 presented, this was a controversial proposal for our
48 Southcentral RAC. We did a lot of discussion on it,
49 and we ended up supporting it with modification. By a
50 vote of 6 for, 3 against and one absent -- one

1 abstaining. We did require that the meat -- we did
2 propose that the modification would allow nonsalvage of
3 the meat from August 10th to December 31st, and that
4 was very controversial. And we also added a thing that
5 there can be no sale of skulls or hides and bear parts
6 made into handicrafts from these brown bears that are
7 taken with this kind of a proposal.

8
9 If you followed this Council very much,
10 you can see that we have in the past pretty well been
11 unanimous in wanting the full utilization of all
12 animals that are taken. But in this case here, what we
13 were dealing with, we were dealing with the fact that
14 exactly what he was talking about, opportunistic hunt.
15 Somebody's out hunting sheep or hunting goats in the
16 fall season, and you either run into a bear or a bear
17 runs into you, and you end up shooting the bear. But
18 you didn't go -- you didn't hike back into the
19 mountains with the idea that you were going to pack out
20 a whole bear full of bear meat. You went out back in
21 the mountains to pack out a sheep or a goat, which is
22 enough of a load, and all of a sudden you've got a bear
23 on your hands either voluntarily or involuntarily. And
24 so we required that they would have to salvage the hide
25 and the skull, but that they wouldn't have to take the
26 meat during that time of the year.

27
28 It was a hard decision on our part, and
29 like I said, it was controversial. It was
30 six/three/one. But that was what we ended up deciding,
31 that because of that situation, we could allow it
32 during that time of the year, because subsistence users
33 would be in the mountains at that time of the year,
34 hunting other animals. And if you've been around the
35 country and you know how many bears are there, you know
36 that -- you know what the -- you know what the odds are
37 of either running into a bear or a bear running into
38 you, and maybe having a disagreement over the meat that
39 you've already taken. And we just didn't want the bear
40 totally wasted.

41
42 Thank you. Questions.

43
44 CHAIRMAN FLEAGLE: Thank you, Ralph.
45 We'll get into a round discussion after the Department
46 of Fish and Game and the ISC comments. Fish and Game.
47 Ken Taylor.

48
49 MR. TAYLOR: Thank you, Mr. Chairman.
50 I think Terry Haynes has some brief comments.

1 CHAIRMAN FLEAGLE: Terry.

2

3 MR. HAYNES: Thank you, Mr. Chairman.
4 Our written comments are on Page 326 of your meeting
5 book.

6

7 The Department does not support this
8 proposal. The statewide Federal subsistence
9 regulations require that the edible meat of brown bears
10 be salvaged in all areas of the State, and we don't
11 support making an exception to that rule at this time.

12

13 If Federally-qualified subsistence
14 users want to harvest brown bears and not salvage the
15 edible meat, State regulations provide that opportunity
16 during a long season, August 10 through June 15, and
17 with a one brown bear per year bag limit in much of
18 Unit 11.

19

20 The small number of brown bears
21 harvested in Unit 11 under the Federal regulations does
22 not warrant making an exception to the statewide
23 requirement that brown bear meat be salvaged.

24

25 Thank you, Mr. Chairman.

26

27 Alaska Department of Fish and Game
28 Comments to the Federal Subsistence Board

29

30 Wildlife Proposal WP08-14:

31

32 WP08-14 liberalizes the brown bear
33 salvage requirements in Game Management Unit 11.

34

35 Introduction:

36

37 Federal subsistence regulations require
38 that the edible meat of harvested brown bears must be
39 salvaged for human use. This proposal would remove
40 this requirement in Unit 11 for the entire season,
41 August 10 June 15. The proponents state that brown
42 bears traditionally were not harvested for their meat
43 in this area and that the meat of brown bears is
44 inedible during the fall when brown bear diet consists
45 primarily of salmon.

46

47 Impact on Subsistence Users:

48

49 Both federally-qualified and state
50 subsistence users may harvest brown bears on state land

1 and on federal land outside of Wrangell-St. Elias
2 National Park in Unit 11 under state regulations from
3 August 10 to June 15 and are not required to salvage
4 the meat. Very few brown bears are harvested in Unit
5 11 under either federal or state regulations, so an
6 exception to the statewide requirement in the federal
7 regulations that the edible meat of brown bears be
8 salvaged is unnecessary.

9

10 Opportunity Provided by State:

11

12 State regulations do not require the
13 salvage of meat from brown bears harvested in Unit 11,
14 but the hide and skull must be sealed. The 10-month
15 season and one brown bear per year harvest limit apply
16 to all federal lands in Unit 11 except for the
17 Wrangell-St. Elias National Park.

18

19 Recommendation:

20

21 Oppose. The statewide federal
22 subsistence regulations require that the edible meat of
23 brown bears be salvaged in all areas of the state. If
24 federally-qualified subsistence users want to harvest
25 brown bears and not salvage the edible meat, state
26 regulations provide that opportunity during a long
27 season (August 10 June 15) and with a one brown bear
28 per year bag limit. The small number of brown bears
29 harvested in Unit 11 under the federal regulations does
30 not warrant making an exception to a statewide
31 requirement.

32

33 CHAIRMAN FLEAGLE: Thank you, Terry.

34

35 InterAgency Staff Committee. Larry.

36

37 MR. BUKLIS: Mr. Chairman. The Staff
38 Committee comments are on 325, and I will not bring out
39 any specific points. It's a statement of the type that
40 I read on the first day of the meeting regarding the
41 analysis and the Council recommendations.

42

43 Thank you, Mr. Chairman.

44

45 CHAIRMAN FLEAGLE: Thank you. Now we
46 have Board discussion with Council Chairs and the State
47 liaison.

48

49 One thing that I want to ask. I've got
50 a question that was raised by testimony by Bobby

1 Fithian. The difference between Unit 11 Federal hunt
2 and State hunt is none as far as they're concerned with
3 the bag limit and the season dates, but the hard park,
4 Wrangell-St. Elias National Park, within Unit 11, is
5 that open to non-Federally-qualified subsistence
6 hunters? That's the big difference here. A question.
7 Somebody want to answer that on record?

8

9 MR. PROBASCO: Mr. Chair. That area is
10 not open to non-Federally-qualified subsistence users.

11

12 CHAIRMAN FLEAGLE: So a person that
13 wanted to harvest a brown bear and not salvage the meat
14 would only be allowed to do that in those small areas
15 that are not hard park. So that's pretty clear. All
16 right. Thanks.

17

18 Other discussion. Sue.

19

20 MS. ENTSMINGER: Yeah. Mr. Chair. We
21 didn't have a lot of discussion as the Council on this,
22 but my family do a lot of hunting over there, and I
23 just wanted to point out that we eat bear meat.

24

25 And we're personal friends with Katie
26 John and the people of Mentasta. It's -- she had an
27 encounter with a bear where it charged when her kids
28 were little. And it -- that frightened her from eating
29 bear meat. She had told me the story. But her husband
30 ate it. So in the family half of them eat it, and half
31 of them don't.

32

33 And like for myself, when we kill
34 grizzly bears in the all, they're usually up in the
35 high country and they're excellent eating. So for us
36 personally, I would always take out the meat of the
37 bear.

38

39 So this one, I guess, the -- when we
40 discussed it as a Council, we looked at how the Native
41 people, AHTNA and Copper did it, and there was hardly
42 any discussion. So, you know, it's going to be a hard
43 one for you to decide. I just wanted to bring that
44 out.

45

46 CHAIRMAN FLEAGLE: Other discussion.
47 Ralph.

48

49 MR. LOHSE: Well, I'll have to echo
50 what Sue says. And I'll admit that I have difficulty

1 with this one, but like I told the Council, I would
2 definitely support their position, but personally I eat
3 bear meat, too. And I have no problem with fall
4 grizzlies, and I don't care whether they're up in the
5 high country or down on the spawning grounds. If you
6 take care of them right, they're all good.

7
8 The only problem that I have with this
9 proposal is consistency. And we have been consistent
10 in this Council to ask for full utilization of
11 everything. But we recognized in this case here that
12 some of our subsistence users who can hunt in the hard
13 park could be in a situation where they had to shoot a
14 brown bear in the hard park, but would be far enough
15 back that it would be hard to salvage brown bear meat
16 along with sheep meat or goat meat. A brown bear's got
17 a lot of meat to it. And from that standpoint, that's
18 why we went with this proposal with the modification.

19
20 But to make sure that somebody wasn't
21 just taking this brown bear for parts, just to salvage
22 the hide and the claws and the skull to sell them,
23 that's why we included the modification that we put in
24 there, you know, there would be no sale of the skull or
25 hides or bear parks made into handicrafts from these
26 bear that would be taken in this kind of situation.

27
28 It's a difficult thing, because you can
29 run into a bear in the back country that disagrees with
30 you being there, and you can do two things. You can
31 salvage part of it, or you can shoot, shovel and shut
32 up. And we didn't want to put subsistence users in
33 that position. We recognized the fact that they could
34 be in a situation where they had to take a bear in the
35 park, but they would be too far back to pack it out.
36 And so that's why after much discussion we ended up
37 supporting this proposal with the modification that we
38 put in.

39
40 CHAIRMAN FLEAGLE: Ralph, isn't there
41 one other option? I don't know if this applies to the
42 park lands, but it -- I guess it would, but DLP,
43 defense of life and property?

44
45 MR. LOHSE: In which case you have to
46 salvage the hide and the skull and bring the hide and
47 the skull out. And we just felt that if a subsistence
48 user had to salvage the hide and skull and bring the
49 hide and skull out, he might as well bring it out for
50 his own use.

1 CHAIRMAN FLEAGLE: All right. I
2 understand that point. I just wanted to show that
3 there was another option.

4
5 MS. ENTSMINGER: Mr. Chair. I have a
6 question.

7
8 CHAIRMAN FLEAGLE: Sue.

9
10 MS. ENTSMINGER: With this handicraft
11 thing, Unit 11 doesn't have handicraft anyway, isn't
12 that correct? So what would your modification do?

13
14 CHAIRMAN FLEAGLE: Ralph.

15
16 MR. LOHSE: The modification wouldn't
17 do anything except reiterate our feeling as a Counsel
18 that, you know, the whole bear should be salvaged, and
19 in a case like this for sure that you wouldn't just
20 take it for that kind of purpose. I think it was more
21 of a philosophical thing. You know, this was a hard
22 one for our Council, because there's a lot of strong
23 feelings on both sides on it. And -- but like I said,
24 in the end, the idea that somebody could have to take a
25 bear in the park when they're doing something else, and
26 have to either give it up or do something illegal, we
27 decided to make it so that they could take it and be
28 legal and salvage it for their own use.

29
30 CHAIRMAN FLEAGLE: Marcia.

31
32 MS. BLASZAK: Thank you, Mr. Chairman.
33 I think one of -- it's obviously a very, I guess,
34 compelling conversation we heard today. I think one of
35 the difficulties I'm having with the proposal and the
36 way it was substantiated was the notion that it was
37 based on the customary and traditional comment, that
38 the user -- or the proposer suggests, which doesn't
39 seem consistent with other users since -- whether the
40 entire bears being used or not.

41
42 And, you know, again if there's a
43 sentiment which I'm hearing around the room that
44 whenever possible we should be using as much of the
45 take as we can for subsistence purposes, this doesn't
46 seem consistent with that. So I think when we get to
47 the place of the motion, I'm not going to be able to
48 support -- I'll support the motion, but not be able to
49 vote in favor of this.

50

1 CHAIRMAN FLEAGLE: Are we ready for
2 that step? No, we're not. Ralph.

3
4 MR. LOHSE: Mr. Chair, can I answer
5 something for Marcia on that?

6
7 CHAIRMAN FLEAGLE: Sure.

8
9 MR. LOHSE: You're right. But, see,
10 that's one of the things that it illustrates. It
11 illustrates the wide variety of customary and
12 traditional practices in Unit 11, because Unit 11 is
13 just -- it's not all -- for one thing, it's not all
14 Native. It's non-Native. And we had Native testimony
15 at the meeting that talked about their group taking
16 bears simply for the hides and having sold the hides in
17 the past. You know, this was prior to statehood. This
18 was way prior to statehood, when he was a young man.
19 And this was an old elder. So what was acceptable even
20 to part of the Native population wouldn't be acceptable
21 to another part of the Native population, and then you
22 throw the Caucasian population in there which has
23 different attitudes, but it's still a rural resident of
24 Unit 11, still part of customary and traditional. And
25 you have -- or the area that's accessible to Unit 11.
26 And you have quite a bag, quite a mix of cultural
27 practices, all acceptable to one and not acceptable to
28 another. And so you can't delineate. I mean, it's
29 acceptable to some to just go take the hide and the
30 skull. It's acceptable to some to eat the meat. It's
31 not acceptable to some to eat -- not -- to eat the
32 meat, and it's not acceptable to some even to take the
33 bear. Some not -- some don't even want to -- if
34 they're going to take a bear, would not talk about it
35 ahead of time, and some if they took a bear would not
36 talk about it afterwards.

37
38 And so you've got that kind of a mix,
39 and you have that kind of mix to a certain extent all
40 over Alaska, but you've got more of that kind of mix in
41 like Unit 11, Unit 13, Southcentral Alaska. And that's
42 what we deal with in Southcentral Alaska is that kind
43 of cultural in flux, and that kind of a culture that
44 has multiple cultures inside the culture. And so we
45 couldn't make that kind of definitive statement, and
46 that's reflected in the vote, you know.

47
48 CHAIRMAN FLEAGLE: Okay. We're going
49 to do one of two things. We're either going to take
50 this on as a Board or we're going to go on break. Are

1 you ready for a motion? All right. Marcia.

2

3 MS. BLASZAK: Mr. Chairman. I'd like
4 to move that we support the Southcentral and Eastern
5 Interior Regional Councils' recommendation. And upon
6 hearing a second, I'll explain why I intend to vote
7 against my motion.

8

9 MR. MELIUS: I'll second.

10

11 CHAIRMAN FLEAGLE: All right. We do
12 have a motion with a second. Go ahead.

13

14 MS. BLASZAK: Mr. Chairman. This
15 regulation would result in the only place in the State
16 where the Federal regulations allow the meat of brown
17 bear to be left in the field, and the only place where
18 salvaging the skull is required. The analysis states
19 that no evidence was found to suggest that it is --
20 that it was nor is customary and traditional to harvest
21 brown bears for only their skulls and hides in Unit 11.

22

23

24 ANILCA 805 allows us to not follow a
25 recommendation which is not supported by substantial
26 evidence. I think that's the situation that I heard in
27 this particular case.

28

29 CHAIRMAN FLEAGLE: Okay. Thank you.
30 And to clarify, the recommendations of the RACs are not
31 in concurrence with each other. Southcentral does
32 support with a modification, so -- but again, I would
33 prefer that the motion be just to adopt and then the
34 discussion about the RAC's recommendations be added
35 after. So would amend that.....

36

37 MS. BLASZAK: I will restate the motion
38 to adopt.

39

40 CHAIRMAN FLEAGLE: Concurrence of the
41 second?

42

43 MR. MELIUS: Yes.

44

45 CHAIRMAN FLEAGLE: Thank you. All
46 right. Further discussion. Tom.

47

48 MR. MELIUS: I agree. Listening to
49 the testimony that there's not the substantial
50 evidence, and I know Ralph has tried to explain the

1 difference that your Council dealt with, but I would
2 also be opposed to adopting it.

3

4 CHAIRMAN FLEAGLE: Denny.

5

6 MR. BSCHOR: I also would like to just
7 ditto what Mr. Melius just said, and understanding and
8 hearing the concerns and the differences and all the
9 anomalies here, but the bottom line is allowing the
10 take -- the person who takes the bear to leave the meat
11 I think is a precedent we don't want to set as far as
12 the Federal system is concerned.

13

14 Thank you, Mr. Chair.

15

16 CHAIRMAN FLEAGLE: I agree. I think
17 that ample opportunity exists for a person that wishes
18 to harvest just a hide and a skull in the rest of the
19 area, in Unit 11 with access, I mean a long season, no
20 tag requirement. I don't see the benefit of going with
21 this proposal. I intend to vote it as well.

22

23 Are we -- okay. Tom Lonnie.

24

25 MR. LONNIE: Thank you, Mr. Chairman.
26 For similar reasons that have already been mentioned,
27 I'm going to oppose this motion also.

28

29 CHAIRMAN FLEAGLE: Ready for the
30 question?

31

32 MS. BLASZAK: Call the question.

33

34 CHAIRMAN FLEAGLE: All right. The
35 question's called. Pete, on Proposal 14.

36

37 MR. PROBASCO: Thank you, Mr. Chair.
38 Final action on WP08-14. Mr. Melius.

39

40 MR. MELIUS: No.

41

42 MR. PROBASCO: Mr. Fleagle.

43

44 CHAIRMAN FLEAGLE: No.

45

46 MR. PROBASCO: Ms. Blaszak.

47

48 MS. BLASZAK: No.

49

50 MR. PROBASCO: Mr. Lonnie.

1 MR. LONNIE: No.
2
3 MR. PROBASCO: Mr. Cesar.
4
5 MR. CESAR: No.
6
7 MR. PROBASCO: And Mr. Bschor.
8
9 MR. BSCHOR: No.
10
11 MR. PROBASCO: Mr. Chair, motion fails
12 six/zero.
13
14 CHAIRMAN FLEAGLE: Thank you, Pete.
15
16 With that, the Board will stand down
17 for 10 minutes, have a good break.
18
19 (Off record)
20
21 (On record)
22
23 CHAIRMAN FLEAGLE: All right. Well,
24 we've got Board members. Everybody else is in the room
25 or close by I think.
26
27 We're moving on to Proposal 16, Unit
28 11, mountain goat. And leading off with the analysis,
29 we have Chuck Ardizzone and Greg Risdahl at the table.
30 Good morning, gentlemen.
31
32 MR. RISDAHL: Good morning, Mr.
33 Chairman. Members of the Board. My name is Greg
34 Risdahl. I'm a wildlife biologist with the Office of
35 Subsistence Management. The analysis for Wildlife
36 Proposal WP08-16 begins on Page 330 of your Board book.
37
38 Proposal 16 as submitted by Dean
39 Wilson, Jr. and requests changing the Unit 11 Federal
40 subsistence mountain goat hunting season dates from
41 August 25th through December 31st to August 10th
42 through December 31st.
43
44 The proponent for this proposal states
45 that currently there's very little hunting pressure on
46 mountain goats in Unit 11. However, many subsistence
47 hunters are in the field before August 25th to make
48 sure they do not get caught in snow storms. The
49 proponent also states that beginning the mountain goat
50 hunting season at the same time as the Dall sheep

1 season would provide more opportunity for Federal
2 subsistence hunters. If there's an increase in the
3 hunting pressure, then the established quota would
4 limit the total harvest.

5
6 Residents of Unit 11 and a number of
7 other communities in Unit 13 have a positive customary
8 and traditional use determination for mountain goat
9 hunting on Unit 11.

10
11 In 1998 the Board established the
12 August 25th through December 31 season for designated
13 residents as described with a one goat harvest limit.
14 The total harvest quota in the combined State and
15 Federal seasons was set at 45 mountain goats at that
16 time. The use of aircraft is prohibited by Federally-
17 qualified subsistence users hunting under Federal
18 regulations within Wrangell-St. Elias National Park.

19
20 The Alaska Department of Fish and Game
21 estimates that approximately 700 mountain goats in
22 inhabit the southern Wrangell and Chugach Mountains.
23 Population information is collected annually from one
24 aerial trend area located at McCall Ridge which lies
25 north of the Chitina River in the Preserve. The
26 mountain goat population on McCall Ridge has ranged
27 from 54 to 74 mountain goats, with a long-term average
28 of about 65 animals. Most goats are believed to be
29 accounted for on the exposed cliffs when this trend
30 area is flown. The long-term average kid to adult
31 ratio has been 23 kids per 100 adults. Kids have made
32 up approximately 19 percent of the population over the
33 long term. Additional mountain goat population data is
34 occasionally collected during aerial surveys for Dall
35 sheep in other areas.

36
37 The Alaska Department of Fish and Game
38 management objective is to maintain a harvest of less
39 than 10 percent of the estimated population in Unit 11.
40 Since 1998 an average of 9 mountain goats has been
41 taken by about 50 hunters each year during the State
42 registration hunt. During the same time period, an
43 average of two mountain goats per year have been taken
44 by about 30 Federally-qualified subsistence users under
45 Federal regulations. The total State and Federal
46 combined annual take is thus just over 11 mountain
47 goats per year. The combined State and Federal harvest
48 is less than 2 percent of the total mountain goat
49 population, well below the Alaska Department of Fish
50 and Game's harvest objective of 10 percent, and is

1 about 25 percent of the allocated quota of 45.

2

3

4 Changing the Unit 11 Federal
5 subsistence mountain goat season dates would lengthen
6 the Federal hunt by adding 16 days at the beginning of
7 the season and would align the Federal goat season with
8 the start of both the State and Federal Dall sheep
9 hunting seasons. This would allow Federally-qualified
10 subsistence users an opportunity to hunt both species
11 at the same time and during the most accessible part of
12 the season, likely increasing the harvest a small
13 amount. However, because Unit 11 is remote, mountain
14 goat habitat is difficult to access, few individuals
15 are eligible, and fewer still choose to hunt under
16 Federal subsistence regulations, it is expected that
17 few additional goats will be taken.

17

18 Finally, there are no conservation
19 concerns for mountain goats in Unit 11 at this time.

20

21 Therefore, the OSM conclusion is to
22 support Wildlife Proposal WP08-16.

23

24 Thank you.

25

26 CHAIRMAN FLEAGLE: Thank you, Greg.

27

28 Summary of written public comments.

29 Donald Mike.

30

31 MR. MIKE: Thank you, Mr. Chair.

32 You'll find your summary of written public comments on
33 Page 337. We received four written comments, two are
34 in support of the proposal, and two support it with
35 modifications.

36

37 The Copper River Native Association and
38 Ahtna, Inc. wrote in support of the proposal to
39 lengthen the Unit 11 goat season by 15 days, stating
40 that this will allowed Federally-qualified subsistence
41 users greater opportunity to hunt goat and sheep in
42 Unit 11 at the same time.

43

44 The Wrangell-St. Elias Subsistence
45 Resource Commission and Upper Tanana 40-Mile Advisory
46 Committee support the proposal with modification.
47 Their modification states that the season extensions
48 should not apply to those lands in Unit 11 north of the
49 Chitina River and west of the Kennicott River. The
50 season extension would result a conservation concern in

1 road-accessible areas of the unit where goat numbers
2 are low and hunting pressure is highest.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN FLEAGLE: Thank you, Don.

7

8 Public testimony.

9

10 MR. PROBASCO: Yes, Mr. Chair. We have
11 one individual. Mr. Robert Fithian.

12

13 CHAIRMAN FLEAGLE: Good morning, Bobby.

14

15 MR. FITHIAN: Good morning again, Mr.
16 Chairman. Members of the Federal Subsistence Board.
17 My name is Bobby Fithian. I'm representing this time
18 the Alaska Professional Hunters Association. Also, I'd
19 like to state that I'm a professional guide and have
20 operated a concession in a portion of GMU 11 for a
21 number of years.

22

23 I disagree in relation to the
24 conservation concern aspect. There is a conservation
25 concern regarding goats in a portion of this proposal.
26 And that portion geographically speaking is the same
27 region that was related from the written comments.
28 It's the region north and/or west of the Chitina and
29 Kennicott Rivers.

30

31 The reason being is that particular
32 mountain range represents the furthest northern
33 latitude of the habitat of Rocky Mountain Goats in
34 North America. And the further north you go, the fewer
35 goats that habitate [sic] that region. And it gets to
36 the point as you go further from the Kennicott west
37 and/or north, the drainages start harboring less and
38 less goats to the point that just three significant
39 drainages to the north or west of the Kennicott, you
40 end up with having only one or two or three goats per
41 drainage. Those regions do incur a number of early
42 August hunters, people that are there taking part in
43 the August subsistence sheep hunts, and there's a
44 conservation concern related to the harvest of goats in
45 those drainages.

46

47 APHA supports an amendment that was
48 developed between ADF&G and the Wrangell-St. Elias
49 Subsistence Resource Commission relating to this
50 proposal. And it's -- I believe it will be coming

1 forward again later during deliberation here, Mr.
2 Chairman.

3

4 That's -- I guess I would state that in
5 recent years there's been a decline in the goats in
6 that region. The Lakina River is the are that Mr.
7 Lohse lives on, and the upper reaches of it typically
8 have been a pretty dominant goat habitat. This past
9 year -- I have a sighting average of the last 10 years
10 of 25 to 30 goats in that drainage. This past year we
11 had no goat sightings in that drainage, nor did I see
12 any goats in the Kuskulana, the Kotsina and those
13 regions north and west of the Kennicott and Chitina.

14

15 I would just urge the Board's
16 consideration of the conservation aspects of this
17 proposal in relation to that geographical region. But
18 we do understand that there is a harvestable surplus of
19 goats in those regions outside of this amended --
20 proposed amendment.

21

22 Thank you.

23

24 CHAIRMAN FLEAGLE: Thank you. Bob, I'm
25 going to ask you a question since you know the area.
26 I'm sure anybody here probably can answer this, but the
27 map I'm looking at doesn't show the Kennicott. Is that
28 upriver of the Nizina, upstream of McCarthy?

29

30 MR. FITHIAN: That's correct. And I
31 believe Mr. Lohse will be able to speak clearly to
32 that, and the Kennicott actually flows into the Nizina.
33 And if you would be familiar with McCarthy, I believe
34 that the proposed amendment would be everything to the
35 west and/or north of the town of McCarthy, and
36 everything east and/or south of McCarthy would be in
37 the area that would allow for the newer -- earlier
38 season dates.

39

40 CHAIRMAN FLEAGLE: Thank you. Larry.

41

42 MR. BUKLIS: Mr. Chairman, the maps in
43 the front of the book on Page 9 in your Board book has
44 the Kennicott and Chitina Rivers identified. Page 9.

45

46 CHAIRMAN FLEAGLE: Thanks, Larry, for
47 pointing that out.

48

49 All right. That moves us on to
50 Regional Council recommendation. Got to Ralph Lohse.

1 MR. LOHSE: Thank you. Southcentral
2 Regional Council supported this unanimously. We did
3 not consider the modification, and I'll speak to the
4 proposal and the modification later. But we did
5 support this proposal unanimously. With the amount of
6 take in the area, the amount of pressure, lack of
7 conserv -- we saw no -- we saw a lack of conservation
8 concern, especially since there was a cap on it that
9 could be implemented.

10
11 However, we did not consider the
12 modification that was brought in, and we did not
13 consider some of the evidence that Bob brought up, and
14 I can speak to some of that evidence myself later.

15
16 CHAIRMAN FLEAGLE: Thank you. Sue.

17
18 MS. ENTSMINGER: Thank you, Mr. Chair.
19 We also supported it for the same reasons. And I
20 wanted to note that I serve on the Subsistence Resource
21 Commission from -- as an Eastern representative, and
22 would it be good to speak to the modification of the
23 SRC now or later in discussion?

24
25 CHAIRMAN FLEAGLE: In discussion. At
26 this point just give your Council recommendation.

27
28 MS. ENTSMINGER: Yeah. This -- we
29 supported it without modification, but new information
30 came later.

31
32 CHAIRMAN FLEAGLE: You bet. Okay.
33 Department of Fish and Game. Ken Taylor.

34
35 MR. TAYLOR: Thank you, Mr. Chairman.
36 Terry Haynes will speak to this proposal.

37
38 CHAIRMAN FLEAGLE: Thank you. Terry.

39
40 MR. HAYNES: Mr. Chairman. Our written
41 comments are on Page 336 of your meeting book.

42
43 Unit 11 supports the northernmost
44 mountain goat population in Alaska, and we believe
45 conservative management is necessary. Most of the
46 accessible goat hunting areas in Unit 11 are marginal
47 goat habitat and goat numbers are low in these areas.
48 Only about half the goats in Unit 11 are found in areas
49 accessible to hunters.

50

1 Implementing an earlier Federal season
2 would subject goat populations in some of these
3 accessible areas where local residents also hunt Dall
4 sheep to over-harvest. An earlier season opening would
5 encourage the incidental harvest of goats by Federally-
6 qualified subsistence users who fail to harvest Dall
7 sheep, and who are not specifically targeting goats.
8

9 Better weather conditions earlier in
10 August also may facilitate higher harvests in easily
11 accessible areas. For example, goat numbers are low,
12 but very accessible in the Kotsina/Kukulana area and
13 would be vulnerable to over-harvest.
14

15 The Department recommends that this
16 proposal be adopted as modified by the Wrangell-St.
17 Elias Subsistence Resource Commission to exclude from
18 the hunt area in which the mountain goat season opens
19 on August 10 that portion of Unit 11 north of the
20 Chitina River and west of the Kennicott River. This
21 resolves the Department's concerns about goats being
22 taken opportunistically in areas easily accessed by
23 sheep hunters.
24

25 However, this expanded season is -- the
26 expanded season of the original proposal is not
27 necessary to provide opportunity for subsistence uses
28 of mountain goat by Federally-qualified subsistence
29 users on Federal lands in Unit 11. And, again, the
30 original proposal would potentially subject goat
31 populations in road-accessible areas to over-harvest
32 and require in-season reporting, monitoring, and
33 closures for conservation purposes.
34

35 Thank you, Mr. Chairman.
36

37 Alaska Department of Fish and Game
38 Comments to the Federal Subsistence Board
39

40 Wildlife Proposal WP08-16:
41

42 Lengthen the hunting season for
43 mountain goat in a portion of Game Management Unit 11
44 by opening the federal season to coincide with the
45 federal sheep season on August 10, which is 15 days
46 earlier than the current federal goat season opening on
47 August 25. The federal goat season opens a week
48 earlier than the state season, which begins September
49 1.
50

1 Introduction:

2

3 This proposal requests that the
4 mountain goat season in Unit 11 be opened on August 10
5 instead of August 25 in order to align it with the
6 season opening date for the state s general sheep hunt
7 in Unit 11 and provide more hunting opportunity for
8 federally-qualified subsistence users.

9

10 Impact on Subsistence Users:

11

12 Adoption of this proposal would provide
13 additional goat hunting opportunity in the short term
14 for subsistence users in that portion of Unit 11 within
15 the Wrangell-St. Elias National Park and Preserve by
16 opening the season on August 10 instead of August 25.
17 However, if this proposal is adopted and harvests
18 substantially increase, restrictions on goat hunting
19 may be necessary in the long-term.

20

21 Opportunity Provided by State:

22

23 State regulations authorize the harvest
24 of one goat by registration permit in Unit 11 during a
25 September 1 November 30 season.

26

27 Conservation Issues:

28

29 Unit 11 supports the northernmost
30 mountain goat population in Alaska, and conservative
31 management is necessary. Most of the accessible goat
32 hunting areas are marginal goat habitat, and goat
33 numbers are low in these areas. Only about half the
34 goats in Unit 11 are found in areas accessible to
35 hunters. Implementing an earlier federal season would
36 subject goat populations in some of these accessible
37 areas, where local residents also hunt Dall sheep, to
38 overharvest. An earlier season opening would encourage
39 the incidental harvest of goats by federally-qualified
40 subsistence users who fail to harvest Dall sheep and
41 are not specifically targeting goats. Better weather
42 conditions earlier in August also may facilitate higher
43 harvests in easily accessible areas. For example, goat
44 numbers are low but very accessible in the Kotsina-
45 Kuskulana area and would be vulnerable to overharvest.

46

47 Enforcement Issues:

48

49 Differences in state and federal
50 regulations create enforcement problems in areas of

1 mixed land ownership.

2

3 Recommendation:

4

5 Adopt the proposal as modified by the
6 Wrangell-St. Elias Subsistence Resource Commission to
7 exclude from the hunt area in which the mountain goat
8 season opens on August 10 that portion of Unit 11 north
9 of the Chitina River and west of the Kennicott River.
10 This resolves the Department's concerns about goats
11 being taken opportunistically in areas easily accessed
12 by sheep hunters. However, this expanded season is not
13 necessary to provide opportunity for subsistence uses
14 of mountain goat by federally-qualified subsistence
15 users on federal lands in Unit 11. Oppose the original
16 proposal, which will potentially subject goat
17 populations in road accessible areas to overharvest and
18 require in-season reporting, monitoring, and closures
19 for conservation purposes.

20

21 CHAIRMAN FLEAGLE: Thank you, Terry.

22

23 InterAgency Staff Committee comments.

24 Larry.

25

26 MR. BUKLIS: Mr. Chairman. The Staff
27 Committee comments are on Page 335. I'll highlight a
28 main point here.

29

30 Most subsistence hunters access the
31 unit with a motor vehicle and are therefore
32 concentrated along the McCarthy Road. The Staff
33 Committee suggests that the Board consider limiting the
34 season extension to only a portion of Unit 11, that
35 portion being the lands south of the Chitina River and
36 east of the Kennicott River, so as to reduce the
37 possibility of localized over-harvest. The Board could
38 also look at alternative harvest management strategies
39 such as is used in Subunit 6D where a harvest quota has
40 been established for subareas.

41

42 Thank you, Mr. Chairman.

43

44 CHAIRMAN FLEAGLE: Thank you. Board
45 discussion with Council Chairs and State Liaison.
46 Ralph.

47

48 MR. LOHSE: Thank you, Mr. Chair.
49 Yeah, I would like to speak to this. Like Bob said,
50 this is sitting right -- the section we're talking

1 about is right in my home back yard. We're talking
2 about the Crystalline Hills, Kuskulana, we're talking
3 about Fireweed Mountain.

4
5 I can give you an example of what's
6 happened up there in the last few years. We've had
7 some major avalanches. About three years ago my sons
8 were up in the mountain, and they were looking at
9 goats. And there was nine goats in one group. My sons
10 were on a ridge. It avalanched on both sides of them.
11 The goats were in the middle. They were still there.
12 They came back, and the next day I went up with them to
13 go look at the goats, and that whole area had
14 avalanched. There was no goat tracks going out of the
15 basin, and where the goats had been was all down at the
16 bottom. The snow was about 60-foot deep. And that
17 summer some friends of ours went up there and -- that
18 live right there. And the bears were digging goat
19 carcasses out of the avalanche.

20
21 So that same hillside, which is where
22 we always watch for goats in the wintertime, for the
23 last two years my friend who lives there that watches
24 that hillside very closely hasn't seen a goat on it.

25
26 There was a goat on Crystalline Hills
27 that we saw last fall. There have been a few goats on
28 the Crystalline Hills in the past. But it is road
29 accessible, and they're just not there any more. So
30 I'd have to go along with Bob that that would be a
31 very, very good area to close off, because it is the
32 accessible part of the area, and goat populations right
33 now are really low up there.

34
35 So we had never -- we didn't consider
36 this modification, because it wasn't brought to our
37 attention, and never did anything. We looked at the
38 whole unit as an overall unit. And the person involved
39 that was talking to us basically was interested in the
40 upper Chitina which gets very, very little pressure.

41
42 And from my standpoint, usually on the
43 Crystalline Hills, Fireweed Mountain and most of those
44 road accessible places, the goats don't come on the
45 roadside until late in the winter. They're back in
46 Hidden Creek, they're back in -- you know, they're back
47 in the passes back there, and they get pushed in the
48 wintertime to where you can see them from the road-
49 accessible portion. But we all know how far people can
50 hike back in.

1 And I think this -- I think it's a good
2 modification myself. I would support it myself. My
3 Council didn't have it come before them, and so they
4 never considered it.

5
6 CHAIRMAN FLEAGLE: Thanks. Now, when
7 you mentioned the person that spoke to you about it,
8 was that the person who submitted the proposal or just
9 somebody that knew him or.....

10
11 MR. LOHSE: The person who submitted
12 the proposal.

13
14 CHAIRMAN FLEAGLE: All right. Sue.

15
16 MS. ENTSMINGER: Yeah. Thank you, Mr.
17 Chair. Serving on the Subsistence Resource Commission,
18 the area biologist for the State was there and he gave
19 us some compelling reasons that he didn't want the
20 proposals to go forward, and that's when we suggested
21 that it -- well, let's just take out that area. And if
22 you look at that map, the light gray is preserve and
23 the dark is what we call the hard park. And, of
24 course, and it's road accessible where we pulled it
25 out. And it made a lot of sense, and he didn't have
26 any problem with that, so that's why we went for it.

27
28 And I, too, know the proposer of the
29 proposal. My son and him have hunted together, and
30 there's times when you're hunting, and my family and I
31 go hunting sheep up there, too, so -- and we tend to go
32 in the hard park, because it leaves more opportunity
33 for other hunters, and it's a place where you can take
34 a goat or a sheep and sometimes you like to just like
35 to be able -- you didn't see a sheep, there's a goat
36 standing there, you'd like to be able to shoot it when
37 you're hunting early, and that was his purpose of the
38 proposal.

39
40 So the SRC took it up and made that
41 modification and passed it.

42
43 CHAIRMAN FLEAGLE: Thank you, Sue.
44 Ralph.

45
46 MR. LOHSE: Mr. Chair. I'd like to add
47 one thing to it. One of the things that was brought
48 out is the early snowfall that we can have in the
49 mountains up there, and there's been a number of times
50 that I've seen August 10th with snow on the mountains

1 up where the goats and the sheep are up in that
2 country.

3
4 And I can speak to the customary and
5 traditional use of mountain goats in that area from one
6 of the old Native ladies that used to live in Chitina
7 that was a good friend of ours. She died at over 100
8 years old. And she talked about how in fall after the
9 fish were done, they headed for the mountains, and
10 everybody -- every different family had a different
11 section of the mountains, they went up there and they
12 basically lived on sheep and goats until the snow drove
13 them out of the mountains. At that time there wasn't a
14 lot of moose in the country. And when snow drove them
15 out of the mountains, they came to Taral and they lived
16 on dried fish for the rest of the winter.

17
18 But basically, falltime before the snow
19 came, before the snow drove them off the mountains was
20 the time that they were up in the mountains subsisting
21 on sheep and goats. And the two are -- as far as she
22 -- from talking to her, the two were interchangeable,
23 you know. They were both part of the mountain fauna
24 that was up there that they lived on. So I think it
25 would be -- I think you could say it would be customary
26 and traditional to take sheep and goats at the same
27 time.

28
29 CHAIRMAN FLEAGLE: Other discussion.
30 Ready to take it over, Board members. Marcia.

31
32 MS. BLASZAK: I believe I know what I'm
33 going to say, Mr. Chairman, but I may ask for a moment
34 of consultation if I mess this up, and I'm sure my
35 advisor here will tap me on the back if I do so.

36
37 You know, our concerns here for over-
38 harvest in the road-accessible area I think are equally
39 shared with some of the commenters that we heard. But
40 we also recognize the opportunity for the 15 days makes
41 sense. And I think what we're considering in our
42 support of this proposal is that we would maybe further
43 modify it locationally, and we've got a map that I'd
44 like to ask Sandy to hand out to folks if I can do so.

45
46 CHAIRMAN FLEAGLE: Okay. Let's first
47 go ahead and move for adoption of the proposal and then
48 we'll take an amendment for the modification.

49
50 MS. BLASZAK: Thank you, Mr. Chair. I

1 move to adopt both Southcentral and Eastern Interior
2 Regional Advisory Councils' recommendations.
3
4 MR. CESAR: I'll second it.
5
6 CHAIRMAN FLEAGLE: Okay. Just to move
7 the proposal that you would modify.
8
9 MS. BLASZAK: The proposal.
10
11 CHAIRMAN FLEAGLE: Yeah. Let's leave
12 the RAC recommendations out.
13
14 MS. BLASZAK: Do you want to stop?
15
16 CHAIRMAN FLEAGLE: Just move to adopt
17 the.....
18
19 MS. BLASZAK: Move to adopt the
20 proposal.
21
22 CHAIRMAN FLEAGLE: Okay. And then
23 Niles second?
24
25 MR. CESAR: Right.
26
27 CHAIRMAN FLEAGLE: All right. Thank
28 you. Now, the map is being distributed, and do you
29 want to speak to what you intend to propose as an
30 amendment?
31
32 MS. BLASZAK: Yes, sir.
33
34 CHAIRMAN FLEAGLE: Go ahead.
35
36 MS. BLASZAK: Thank you. The
37 modification would exclude the 15-day season extension
38 in that portion of Wrangell-St. Elias National Park and
39 Preserve down by then Chitina and Nizina River on the
40 south, the Kennicott River and Glacier on the
41 southeast, and the Root Glacier on the east. And I
42 think -- do we have a map to put up on the screen as
43 well?
44
45 CHAIRMAN FLEAGLE: They're working on
46 it. And this just makes the boundary more
47 understandable to somebody in the field than using the
48 Kennicott and.....
49
50 MS. BLASZAK: Yes, sir. Yes, sir. And

1 again this -- the modification as we're proposing it
2 would address the concern for over-harvest in the road-
3 accessible areas, and it's consistent with the SRC's
4 discussion.

5
6 CHAIRMAN FLEAGLE: Do you want to go
7 ahead and move that as an amendment?

8
9 MS. BLASZAK: Yes.

10
11 MR. CESAR: I'll second it.

12
13 CHAIRMAN FLEAGLE: All right. So done.
14 It is so ordered. Okay. The map is up on the screen
15 now. The red line constitutes the proposed boundary
16 with the amendment, and that is to the north and to the
17 west of the red line would be closed -- or not closed,
18 but would remain the same. And the season extension
19 would apply to everything south and east of that red
20 line.

21
22 MS. BLASZAK: That's correct.

23
24 CHAIRMAN FLEAGLE: Discussion. Tom.

25
26 MR. LONNIE: Mr. Chairman. I believe
27 the motion as amended and the discussion that we've
28 heard both from the public and from the Councils, this
29 is a good modification, and I would be supportive of it
30 when we vote. It recognizes, you know, basic wildlife
31 management principles to exclude certain areas for
32 conservation concerns, so I'm pleased that we're able
33 to have this before us.

34
35 CHAIRMAN FLEAGLE: Further discussion.

36
37 (No comments)

38
39 CHAIRMAN FLEAGLE: Ready for the
40 question on the amendment. Pete, on the amendment,
41 please poll the Board.

42
43 MR. PROBASCO: Thank you, Mr. Chair.
44 On the amendment, I would reference the map handed out
45 by Sandy for WP08-16. It would be north of the Chitina
46 River and west of the red line as depicted on the map.
47 Mr. Fleagle.

48
49 CHAIRMAN FLEAGLE: Yes.

50

1 MR. PROBASCO: Ms. Blaszak.
2
3 MS. BLASZAK: Yes.
4
5 MR. PROBASCO: Mr. Lonnie.
6
7 MR. LONNIE: Yes.
8
9 MR. PROBASCO: Mr. Cesar.
10
11 MR. CESAR: Yes.
12
13 MR. PROBASCO: Mr. Bschor.
14
15 MR. BSCHOR: Yes.
16
17 MR. PROBASCO: And Mr. Melius.
18
19 MR. MELIUS: Yes.
20
21 MR. PROBASCO: The amendment carries
22 six/zero. Mr. Chair.
23
24 CHAIRMAN FLEAGLE: Thank you. You
25 know, now that we've passed that, I've got a question,
26 of course. I know these kind of get confusing. The
27 red line is obviously on the north back of the Chitina.
28 But now when you're defining a glacier as a boundary,
29 are you defining that western edge as being the closed
30 area? What if the goat is standing on the glacier? Is
31 it legal or not? I don't know if we need to even go
32 here, but I know that in State regulations we used to
33 have to do this, define which river bank, because then
34 the islands are included or not. I just want to make
35 sure it's clear, you know. Somebody gets up in there
36 and doesn't get tagged for something.
37
38 Sandy, would you address that for us?
39
40 MR. RABINOWITCH: And I might look to
41 Barbara Cellarius in the audience if I don't get this
42 straight, but this would be like any other boundary
43 line. The area excluded from the extension would be to
44 the north and the west. The area with the extension
45 would be to the south and the east. Did I get that
46 straight, Barbara?
47
48 CHAIRMAN FLEAGLE: Of what?
49
50 MR. RABINOWITCH: Of that orange line

1 which is described in the text as Marcia read it.

2

3 CHAIRMAN FLEAGLE: Okay. So it's the
4 north bank of the Chitina and the west edge of the
5 glaciers basically.

6

7 MR. RABINOWITCH: Yeah.

8

9 CHAIRMAN FLEAGLE: All right. That's
10 clear. If that will satisfy the record, then I'm okay
11 with that.

12

13 MR. LOHSE: Mr. Chair.

14

15 CHAIRMAN FLEAGLE: Ralph.

16

17 MR. LOHSE: If you take a look at that
18 map right there, you see that the line goes from the
19 point of land along the Kennicott River, and it goes
20 across the glacier to the point, to Donohue Peak right
21 there. The point right there. And so basically it
22 covers the chunk, that finger of land that's sticking
23 out between the two glaciers. That finger of land
24 that's between the two glaciers is excluded from
25 hunting, and that is prime goat country right there
26 which is accessible from McCarthy. So what you've done
27 right there is you've taken all of the land north and
28 west of that line and made that nonaccessible.
29 Technically speaking, you could have a goat down on the
30 tongue of that glacier and he would be accessible, but
31 you're not likely to have a goat down on the tongue of
32 that glacier. The goats are going to be on the land --
33 on the hillside and on the land. It's pretty
34 definitive as long as you realize that it goes from the
35 point of land here to the point of land over here. You
36 know, it goes from the point of land on the Kennicott
37 to the point of land on Donohue in the middle out
38 there.

39

40 CHAIRMAN FLEAGLE: Right. Thanks,
41 Ralph. I appreciate that. And, you're right, it's
42 clear on the map, but the person in the field isn't
43 going to have this map. They're going to have the
44 regulation, right? But anyway, we've got it -- I think
45 it's clear what the intent is, so we've got.

46

47 Sandy.

48

49 MR. RABINOWITCH: One other thing. I
50 believe the regulation requires a Federal permit, and I

1 don't think it would be a problem for the Park Service
2 to have a hunt area map, you know, at the counter if
3 you will. People come to get permits that could have a
4 more detailed map to make it clear.

5
6 CHAIRMAN FLEAGLE: Thank you. I'm
7 sorry to drag us down into the weeds on that, but I
8 think the more information, the better, to make things
9 clearer, so it's.....

10
11 MR. MELIUS: (Indiscernible, away from
12 microphone)

13
14 CHAIRMAN FLEAGLE: Shut up, Tom.

15
16 (Laughter)

17
18 MR. MELIUS: I didn't say a word, Mr.
19 Chairman.

20
21 CHAIRMAN FLEAGLE: You didn't have to.

22
23
24 Are we ready for final action on
25 Proposal -- what are we on, 16? Pete.

26
27 MR. PROBASCO: Thank you, Mr. Chair.
28 Final action on WP08-16 as amended. Ms. Blaszak.

29
30 MS. BLASZAK: Yes.

31
32 MR. PROBASCO: Mr. Lonnie.

33
34 MR. LONNIE: Yes.

35
36 MR. PROBASCO: Mr. Cesar.

37
38 MR. CESAR: Yes.

39
40 MR. PROBASCO: Mr. Bschor.

41
42 MR. BSCHOR: Yes.

43
44 MR. PROBASCO: Mr. Melius.

45
46 MR. MELIUS: Yes.

47
48 MR. PROBASCO: And Mr. Fleagle.

49
50 CHAIRMAN FLEAGLE: Yes.

1 MR. PROBASCO: Motion carries,
2 six/zero.

3
4 CHAIRMAN FLEAGLE: Okay. That brings
5 us up to Proposal 17/18, Unit 15 moose. Do we have the
6 appropriate Staff? It looks like it. All right we
7 turn it over to Greg Risdahl for the analysis. Good
8 morning, Greg.

9
10 MR. RISDAHL: Good morning again, Mr.
11 Chairman and members of the Board. For the record, my
12 name is Greg Risdahl. I'm a wildlife biologist for the
13 Office of Subsistence Management.

14
15 The analysis for Wildlife Proposal
16 WP08-17 and 18 begins on Page 340 of your Board book.
17 Proposal 17 was submitted by the Alaska Department of
18 Fish and Game and Proposal 18 was submitted by Lee A.
19 Martin.

20
21 Both proposals request the elimination
22 of the late fall Federal subsistence moose season in
23 Units 15B and 15C. Therefore, the proposals were
24 combined for analysis.

25 The proponents state that the late fall
26 Federal subsistence moose season could disrupt and
27 displace rutting bulls, causing long-term detrimental
28 effects to the sustainability of the population. The
29 proponents further state that elimination of the hunt
30 would help insure proper management of the moose
31 populations in Units 15B and 15C.

32
33 In July 1995, the Federal Subsistence
34 Board adopted a positive customary and traditional use
35 determination for moose for the residents of Ninilchik,
36 Nanwalek, Port Graham and Seldovia in Units 15B and
37 15C. At the same time, the Board authorized an August
38 10 through September season with the spike fork, 50-
39 inch, or three or more brow tines on at least one
40 antler restriction. This provided a 10-day opportunity
41 for Federally-qualified subsistence users prior to the
42 State opening. In May 2006 the Board adopted a late
43 season to run from October 20 to November 10 in Units
44 15B and C with the same antler restrictions.

45
46 At the spring 2000 [sic] meeting in
47 Anchorage, the Board rejected Wildlife Proposal 07-22
48 which requested the elimination of the Federal late
49 hunt or to cap the number of permits at 10 for
50 Federally-qualified subsistence users not wanting to

1 eliminate the late fall Federal subsistence season
2 after only one season. No evidence was presented to
3 the Board indicating that there had been any adverse
4 effects on the moose population in either Units 15B or
5 15C.

6
7 This proposal analysis, plus the next
8 two which I will also be presenting, each deal with
9 Federal subsistence moose seasons in Unit 15.
10 Therefore, I'm going to just present the biological
11 background and harvest history sections for Unit 15
12 this one time, if that's okay.

13
14 And the third proposal dealing with
15 moose on the Kenai Peninsula, there is -- it also deals
16 with Unit 7, so I will go ahead then at that time and
17 present additional information for that unit regarding
18 biological information and the harvest history of that
19 area.

20
21 Beginning with Unit 15A, the Alaska
22 Department of Fish and Game's management objective for
23 moose is to maintain a minimum post-hunting season sex
24 ratio 15 bulls per 100 cows. The Kenai National
25 Wildlife Refuge has established a minimum goal of 25
26 bulls per 100 cows for most refuge lands, with the
27 exception of the Skilak Loop Wildlife Management Area
28 where the management objective is 40 bulls per 100
29 cows. The 2005/2006 fall sex and age composition
30 survey in Unit 15A, excluding the Skilak Loop Wildlife
31 Management area, reveal a bull/cow ratio of 26 bulls
32 per 100 cows, slightly higher than the long-term
33 bull/cow ratio of 25 to 100.

34
35 The calf/cow ratio was estimated at
36 that time at 18 calves per 100 cows, considerably less
37 than the long-term calf/cow ratio of 28 per 100.
38 Calves made up about 12 percent of the 524 moose that
39 were counted in that survey, compared to the long-term
40 average of 18 percent.

41
42 In Unit 15B, the Alaska Department of
43 Fish and Game's management objectives west in -- excuse
44 me, in Unit 15B west, this unit has been divided into
45 two parts by the State for management purposes, in the
46 central Kenai Peninsula are to maintain a population of
47 moose with a bull/cow ratio of 15 bulls per 100 cows,
48 while providing maximum opportunity for sportsmen. The
49 State's objectives for Unit 15B east are to maintain a
50 population with a bull/cow ratio of 40 bulls per 100

1 cows with the opportunity to harvest a large antlered
2 bull under aesthetically pleasing conditions.

3
4 No aerial surveys have been conducted
5 since 2001 in Unit 15B where the population at that
6 time was estimated to contain somewhere between 777 and
7 1,139 moose. Because the survey was conducted late in
8 winter after most bulls shed their antlers, bull/cow
9 ratios were not determined.

10
11 In Unit 15C, the State's management
12 objectives are to maintain a minimum post-hunting
13 season sex ratio of 15 to 20 bulls per 100 cows. Based
14 on the results of more recent aerial surveys, the moose
15 population in this unit appears to have increased
16 slightly since -- somewhat since 1993. The most recent
17 survey conducted by Alaska Department of Fish and Game
18 took place in 2003 and 2004 where a little over 1,000
19 moose were counted, including 895 adults and 165
20 calves, which is about 15 percent calves; however, it
21 was conducted too late in the season to calculate again
22 the bull/cow ratio. It is believed that the moose
23 population in Unit 15C will likely continue to increase
24 in the near future as hardwood browse is generated in
25 response to 86,000 acres of woodlands that have burned
26 since 2000.

27
28 Under State regulations, approximately
29 3,000 hunters each year harvest around 500 moose in
30 Unit 15 as a whole. Approximately 50 percent of the
31 State harvest comes from Unit 15A, 10 percent comes
32 from Unit 15B, and 40 percent comes from Unit 15C. In
33 contrast, since the beginning of the Federal
34 subsistence program, approximately 30 Federally-
35 qualified subsistence hunters have taken an average of
36 four moose per year in all of Unit 15 on an annual
37 basis. Ninety-one percent of Federally-qualified
38 subsistence users have returned harvest reports each
39 year.

40
41 The October 20 to November 10 late
42 Federal season has been in place in Units 15B and 15C
43 for just two years, last year and the year before. The
44 number of permits issued for the combined early and
45 late seasons increased by 16 percent from 2006 to 2007,
46 but the number of permit holders that hunted remained
47 very similar. During the two years that the late
48 Federal moose hunt has been in place, only four total
49 moose have been harvested, two in 2006 and two in 2007.
50

1 If Wildlife Proposal 17 and 18 are
2 adopted, it would eliminate the late Federal
3 subsistence season, decreasing moose hunting
4 opportunities for Federally-qualified subsistence
5 users.

6
7 No adverse effects on post-rut bulls or
8 the moose population as a whole have been documented as
9 a result of the late Federal fall hunt. In addition,
10 there is a State-managed permit hunt for moose during
11 the height of the rut in Unit 15B and one held after
12 the rut in Unit 15A with apparently not negative
13 impacts to rutting bulls or the moose population as a
14 whole. The small harvest and low numbers of
15 subsistence hunters participating in the late Federal
16 season in Units 15B and 15C suggest that elimination of
17 the hunt is necessary to protect the Kenai moose
18 population. The late Federal moose season does,
19 however, provide Federally-qualified subsistence users
20 an additional opportunity to meet their subsistence
21 needs.

22
23 If a conservation concern arises, the
24 Kenai National Wildlife Refuge manager is authorized to
25 close the late season. In addition, further changes in
26 the permitting process can be implemented without
27 regulatory action by the Federal Subsistence Board.

28
29 In summary, the moose population in
30 Units 15B and 15C appears to be stable under the
31 existing management regime, and there are currently no
32 conservation concerns.

33
34 Therefore, the OSM conclusion is to sup
35 -- is to, excuse me, oppose Proposals 17 and 18.

36
37 Thank you.

38
39 CHAIRMAN FLEAGLE: Thank you, Greg.

40
41 Summary of written public comments.
42 Donald.

43
44 MR. MIKE: Thank you, Mr. Chair. The
45 summary of written public comments are on Page 358.

46
47 The Homer Fish and Game Advisory
48 Committed voted unanimously in favor of the proposal.
49 The Cooper Landing Fish and Game Advisory Committee
50 opposed the proposal, stating the late season hunt

1 would have minimal negative effect, in any, and is
2 outweighed by the benefit it offers.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN FLEAGLE: Okay. Thank you.

7

8 Public testimony.

9

10 MR. PROBASCO: Mr. Chair, we have no
11 one signed up for this proposal.

12

13 CHAIRMAN FLEAGLE: Department of Fish
14 and Game comments. Ken Taylor.

15

16 MR. TAYLOR: Thank you, Mr. Chairman.
17 Terry Haynes will speak to this proposal.

18

19 CHAIRMAN FLEAGLE: Terry, good morning.

20

21 MR. HAYNES: Mr. Chairman. Did you
22 want to take the Regional Council recommendation first?

23

24 CHAIRMAN FLEAGLE: Yeah. Thanks.

25 Ralph.

26

27 MR. LOHSE: Thank you, Mr. Chair.
28 Okay. I thought I was going to get to go after Fish
29 and Game this time. The Regional Council unanimously
30 opposed this proposal. And I'll speak to anything that
31 you want to speak to during the discussion.

32

33 CHAIRMAN FLEAGLE: Okay. Thanks. All
34 right. Now State. Go ahead, Terry.

35

36 MR. HAYNES: Thank you, Mr. Chairman.
37 Our comments begin on Page 354 of your meeting book.

38

39 Essentially our comments are a
40 substitute proposal for what we originally submitted,
41 and this is a topic that's been on the table for the
42 last two or three years, so much of what we have to say
43 is not new information.

44

45 But what the Department is recommending
46 in its substitute proposal is to limit the number of
47 antlered bulls with spike fork or 50-inch antlers or
48 with three or more brow tines on either antler in Units
49 15B and 15C. And for the late season, October 20 to
50 November 10, our proposal is to limit the number

1 permits being issued to 30 in 15B and 30 in 15C, and
2 the Kenai Refuge manager would close the hunt if
3 harvest exceeds two big bulls in Unit 15B and three big
4 bulls in Unit 15C. Federal permit holders would sign a
5 residency affidavit verifying that they're eligible to
6 participate in this hunt.

7
8 This proposal is essentially a
9 recommendation we made last on reducing the harvest
10 quota for this hunt because of our concern with the
11 impact of additional hunters in the field during the
12 post-season rut.

13
14 We disagree with the assertion that the
15 Office of Subsistence Management is making is that
16 there are no impacts on moose out there during the
17 post-rut period. Moose conservation concerns in Units
18 7 and 15 have compelled the Department to reduce late
19 season hunting pressure on moose populations in these
20 two units. For example, the Department intends to
21 reduce the number of permits to be issued for the
22 State's five late season hunts in Unit 15B from 50
23 permits to 10 permits next fall. In addition, the
24 Department will not be issuing any permits for the late
25 season drawing permit moose hunts in portions of Unit 7
26 and Unit 15A.

27
28 Again, as I mentioned earlier, hunting
29 that disrupts and displaces bulls during the October 20
30 to November 10 Federal season could be detrimental to
31 the long-term sustainability of these moose
32 populations. Even if the harvest remains relatively
33 low, a large number of hunters can disrupt these post-
34 rut congregations, and reduce bull survival, which
35 could have potentially long-term negative effects on
36 the sustainability of these populations. By limiting
37 the permits for the late season Federal hunt, the
38 potential for this disruption will be reduced.

39
40 We also recommend that there be
41 adequate Federal enforcement present during the late
42 season hunt to insure that participants are hunting
43 only on Federal public lands. You'll note that Federal
44 lands are located some distance away from the
45 Federally-qualified subsistence users' communities of
46 residence in Unit 15.

47
48 Limiting participation in the late
49 season federal hunts will insure that the highly
50 visible and often densely congregated post-rut

1 concentrations of moose will not be overly disturbed
2 and disrupted during a physiologically stressful
3 period. We believe this will help to insure the long
4 term and sustainable management of moose populations
5 for both subsistence and non-subsistence users.
6

7 Adoption of our proposal would result
8 in Federally-qualified subsistence still having a 42-
9 day early fall season which is 10 days longer than the
10 State general season, as well as a limited late fall
11 hunt. We believe this is a reasonable compromise
12 between providing opportunity for Federally-qualified
13 subsistence users, and insuring sustainable management
14 of the moose populations.
15

16 Retaining an unlimited post-rut season
17 will provide additional short-term subsistence hunting
18 opportunity that we believe will be detrimental to both
19 sound wildlife management and satisfaction of
20 subsistence needs over the long term.
21

22 So again we recommend that the
23 substitute proposal be adopted. It emphasizes our
24 conservation concerns regarding the late season in
25 Units 15B and 15C. Although hunters have reported
26 harvesting only four moose during the two years these
27 late season Federal hunts have been in effect, we
28 anticipate that interest will increase over time and
29 draw more hunters into the field during the stressful
30 post-rut period when bulls are congregating at high
31 elevations and vulnerable to disruption.
32

33 We believe several steps could be taken
34 to strengthen administration of this last season hunt
35 and ensure that relevant information is available to
36 evaluate its effects over time to support closures for
37 conservation purposes if and when they're needed.
38

39 First, Federal hunt administrators need
40 to insure the permits are issued only to eligible rural
41 residents of Ninilchik, Nanwalek, Port Graham and
42 Seldovia.
43

44 Second, if a single permit continues to
45 be used for administration of the early season and late
46 season Federal hunts, we request that a place on the
47 permit for hunters to indicate if they participated in
48 the early season hunt of late season hunt or both,
49 regardless of whether they harvested a moose.
50

1 Finally, the harvest guidelines in our
2 proposal need confirmation that they are the guidelines
3 that the Kenai Refuge manager would use to represent
4 conservation concerns, and to initiate discussions with
5 the Department and the Regional Advisory Council chair
6 in order to close the late season hunt in Unit 15B if
7 the harvest exceeds two large bulls, and in Unit 15C if
8 the harvest exceeds three large bulls.

9

10 Thank you, Mr. Chairman.

11

12 Alaska Department of Fish and Game
13 Comments to the Federal Subsistence Board

14

15 Wildlife Proposal WP08-17/18:

16

17 Eliminate the late fall moose hunting
18 season in Game Management Units 15B and 15C.

19

20 Introduction:

21

22 These proposals address the Alaska
23 Department of Fish and Game s continuing concern about
24 the potential effects of the late fall, post-rut
25 (October 20 November 10) moose hunt on the long-term
26 sustainability of moose populations in Units 15B and
27 15C.

28

29 Impacts on Subsistence Users:

30

31 Federally-qualified subsistence users
32 would still have a 42-day early fall season, which is
33 10 days longer than the corresponding state seasons in
34 these subunits.

35

36 Other Comments:

37

38 The Alaska Department of Fish and Game
39 reconsidered its original proposal and recommends
40 consideration of this alternative proposal:

41

42 How should the new regulation read?

43

44 Units 15B, and 15C- 1 antlered bull
45 with spike-fork or 50-inch antlers or with 3 or more
46 brow tines on either antler, by federal registration
47 permit only. The Oct. 20 Nov. 10 season is limited
48 to 30 permits in 15B and 30 permits in 15C. The Kenai
49 National Wildlife Refuge Manager will close the hunt if
50 the harvest exceeds 2 big bulls (50-inch antlers or

1 with 3 or more brow tines on either antler) in 15B and
2 3 big bulls in 15C. Federal permit holders must sign a
3 residency affidavit verifying that they are eligible to
4 participate in this hunt.

5
6
7 Why should this regulation change be
8 made?

9
10 The Department of Fish and Game
11 continues to have conservation concerns regarding the
12 potential negative impacts the unlimited post-rut
13 portion (Oct. 20 Nov. 10) of the current federal
14 season may have on moose populations in Units 15B and
15 15C. State moose hunts on the Kenai Peninsula that
16 take place after the Aug. 20- Sept. 20 general season
17 dates are limited and highly restricted, in contrast to
18 the current late season federal hunt. For example, the
19 Sept. 26 Oct. 15 state drawing permit hunts (DM531
20 539) in the eastern portion of Unit 15B are limited to
21 50 total permits; hunters are separated into five large
22 areas that span over more than 30,000 acres to reduce
23 localized impacts. Since 1996, on average 35 of the 50
24 permittees have participated in this hunt each year and
25 harvested an average of fewer than 11 bulls per year.

26
27 Moose conservation concerns in Units 7
28 and 15 compelled the Department to reduce late season
29 hunting pressure on these moose populations. The
30 Department intends to reduce the number of permits
31 issued for the five late season hunts in Unit 15B from
32 50 to 10 next fall. In addition, no permits will be
33 issued for the late season drawing permit hunts (DM
34 522) in portions of Unit 7 and Unit 15A.

35
36 The state s Sept. 26 Oct. 15 hunt in
37 the eastern part of Unit 15B has a unique management
38 structure. There is no general season in this area,
39 which results in a much higher bull:cow ratio in this
40 area compared to that found on adjacent lands open to
41 general season moose hunters. Impacts of a relatively
42 unrestricted late season federal hunt could have much
43 greater negative impacts in Unit 15C, where bull:cow
44 ratios are lower than in Unit 15B due to a long general
45 season (Aug. 20 Sept. 20).

46
47 Additionally, and of paramount
48 importance, is the fact that the post-rut period for
49 bulls is a stressful period physiologically. Bulls
50 typically have exhausted their body reserves during the
rut and are in poor condition. After the rut, bulls

1 are often at high elevations, grouped into large
2 congregations, and are highly visible and accessible to
3 hunters. Hunting that disrupts and displaces bulls
4 during the Oct. 20 Nov. 10 federal season could be
5 detrimental to the long-term sustainability of these
6 populations. Even if the harvest remains relatively
7 low, a large number of hunters can disrupt these post-
8 rut congregations and reduce bull survival, which could
9 have potentially long-term negative effects on the
10 sustainability of these populations. By limiting the
11 permits for the Oct. 20 Nov. 10 portion of the
12 federal season, the potential for this disruption of
13 post-rut bulls would be reduced.

14
15 From 1996 to 2005, the federal
16 subsistence season was Aug. 10 Sept. 20. During
17 those years, the average number of permits issued was
18 fewer than 37 per year, with only 24 of those permit
19 holders hunting each year (Figure 1), resulting in an
20 average harvest of fewer than 4 moose each year. In
21 the first year of the early fall and late fall Federal
22 seasons (Aug. 10 Sept. 20; Oct. 20 Nov. 10) in
23 2006, more permits were issued (96) and more permittees
24 hunted (61) than ever before. We anticipate that the
25 number of permits issued and used will continue to
26 increase, particularly if Cooper Landing is determined
27 to have customary and traditional uses of moose in Unit
28 15B, where a late season is open. Even though the 2006
29 harvest remained somewhat low (5 bulls), an unlimited
30 number of late season hunters and the potential
31 negative impact they could cause to post-rut
32 concentrations of bulls is contrary to the best long-
33 term management of the moose populations.

34
35 During the first year of the federal
36 Oct. 20 Nov. 10 season some additional problems
37 occurred that exacerbate our conservation concerns as
38 described above. The Alaska Maritime National Wildlife
39 Refuge issued permits to hunters who did not reside in
40 communities eligible to participate in this hunt; and
41 neither the Alaska Maritime Refuge nor the Kenai
42 National Wildlife Refuge required applicants to sign an
43 affidavit to attest to their community of residence.
44 This makes enforcement and management of the hunt
45 difficult. Requiring that federal permittees sign a
46 residency affidavit would alleviate this concern.

47
48 In addition to the recommended
49 regulatory changes, the presence of federal enforcement
50 personnel during the hunt is essential to ensure

1 participants are hunting only on federal public lands.

2

3 What impact will this change have on
4 wildlife populations?

5

6 Limiting participation in the Oct. 20
7 Nov. 10 federal hunts will ensure that the highly
8 visible and often densely congregated post-rut
9 concentrations of moose will not be overly disturbed
10 and disrupted during a physiologically stressful
11 period. This would help to ensure the long-term and
12 sustainable management of moose populations for both
13 subsistence and non-subsistence users.

14

15 How will this change affect subsistence
16 uses?

17

18 Federally-qualified subsistence users
19 hunting under federal regulations would still have a
20 42-day early fall season (Aug. 10 Sept. 20), which is
21 10 days longer than the state general season, as well
22 as a limited late fall hunt. This is a reasonable
23 compromise between providing opportunity for federally-
24 qualified subsistence users and ensuring the
25 sustainable management of the moose populations.
26 Retaining an unlimited post-rut season will provide
27 additional short term subsistence hunting opportunity
28 that will be detrimental to both sound wildlife
29 management and satisfaction of subsistence needs over
30 the long term.

31

32 How will this change affect other uses,
33 i.e., sport/recreational and commercial?

34

35 This proposed regulation change would
36 have no known impact on other uses. The proposed
37 change will help to ensure sustained yield management
38 of the moose populations in Units 15B and 15C, which
39 will benefit both federally-qualified subsistence users
40 and other hunters in the long term.

41

42 Recommendation.

43

44 Adopt. This proposal emphasizes our
45 conservation concerns for the late season federal moose
46 hunts in Units 15B and 15C. Although hunter have
47 reported harvesting only four moose during the two
48 years in these late season federal hunts, we anticipate
49 that interest will increase over time and draw more
50 hunters into the field during the stressful post-rut

1 period when bulls are congregating at high elevations
2 and vulnerable to disruption.

3
4 Several steps can be taken to
5 strengthen the administration of this hunt and ensure
6 that relevant information is available to evaluate its
7 effects over time to support closures for conservation
8 purposes. First, federal hunt administrators need to
9 ensure that permits are issued only to eligible rural
10 residents of Ninilchik, Nanwalek, Port Graham, and
11 Seldovia. Second, if a single permit continues to be
12 used for administration of the early season and late
13 season hunts, we request a place on the permit for
14 hunters to indicate if they participated in the early
15 season hunt or late season hunt, or both, regardless of
16 whether they harvested a moose. Finally, the harvest
17 guidelines in our proposal need confirmation that they
18 are the guidelines that the Kenai Refuge Manager would
19 use to represent conservation concerns and to
20 initiate discussions with the Department and the
21 Regional Advisory Council Chair in order to close the
22 late season hunt in Units 15B if the harvest exceeds
23 two large bulls and in Unit 15C if the harvest exceeds
24 three large bulls.

25
26 CHAIRMAN FLEAGLE: Thank you, Terry.

27
28 InterAgency Staff Committee comments.
29 Larry.

30
31 MR. BUKLIS: Mr. Chairman. The Staff
32 Committee comments are on Page 353.

33
34 The Staff Committee notes that the
35 Kenai National Wildlife Refuge manager does plan to
36 consult with ADF&G area biologist if the harvest
37 exceeds two big bulls in Unit 15B or three big bulls in
38 Unit 15C as suggested by the State.

39
40 It should also be noted that prior to
41 issuing a permit for this hunt, hunters are asked to
42 sign an affidavit verifying that they are a Federally-
43 qualified rural resident. In addition, Federal permits
44 will be modified this year to better track the number
45 of hunters who are in the field during the late season
46 hunt.

47
48 Thank you, Mr. Chairman.

49
50 CHAIRMAN FLEAGLE: Thank you, Larry.

1 I'll now open it up for discussion.
2 Ralph.

3
4 MR. LOHSE: Thank you, Mr. Chair. A
5 lot of these same concerns were discussed at the
6 Council meeting, and just as the InterAgency Staff
7 Committee brought out just now, we did a lot of
8 consulting with Robin West, the manager of the Kenai
9 Refuge there. And I think kind of one of the
10 statements that -- I'll just make a quote by Mr. Gease,
11 one of our members of our Council, and at the end of it
12 he says, at this time I don't think the conservation
13 concerns identified here would meet the level where we
14 would want to pass the proposal, because I think the
15 Refuge manager already has the authority to do that,
16 and has expressed that he would do it.

17
18 And as we talked with the Refuge
19 manager, we expressed a desire to have good reporting.
20 Our Council has always requested good reporting. In
21 fact, our reporting we feel that -- we feel that the
22 reporting that we've asked from the subsistence
23 community in Southcentral has been much greater than
24 the reporting that's been asked from the State for
25 their participants. We ask for good reporting, we ask
26 for timely reporting. We recognize that the Refuge
27 manager has the authority to close the season by
28 emergency order, and has been given the instructions to
29 watch it closely, to monitor it closely.

30
31 And we recognize the concerns of the
32 State and we think their numbers that they put there
33 are very good. The idea of closing it after two or
34 three, both of which are more than has ever been taken
35 at this point in time. It was hard for us to -- it was
36 hard for us to think of the fact that the few
37 subsistence hunters in the field for a post-rut hunt
38 were considered so disruptive when at least up to this
39 time the State has always had post-rut hunts, guided
40 hunts, and there was more people in the field for them
41 than there was for the subsistence hunt. And so we
42 couldn't see where the State could think of that as
43 such a driving conservation concern unless they would
44 be willing to close all of their post-rut hunts. And I
45 know that they are talking about closing some and
46 cutting others back now, because of conservation
47 concerns.

48
49 But at this point in time, we -- after
50 two years, we had no evidence that there was any

1 significant disruption from the small number of
2 subsistence hunters that were in there. We felt that
3 there was safeguards in place, and we felt we had a
4 Refuge manager and staff that would react to any
5 subsistence concerns in a timely manner, and that he
6 would be getting sufficient information to react. And
7 he does consult, like it says, with the Fish and Game,
8 he does consult with the Chair of the RAC. And at this
9 point in time, we didn't see any reason to support this
10 proposal.

11
12 We have always said that we don't like
13 reacting to what ifs, but if there's a problem, bring
14 them to us and we'll react just as fast as we can. And
15 in this case we have a Refuge manager that can react
16 instantly. And so we oppose this proposal.

17
18 Thank you.

19
20 CHAIRMAN FLEAGLE: Thanks, Ralph.

21
22 Other discussion. Ken Taylor.

23
24 MR. TAYLOR: Thank you, Mr. Chairman.
25 I'm not all that familiar with the differences between
26 the State reporting requirements and the Federal
27 reporting requirements in this particular case. I did
28 notice that the Federal permits in the Unit 15 on Page
29 356 more than tripled in 2006, but we don't have any
30 data for 2007 yet. I don't know yet whether that trend
31 continued or exactly what happened.

32
33 I did note that Gino DelFrate, our
34 management coordinator for Southcentral, is sitting at
35 the table with Terry, and with your indulgence, Mr.
36 Chairman, I'd like to ask him if he has any further
37 information.

38
39 CHAIRMAN FLEAGLE: Gino DelFrate.
40 Welcome.

41
42 MR. DELFRATE: Good morning, Mr. Chair.
43 Members of the Board. Gino DelFrate. I'm the
44 management coordinator for Region 2. I was also the
45 assistant area biologist for the Kenai Peninsula for 11
46 years prior to moving to the Palmer area.

47
48 I don't have any additional information
49 at this point, but I am here for questions should you
50 get into some of the specifics or some of the

1 historical. I was present for most of those surveys in
2 the 90s when we surveyed the moose. And we have noted
3 at least within the 15B portion a very stagnant moose
4 population, even I believe it's slightly declining at
5 this point.

6
7 And so the one point I think I should
8 make is that with regards to our concerns about the
9 effects of hunting on post-rut bulls, we're currently
10 not looking -- we're not researching the effects.
11 Actually determining the effects of harassing moose
12 post-rut is a very difficult thing to look at. The way
13 you would determine that would be to look at overall
14 mortality of bulls over winter, because bulls tend to
15 lose 25 to 30 percent of their body weight during the
16 rut, and then they use what remaining stores they have
17 left to survive the winter. In a bad winter if they
18 have been harassed, they may not make it, and so you
19 would only see a reduction in the number of bulls
20 available in the future.

21
22 So our area biologist, Jeff Sellinger.
23 and I have talked quite a bit. Jeff is really
24 concerned about long-term health of that moose
25 population, and the bulls. As noted, he has initiated
26 a reduction in the number of permits for the 15B area,
27 because success rate for hunters has gone completely --
28 it has gone down to the point where it's even lower
29 than the general harvest. And he did indicate that
30 with additional information, he'll probably close those
31 late season permits in the future. You know, it went
32 to two permits per hunter this year. It will probably
33 go to zero in subsequent years.

34
35 So I'm here for questions if you have
36 any additional information.

37
38 Thank you.

39
40 CHAIRMAN FLEAGLE: Thank you, Gino.

41
42 Further discussion. Tom.

43
44 MR. MELIUS: I guess it's more of an
45 observation. I'm pleased to hear Ralph's comments
46 about our Refuge manager and his openness to try to
47 accommodate the various things he's hearing and seeing
48 as well as some of the things that the State has
49 brought up as indicated by Larry and the ISC comments
50 that we do plan to consult and work with the ADF&G

1 folks specifically if we get to that two bull in 15B or
2 three bulls in 15C.

3
4 We've also heard the comments about
5 having some additional information obtained from the
6 various folks that are out there hunting. So I think
7 that might be a way forward through this at this time.
8 This is a relatively new hunt. Only four bulls as we
9 heard were taken, so I think that might be a good way
10 to accommodate the various concerns that we've heard.
11 And so I'd probably be moving -- move the motion at the
12 appropriate time for adoption, but not supporting that
13 proposal, and supporting the points that I just brought
14 up here.

15
16 CHAIRMAN FLEAGLE: Ralph.

17
18 MR. LOHSE: Mr. Chair. I'm just going
19 to bring this forward as a concern from the subsistence
20 community, because it has been brought up in other
21 areas also. It is a concern in other areas. And one
22 thing, as the biologist has brought out, is the impact
23 of disturbance on post-rut bulls or I'll just say on
24 post-rut moose in general. And we have to remember
25 that the Kenai is the playground of Anchorage.

26
27 And one of the big play machines that
28 we have today is snow machines. And the Kenai
29 experiences a lot of pressure from snow machines in the
30 wintertime, and some of that pressure takes place right
31 where the moose are. And personally myself as a
32 subsistence user and as just an observer, I would be
33 willing to bet that the effect of snow machines on
34 post-rut survival of moose is a lot greater than the
35 effect of 30 or 50 subsistence hunters out there for a
36 couple of weeks, especially since the snow machine
37 activity really takes place even later in the winter
38 when the moose are in worse shape yet. And we've seen
39 that in Unit 13, and I think we see that every place --
40 as subsistence users, we see that every place where
41 there's good access to snow machines in the wintertime
42 to the country that animals winter in. And I think
43 that's something as a State and as Federal managers
44 we're going to have to consider in the future, because
45 the impact on our wildlife -- we've recognized it in
46 the national parks down in the Lower 48. The same
47 thing applies up here.

48
49 And as our population grows and as snow
50 machine use grows, and the new kind of snow machines

1 that people are running, I've been totally shocked at
2 them, because it's been a long time since I bought a
3 new snow machine, and I don't have a new one. But I
4 have youngsters that have new ones, and where they can
5 go just amazes me. And when I look at the snow machine
6 videos and that they have where the people have been
7 going and playing I think the impact on our wildlife
8 has probably grow exponentially in the last 10 years.
9 And that could be some of the effect that we have on
10 the Kenai on winter survival of moose, simply because
11 of the increase in activity down there. Now, we can
12 all hope that fuel prices get high enough that they
13 won't run their snow machines in the wintertime, but I
14 really don't believe that.

15

16 CHAIRMAN FLEAGLE: Jack Reakoff.

17

18 MR. REAKOFF: Mr. Chairman. Listening
19 to these comments, I feel that I should interject that
20 these are subsistence users. In our region, climatic
21 change, warming trends have caused problems with people
22 not meeting their subsistence needs during the normal
23 fall hunts, and we've been wanting to push our seasons
24 back a little bit.

25

26 Most of the breeding of moose is
27 between the 28th of September and the 6th of October.
28 These post-rut aggregates, these few people that would
29 be out hunting, these post-rut aggregates would be a
30 nominal effect on those bulls. They're still expending
31 energy. They run around butting heads and knocking
32 hair out of each other. They're still in a post-rut
33 mode. I trap, I run into these aggregates of bulls.
34 They're just standing around knocking each other around
35 still. It's not like they're just sedentary or
36 anything. They're hoping that there's another cow
37 that's going to come into late estrus.

38

39 And so I feel that providing
40 subsistence needs within the confines that's been
41 proposed is not a problem for this -- for these people,
42 and it's a positive thing for the subsistence users.

43

44 Thank you.

45

46 CHAIRMAN FLEAGLE: Thanks, Jack.

47

48 Any other discussion. Go ahead.

49

50 MR. REAKOFF: One other comment. There

1 is a protection written into the regulation for the
2 medium sized bulls. It's spike fork 50 or 3 brow
3 tines. There is a protection of a component of the
4 population.

5
6 Another issue that's not brought out is
7 the winter mortalities on the road systems, and that
8 has a significance influence on the population.

9
10 Thank you.

11
12 CHAIRMAN FLEAGLE: Tom.

13
14 MR. MELIUS: Motion. In following the
15 customary tradition that the Chairman has set forward
16 there. I will move that we adopt Proposal 17 and 18.
17 And if I get a second, I will provide rationale why I
18 will be not voting on that motion.

19
20 MS. BLASZAK: Second.

21
22 CHAIRMAN FLEAGLE: Go ahead, Tom.

23
24 MR. MELIUS: Thank you, Mr. Chairman.
25 I do appreciate the comments that we heard, the
26 concerns that were raised both by the State as well as
27 the various Councils. I do think though that as I
28 mentioned earlier, this is a relatively new hunt with
29 low harvest levels the last couple years. And while
30 I'm not planning to support my original motion, I have
31 indicated, and we've heard from others that we do plan
32 to work closely with the State on the concerns that
33 they have raised. The Refuge manager does plan to
34 consult with the ADF&G biologist if more than two bulls
35 are taken in 15B or three bulls in 15C. We also plan
36 to add on the permit provisions information that will
37 help us know how many hunters are out there in the
38 field during the season, so I would urge my Council
39 members to vote in opposition of my motion.

40
41 CHAIRMAN FLEAGLE: Board members.
42 Further discussion.

43
44 (No comments)

45
46 CHAIRMAN FLEAGLE: Is it that simple?
47 Are we ready for the question. Pete, please poll the
48 Board.

49
50 MR. PROBASCO: Thank you, Mr. Chair.

1 Final action on WP08-17/18. Mr. Lonnie.
2
3 MR. LONNIE: No.
4
5 MR. PROBASCO: Mr. Cesar.
6
7 MR. CESAR: No.
8
9 MR. PROBASCO: Mr. Bschor.
10
11 MR. BSCHOR: No.
12
13 MR. PROBASCO: Mr. Melius.
14
15 MR. MELIUS: No.
16
17 MR. PROBASCO: Mr. Fleagle.
18
19 CHAIRMAN FLEAGLE: No.
20
21 MR. PROBASCO: And Ms. Blaszak.
22
23 MS. BLASZAK: No.
24
25 MR. PROBASCO: Motion fails, zero/six.
26
27 CHAIRMAN FLEAGLE: Thank you, Pete.
28
29 We now move to Proposals 17 and -- no,
30 wait, we just did that. Let me switch my tab here.
31 19, 20, and 21 aggregate. And we still have Greg
32 Risdahl sitting before us for the analysis.
33
34 MR. RISDAHL: Thank you, Mr. Chairman.
35 The analysis for Wildlife Proposals 19, 20, and 21
36 begin on Page 361 of your Board book. Proposal 19 was
37 submitted by Robert M. Haynes and requests that antlers
38 of moose harvested in Unit 15C under Federal
39 subsistence regulations be turned in to the Alaska
40 Department of Fish and Game to be disposed of.
41 Proposal 20, submitted by Dan Presley requests that
42 antlers of moose harvested during the late fall Federal
43 season in Units 15B and 15C be taken to the Kenai
44 National Wildlife Refuge manager where the palm of the
45 antler would be cut to destroy any trophy value.
46 Proposal 21 was submitted by Keith Presely and requests
47 that antlers of moose harvested under Federal
48 subsistence regulations in all of Unit 15 be taken to
49 the Alaska Department of Fish and Game and cut in half
50 with the top half to remain with the Alaska Department

1 of Fish and Game. Because of the similarities in these
2 proposals, they've been combined for analysis.

3

4 Each of the proponents of the three
5 proposals request the destruction of the trophy value
6 of moose harvested under Federal subsistence
7 regulations in Units 15C, 15B and 15C, or Unit 15
8 depending on which of the proponents we're speaking of.
9 All three proponents state that people hunting under
10 Federal subsistence regulations should be hunting for
11 meat only and not for trophies.

12

13 In Unit 15 and elsewhere in Alaska,
14 moose populations, breeding age bulls in particular,
15 are protected from over-harvest by the spike fork or
16 50-inch or three or more brow tine on one antler
17 restriction. Not only is this regulation a
18 conservative approach to moose management, it focuses
19 the harvest on a portion of the yearling bulls or
20 occasionally a fully mature large male.

21

22 When Federal regulations have antler
23 restrictions in place such as these, antlers are
24 required to be removed from the field intact. In
25 addition, Federal regulations allow the sale of moose
26 antlers once they are detached from the skull of a
27 legally harvested animal or not made to represent a big
28 game trophy.

29

30 Under the proposed regulations,
31 however, moose antlers would either have to be
32 destroyed by cutting the palms in half or left with the
33 Alaska Department of Fish and Game or Kenai National
34 Wildlife Refuge, thereby diminishing or eliminating any
35 value that could be gained through the creation of
36 handicrafts.

37

38 As noted in the previous proposal, only
39 residents of the four communities, Ninilchik, Nanwalek,
40 Port Graham and Seldovia, have a positive customary and
41 traditional use determination for moose in Unit 15.

42

43 As noted earlier, the regulatory
44 history, current events, biological background and
45 harvest history are the same for these two proposals,
46 so I'm not going to repeat those at this time.

47

48 Since 1996, an average of 30 Federally-
49 qualified subsistence hunters have harvested fewer than
50 1 moose per year in Unit 15A, 1.4 per year in Unit 15B,

1 2.3 moose in Unit 14C for a total of 4.3 moose per year
2 during the August 10 through September 20 Federal
3 subsistence season. Only two moose were harvested in
4 2006 and two in 2007 in the late season as noted in the
5 previous presentation. There is no late season in Unit
6 15A.

7
8 Sixty hunters reported hunting in 2006
9 and 67 in 2007. If any of the current proposals are
10 adopted, it would not likely reduce harvest
11 opportunities for Federally-qualified subsistence users
12 in any significant way.

13
14 Also as noted in the previous analysis,
15 no negative impacts to post-rut bulls or the moose
16 populations have been documented as a result of either
17 the early or late Federal subsistence moose seasons.

18
19 The spike fork or 50-inch or 3 or more
20 brow tine restriction is a conservative regulation
21 designed specifically as I mentioned earlier to protect
22 breeding age bulls and the moose population as a whole.
23 In the case of the late season, if a conservation
24 concern were to arise, again the Kenai National
25 Wildlife Refuge is authorized to close the season. The
26 small harvest and low number of subsistence hunters
27 participating in the Federal seasons in Units 15A, B
28 and C suggests that destroying the trophy value of
29 harvested animals is not warranted to protect the Kenai
30 moose population.

31
32 However, requiring subsistence users to
33 turn in or have the antlers they harvest from legally
34 harvested animals destroyed would diminish or eliminate
35 the value of these antlers for making handicrafts.
36 Thus, it would not allow Federally-qualified
37 subsistence users to make full use of the animals they
38 harvest.

39
40 In summary, moose populations in these
41 three units appear to be stable under the existing
42 management regime, and there are no conservation
43 concerns at this time.

44
45 Therefore, the OSM conclusion is to
46 oppose Proposals 19, 20 and 21.

47
48 Thank you, Mr. Chairman.

49
50 CHAIRMAN FLEAGLE: Thank you, Greg.

1 Summary of written public comments.
2 Donald Mike.

3
4 MR. MIKE: Thank you, Mr. Chair. The
5 comments begin on Page 379. Excuse me.

6
7 The Homer Fish and Game Advisory
8 Committee supported the Proposal, stating that if
9 there's a Federal moose season for subsistence users,
10 the trophy value of the antlers should be destroyed or
11 antlers should be surrendered. The Cooper Landing Fish
12 and Game Advisory Committee opposed the proposal, and
13 they further commented that it is unnecessary and
14 appears to penalize subsistence hunters.

15
16 Thank you, Mr. Chair.

17
18 CHAIRMAN FLEAGLE: Thank you, Don.

19
20 Public testimony Pete.

21
22 MR. PROBASCO: Mr. Chair. We have no
23 one signed up for this proposal.

24
25 CHAIRMAN FLEAGLE: Regional Council
26 recommendation. Ralph.

27
28 MR. LOHSE: The Regional Council
29 unanimously opposed this proposal, and I will speak to
30 the proposal when we're under discussion.

31
32 CHAIRMAN FLEAGLE: Alaska Department of
33 Fish and Game comments. Ken Taylor.

34
35 MR. TAYLOR: Thank you, Mr. Chairman.
36 Terry Haynes will comment on this proposal.

37
38 CHAIRMAN FLEAGLE: Terry.

39
40 MR. HAYNES: Thank you, Mr. Chairman.
41 Our written comments are on Page 377 and 378 of your
42 meeting book.

43
44 The Office of Subsistence Management
45 conclusion indicates that Federal subsistence moose
46 seasons in Unit 15 have not caused any documented
47 adverse impacts to the moose populations in that unit.
48 This assertion misses the goal of these three
49 proposals, which is to discourage Federally-qualified
50 subsistence users from targeting trophy moose in the

1 Federal moose hunts in Unit 15.

2

3 The small number of moose harvested
4 under the Federal regulations in Unit 15 means that
5 antler modification or destruction will impact only a
6 few hunters. Antler modification destroys the trophy
7 value, but not the use of these antlers for making
8 handicrafts. And I think that's a misstatement that's
9 been put on the record, too, that there's an assumption
10 that destroying the trophy value means destroying
11 antlers in such a way that they could not be used for
12 handicrafts. We disagree with that assertion.

13

14 Requiring antler modification also
15 would enable managers to measure the size of antlers
16 taken in the Federal hunts and collect important
17 wildlife management information, especially for the
18 late season hunts.

19

20 We'd note that adoption of the proposal
21 you'll be taking up soon, Proposal 22a, would add
22 Cooper Landing to the list of eligible communities for
23 some of the Federal moose hunts in Unit 15. This would
24 increase the potential for more moose to be harvested
25 in Unit 15 Federal hunts, and the need for improved
26 harvest monitoring of these hunts for conservation
27 purposes. Antler modification is one low-cost and
28 effective monitoring tool that merits careful
29 consideration and would help to reduce conflicts among
30 users who perceive this late season subsistence hunts
31 as being a guise for a trophy hunt.

32

33 Therefore we support adoption of these
34 proposals. The trophy value of antlers can be modified
35 in such a way as to not destroy their value for
36 subsistence uses while reducing the potential incentive
37 to take only large bulls in the late season Federal
38 moose hunts in Unit 15.

39

40 Thank you, Mr. Chair.

41

42 Alaska Department of Fish and Game
43 Comments to the Federal Subsistence Board

44

45 WP08-19/20/21:

46

47 Require modification of antlers from
48 moose harvested in all or parts of Game Management Unit
49 15 so the antlers may not be used for trophy purposes.

50

1 Introduction:

2

3 The intent of these proposals is to
4 remove the incentive for federally-qualified
5 subsistence users to treat some or all of the moose
6 hunts in Unit 15 as trophy hunts.

7

8 Impact on Subsistence Users:

9

10 None are anticipated. For example, the
11 primary purpose of the late season hunt in Units 15B
12 and 15C is to provide another opportunity for
13 federally-qualified subsistence users who were
14 unsuccessful during the early fall hunt to obtain moose
15 meat for personal and family consumption. Removing the
16 trophy value of antlers can be accomplished without
17 destroying their value for other uses.

18

19 Opportunity Provided by State:

20

21 State regulations do not require
22 destruction of antlers from moose harvested in Unit 15.
23 However, this has been an effective tool in other areas
24 of the state and does not affect use of moose antlers
25 for subsistence purposes.

26

27 Enforcement Issues:

28

29 All federal subsistence moose hunts in
30 Unit 15 are administered by a federal registration
31 permit, making it easy to distinguish between
32 individuals hunting under the federal and state
33 regulations. However, if one or more of these
34 proposals are adopted and if state and federal seasons
35 are open at the same time, some federally-qualified
36 subsistence users might attempt to hunt under state
37 regulations to avoid having to adhere to the antler
38 modification requirements. This is not expected to be
39 a significant issue.

40

41 Other Comments:

42

43 The Office of Subsistence Management
44 Conclusion indicates that federal subsistence moose
45 seasons in Unit 15 have not caused any documented
46 adverse impacts to the moose populations in that unit.
47 This assertion misses the goal of these proposals,
48 which is to discourage federally-qualified subsistence
49 users from targeting trophy moose in the federal moose
50 hunts in Unit 15. The small number of moose harvested

1 under the federal regulations in Unit 15 means that
2 antler modification will impact only a few hunters.
3 Antler modification destroys the trophy value but not
4 the use of antlers for making handicrafts.

5
6 Requiring antler modification also
7 would enable managers to measure the size of antlers
8 taken in the federal hunts and collect important
9 wildlife management information, especially for late
10 season hunts.

11
12 Adoption of Proposal WP08-22a would add
13 Cooper Landing to the list of eligible communities for
14 some of the federal moose hunts in Unit 15. This
15 increases the potential for more moose to be harvested
16 in Unit 15 federal hunts and the need for improved
17 harvest monitoring of these hunts for conservation
18 purposes. Antler modification is one low-cost and
19 effective monitoring tool that merits careful
20 consideration and would help reduce conflicts among
21 users who perceive this late subsistence hunt a guise
22 for a trophy hunt.

23
24 Recommendation:

25
26 Adopt. The trophy value of antlers can
27 be modified in such a way as to not destroy their value
28 for subsistence uses, while reducing the potential
29 incentive to take only large bulls in the late season
30 federal moose hunts in Unit 15.

31
32 CHAIRMAN FLEAGLE: Thank you, Terry.

33
34 ISC comments. Larry.

35
36 MR. BUKLIS: Thank you, Mr. Chairman.
37 The Staff Committee comments are on Page 376.

38
39 The Staff Committee comments speaks to
40 collection of information, but stopping short of
41 destruction of the trophy value -- or trophy
42 destruction. The ISC noted that the Board may want to
43 consider a modification to align with State regulations
44 in this area to require only that the antlers and lower
45 jaw be taken to ADF&G. The antlers could be measured
46 and the lower jaw collected to help monitor the status
47 of the moose population. An alternative would be to
48 add this to the permit as a voluntary provision if the
49 Board does not feel it is necessary to require
50 subsistence users to do this.

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN FLEAGLE: Thank you, Larry.

4

5 Discussion. Ralph.

6

7 MR. LOHSE: Thank you, Mr. Chair. This
8 one here, our Council has dealt with this same kind of
9 proposal in the past and we've taken a consistent stand
10 on it. Now, basically -- a couple of these proposals
11 would reduce the handicraft value.

12

13 To us, the easiest way to reduce the
14 incentive to go after big bulls is exactly what we were
15 just talking about, but putting a cap on the number of
16 big bulls, and when those big bulls are taken, the
17 season is closed. It's just like having a cap on the
18 king salmon take in the pollack fishery. The best way
19 to get the pollack fishery to avoid taking king salmon
20 is to make it so the season will close if they take
21 them. You have a cap on the big bulls here and the
22 subsistence hunter's going to avoid the big bulls, or
23 have a tendency to avoid the big bulls to keep the
24 season open.

25

26 The other thing is, as we've talked
27 before about cultural things in Southcentral, I don't
28 know how many of you have been out in the woods and
29 looked at old cabins and stuff like that, the old
30 trapping cabins, old Native cabins, old all kinds of
31 cabins. And what's the most common thing you see
32 hanging on a cabin? A set of antlers. And why should
33 a subsistence user -- why should a subsistence user be
34 penalized for taking a big bull that he'd like to hang
35 on the front of his cabin. Why should my son, if he
36 happen -- and he's not involved in this hunt, but this
37 could set a precedent, why should my son if he takes a
38 -- he took a nice big moose this last time. It didn't
39 happen to have real nice antlers, but it's his first
40 moose. It's hanging up at home. You could call it a
41 trophy, but it wasn't a trophy hunt, you know. Why
42 should a subsistence user be penalized and have to cut
43 his moose antlers in half when somebody else doesn't
44 have to.

45

46 The proponent says a subsistence
47 hunters strictly out there for meat. We've discussed
48 that time and time again. It's not strictly meat.

49

50 Our Council opposed this proposal. We

1 think it sets a bad precedent. We've voted against
2 these same kind of proposals at other times, and we
3 don't -- if it's a question of asking for information,
4 you know, put it on the permit that they have to bring
5 the antlers in. Put it on the permit they have to
6 bring a tooth or a jaw in. The subsistence community
7 is not adverse to bringing information in. We've
8 requested good reporting. We've asked for good
9 reporting, we've asked for timely reporting. If that's
10 the requirement, put it on the permit, but don't
11 penalize the people because they happen to shoot a big
12 moose instead of a little moose, and say, okay, you've
13 got a big moose, cut the horns in half.

14

15 Thank you.

16

17 CHAIRMAN FLEAGLE: Thanks, Ralph.

18

19 I've got a question, Gino. I know
20 where this proposal is coming from Ted Spraker is a
21 good friend of mine. He works on the -- you know,
22 lives on the Kenai Peninsula and was asked to score a
23 subsistence-taken moose for the Boone and Crockett
24 trophy club. And that's I think what the intent of
25 this proposal is, not that somebody can hang these
26 antlers up or anything like that, but just contrary to
27 subsistence purposes, not that we can regulate what
28 anybody does with that antler after they take it off of
29 the animal currently.

30

31 But I guess the question is, how
32 widespread is that? Do you know? I know of the one.
33 Do you know of any other animals that were taken and
34 attempted to be scored as trophy?

35

36 MR. DELFRATE: Thank you, Mr. Chair.
37 With the total harvest of four large bulls being taken
38 so far, it's -- that's the only moose I'm aware of.
39 And I know that did cause quite a bit of discussion
40 early on, because it was soon after this gentleman came
41 out of the field, he was looking for a Boone and
42 Crockett scorer, because he had a trophy that he wanted
43 to enter in to the book. And, of course, that bounced
44 around really fast and I think that if these proposals
45 were not directly in response to that, they were in
46 response that type of activity that was foreseen.

47

48 So with regard to your question, I
49 don't think that it's very prevalent, because right now
50 we don't have much in the way of harvest.

1 We do with the late season trophy hunt
2 that occurs in 15B, there are a number of those moose
3 that have been scored for Boone and Crockett and have
4 actually made the book. And so those late season moose
5 do, because they're more vulnerable, that do come out.

6
7 One other thing that I would like to
8 add if I may right now is that the Board of Game this
9 past March in Fairbanks reviewed proposals for antler
10 destruction with Unit 13 caribou, and changed those
11 regulations slightly. But one thing that they noted
12 was that there was quite a bit of discrepancy within
13 State regulations on destruction of the trophy value of
14 antlers. And they expressed a desire for the State to
15 bring forward most of those places where subsistence
16 animals are taken either under Tier II or other, to
17 consider a more unified and consistent antler
18 destruction regulation. We intend to do that in March
19 of '09 with 16B moose hunt and we'll probably recommend
20 the same.

21
22 And I think as Terry pointed out, one
23 of the common threads there is that we recognize the
24 importance for antlers for subsistence needs for
25 handicrafts and so the current regulation within Unit
26 13 for caribou is to not necessarily destroy the antler
27 unless the hunter requests that, but the other option
28 is to split the skull plate. That will not allow Boone
29 and Crockett scoring, but will still allow the hunter
30 to piece them back together, put them on the bar, and
31 put them on their cabin if they so choose, or take them
32 home and make handicrafts out of them.

33
34 Thank you.

35
36 CHAIRMAN FLEAGLE: Thank you, Gino.

37
38 Further discussion. Sue.

39
40 MS. ENTSMINGER: Yeah. Mr. Chairman.
41 I would like to ask the State, this road that they're
42 going down, destroying of the trophy value. Is it -- I
43 mean, you're wanting to -- because it is what happens
44 out where we live is people are upset. Oh, look, the
45 trophy hunter gets to keep his, but we don't. And it's
46 like -- is it because the State of Alaska has every
47 person that qualifies for subsistence, and this is some
48 little effort to like say, well, we'll manage them by
49 throwing -- destroying their animal. I mean, I have --
50 just personally, I have a little problem with it on the

1 State level, and hate to see it being pushed into the
2 Federal level.

3

4 CHAIRMAN FLEAGLE: Ken.

5

6 MR. TAYLOR: Thank you, Mr. Chairman.
7 I think what Sue is referring to began with the
8 Nelchina herd. Actually it may have begun up in Galena
9 to try to separate subsistence moose hunts from other
10 moose hunts. And it's a direction the Board of Game
11 seems to have taken to try to separate the true
12 subsistence activities from the other hunting
13 activities. Whether that's the correct road to go
14 down, I don't think the Department has taken a position
15 on. But that is one way that the Board has struggled
16 with trying to deal with primarily the Nelchina caribou
17 hunt and to try to provide opportunity for the
18 subsistence hunters for subsistence.

19

20 CHAIRMAN FLEAGLE: Go ahead, Sue.

21

22 MS. ENTSMINGER: Yeah. I'd just like
23 to continue that, because I think this is a place where
24 the two, the State and the Federal, could maybe start
25 talking about subsistence and how we can rectify some
26 of these problems, because I don't see it as a
27 solution. I think it's crazy. So I just kind of feel
28 like that should go in the record with this type of
29 discussion. And maybe it's a place where we begin to
30 hopefully talk about solutions of bringing us into
31 compliance that we address that, because I think it's
32 crazy.

33

34 CHAIRMAN FLEAGLE: Jack.

35

36 MR. REAKOFF: Yeah. Mr. Chairman. The
37 Koyukuk River Moose Planning Group had to devise the
38 destruction of trophy value and evaluated various ways
39 to do that. It was -- we had hundreds and hundreds of
40 hunters showing up on the lower Koyukuk. We needed to
41 have some way to separate trophy hunting from
42 subsistence hunting. We lobbied for -- our Council
43 lobbied for destruction of trophy value for the
44 subsistence portion of that hunt. There's a drawing
45 portion, and the drawing permittees can retain the
46 antlers. That was the only way -- and we flattened
47 that participation. We were going to -- our bull/cow
48 ratios were going off a cliff, and that was the only
49 way we were going to arrest the amount of
50 participation. For that application, that was a good

1 thing.

2

3

4 In this particular situation where you
5 have a limited eligibility and pool of hunters, that's
6 not an applicable situation. But I'm not saying --
7 what I'm saying is that in that situation, under State
8 regulations, where everyone in Alaska was eligible to
9 hunt on the lower Koyukuk, that's how that was applied.
10 But this isn't that situation.

11

12 CHAIRMAN FLEAGLE: One more piece to
13 that, too. It wasn't just a trophy destruction, but
14 they also had to salvage the head and some of the
15 internal organs other -- that the rest of the folks
16 didn't have to. So, I mean, so it made it more
17 restrictive, and that reduced the participation.

18

19 MR. REAKOFF: Right. The addition of
20 the head and how the trophy was destroyed was
21 metamorphoses process. It came down to salvage of the
22 head and cutting through the palm and the Department
23 keeping the top portion of the palm. They first cut
24 the antler from the beam and gave it back to them.
25 Well, they were just pinning them right back on. That
26 didn't stop anything. Once we went to the destruction
27 of the top portion of the palm, it flattened the
28 partici -- the trophy hunting participation right out.

29

30 CHAIRMAN FLEAGLE: Niles.

31

32 MR. CESAR: Yes. Mr. Chairman.
33 Earlier you made a comment about Mr. Spraker being a
34 good friend of yours. And I want you to know for the
35 record that he's not a good friend of mine and -- not
36 do I believe he's a good friend of subsistence. And I
37 would hope in the future that we limit our comments to
38 a professional relationship in terms of what we're
39 doing and not add in personal relationships because I
40 think they cloud the issue.

41

42 Thank you.

43

44 CHAIRMAN FLEAGLE: Duly noted. A past
45 colleague of mine informed me of a trophy animal.

46

47 Other discussion. Ralph.

48

49 MR. LOHSE: Mr. Chair. Thank you.
50 I've been listening to all this, and it was kind of
interesting to hear what Jack had to say. It's just

1 kind of interesting to me, because I'm under the
2 impression that you can pick up a skull with horns on
3 it, and have Boone and Crockett enter it in their book
4 as a pick up.

5
6 To me, I look at -- and I'll be honest,
7 I look at the Boone and Crockett list not as who caught
8 it, but how big was the animal. And it seems a shame
9 to take an animal, whether it was taken by subsistence,
10 whether it died in a fight with another animal, whether
11 it was a pick up at the bottom of a avalanche, whether
12 somebody shot it sport hunting, and take it out of the
13 book because of the way it was taken. And to me it
14 would be a shame to have a large moose that didn't make
15 the moose simply because the person that took it took
16 it for -- in a subsistence hunt. And I realize that
17 there are people who look at sport hunting as income
18 and it's dollar value and as, I'll use the word, ego-
19 builders and stuff like that. But what we're dealing
20 with is we're dealing with an animal that grew that
21 size of antlers that as a reader I would love to open
22 the book and see that he was -- see that, my gosh,
23 there was a sheep and they're with 59-inch horn, you
24 know. I'm not saying that there is such a creature,
25 but I would sure hate to have his -- I would sure had
26 to have it destroyed so that it couldn't be in there.

27
28 In Cordova, we hunt deer. Subsistence,
29 sport, the same -- it's the same regulations. We run a
30 little contest between ourselves to see who has the
31 biggest horns. We use Boone and Crockett methods to
32 score the horns, because they're a recognized method.

33
34 If I got a big moose, I'd go have Boone
35 -- I'd go have it scored by Boone and Crockett methods
36 just to see how big it was. But that doesn't mean that
37 you're hunting for that purpose.

38
39 And I don't know, to me to take the
40 subsistence hunter and say, because you got it in a
41 subsistence hunt, it needs to be destroyed -- and I'm
42 not talking about something like what Jack is talking
43 about where all of a sudden you have an impact on the
44 local people. But if you went to Cordova and said to
45 destroy their horns, most of the horns are laying in
46 the back yard of somebody's house or hanging up on the
47 house or something, but why should they have to destroy
48 them, just because it was a subsistence hunt.

49
50 CHAIRMAN FLEAGLE: Thank you, Ralph.

1 Other comments.

2

3 (No comments)

4

5 CHAIRMAN FLEAGLE: All right. Before
6 we move onto a motion, I just want to state for a
7 matter of record, often I'm the one raising issues of
8 concern, and sometimes they appear to minor to the
9 large majority of the crowd. But I've learned over the
10 time that I've been involved with wildlife management,
11 is that the more complete discussion that you have, the
12 better it is for regulation for enforcement, for
13 further -- in our case now, we got a lot of RFRs, and
14 usually they're pointing out something that we missed,
15 and I'm not saying that I'm going to support this
16 proposal by raising the issues I raised. I just say
17 that those issues need to be raised. And this Board
18 will then have had a more complete discussion, which
19 should be more defensible. So you'll often see me
20 voting the Lone Ranger on a proposal just because of
21 some technicality. It doesn't mean that I'm against
22 the system or in favor of one or the other. But once
23 in a while I feel like I've got to assert this
24 position. I'm here to do the right job, and I think
25 that's to be complete.

26

27 Ready for a motion.

28

29 MR. CESAR: Mr. Chairman, I need to
30 state for the record that I hear what you're saying,
31 but I think we all try to do the right thing. I just
32 believe that, you know, keeping relationships, you
33 know, to the business of the business is what we should
34 be doing. And that when we put in situations where
35 people are referred to, it opens up in my mind a
36 problem of, wait a minute now, what are we talking,
37 it's making this personal here. It's not a personal
38 thing here. What we're trying to do is make sure that
39 the opportunity for Federally-qualified subsistence
40 users needs are met and rights are protected. So I may
41 seem a little over-sensitive on some of these issues,
42 but I've been sitting here for 18 years, and I know
43 what has happened 15 years ago now is coming home in my
44 mind as problems. So, yeah, and I've raised issues
45 with the State about certain people who I believe do
46 not have subsistence as their primary concern.

47

48 So, you're right, I'm sensitive on some
49 of these, and I apologize for that, but again, since
50 I've been sitting here, I believe that I have reasons

1 why I'm doing these.

2

3 CHAIRMAN FLEAGLE: Thank you, Niles.

4 And as I stated, you know, your complaint was duly
5 noted, and I retracted -- well, I guess I didn't
6 retract, but I rephrased it in a different context.
7 But the point of my discussion was pertinent and
8 remains valid, but I do recognize your point.

9

10 Tom.

11

12 MR. MELIUS: As is customary, I will
13 move forward with the adoption of the Proposals 19, 20,
14 21. And if I get a second for that motion, I will
15 provide my rationale of why I will not be supporting
16 it.

17

18 MS. BLASZAK: Second.

19

20 CHAIRMAN FLEAGLE: There's your second.

21 Go ahead.

22

23 MR. MELIUS: Again we've had quite a
24 bit of discussion on this proposal. I appreciate all
25 of the discussion. I think there's value in having a
26 free-flowing discussion for the Board. While, previous
27 proposals also brought up a lot of relevant points that
28 are addressed with this, it's a new hunt, a very low
29 harvest in the last several years. As indicated
30 previously the manager has the authority to close the
31 hunt if there are conservation concerns. And as was
32 stated in a previous proposal, the Refuge manager has
33 indicated that he will work very closely with ADF&G
34 when certain numbers of big bulls are taken. I don't
35 feel that it appears that there's a need to have the
36 antlers destroyed, so I will be opposing the motion.

37

38 Thank you.

39

40 CHAIRMAN FLEAGLE: Other discussion.

41 Denny.

42

43 MR. BSCHOR: Mr. Chair. Just a few
44 comments. It's an interesting issue, this whole trophy
45 hunting situation, and we've heard a lot of both --
46 there's two sides really or more even of this short
47 discussion. While I really tend to be on the side of
48 limiting the restrictions on subsistence users, and I
49 see a tendency that, just from a personal observation,
50 that the tendency by some is to increase that burden

1 more than what we do on others. And I've heard some of
2 that during this discussion.

3
4 I also heard though from Mr. Reakoff,
5 and he got my attention, that, you know, there will be
6 time, or maybe there's -- just doing the action of
7 destroying the value of the trophy may be appropriate.

8
9
10 So I'm a little torn on this one.
11 Although I think I will probably still come out in
12 favor of limiting the restrictions as much as possible
13 on subsistence users, there may be other actions we
14 could take outside the Board or through special permit
15 language, that sort of thing, that maybe the
16 appropriate agency could use if there is a situation
17 like Mr. Reakoff encountered, that there might be other
18 tools to handle that short of a Board action. So with
19 that, I will probably oppose the proposal.

20
21 CHAIRMAN FLEAGLE: Other discussion.

22
23 (No comments)

24
25 CHAIRMAN FLEAGLE: Ready for the
26 question. Pete, on the Proposals, 19, 20, 21, please
27 poll the Board.

28
29 MR. PROBASCO: Yes, Mr. Chair. Final
30 action. Mr. Cesar.

31
32 MR. CESAR: No.

33
34 MR. PROBASCO: Mr. Bschor.

35
36 MR. BSCHOR: No.

37
38 MR. PROBASCO: Mr. Melius.

39
40 MR. MELIUS: No.

41
42 MR. PROBASCO: Mr. Fleagle.

43
44 CHAIRMAN FLEAGLE: No.

45
46 MR. PROBASCO: Ms. Blaszak.

47
48 MS. BLASZAK: No.

49
50 MR. PROBASCO: And Mr. Lonnie.

1 MR. LONNIE: No.
2
3 MR. PROBASCO: Mr. Chair. Motion fails
4 zero/six.
5
6 CHAIRMAN FLEAGLE: Okay. With that,
7 we're going to go ahead and take a lunch break. Return
8 at 1:00 o'clock where we will take up Proposals 30/31.
9
10 MS. ENTSMINGER: Mr. Chairman.
11
12 CHAIRMAN FLEAGLE: Sue.
13
14 MS. ENTSMINGER: Could I just comment
15 one thing on what was just stated on the destruction of
16 antlers? Is it okay?
17
18 CHAIRMAN FLEAGLE: Go ahead.
19
20 MS. ENTSMINGER: Okay. What Jack
21 referred to was on State law, not Federal. So, okay, I
22 just want to make sure you're -- okay. Thank you.
23
24 CHAIRMAN FLEAGLE: Thank you. Now we
25 recess for lunch.
26
27 (Off record)
28
29 (On record)
30
31 CHAIRMAN FLEAGLE: Good afternoon. The
32 Federal Subsistence Board is back on record. We're
33 reconvening after lunch break. I hope everybody had a
34 good opportunity to get out and get some fresh air and
35 some lunch, too.
36
37 As advertised, we're going to take up
38 Proposal 30/31 at this time, which will be out of
39 sequence with the agenda. And the materials, if you
40 want to skip ahead, are begin on Page 445.
41
42 And we'll turn it over to Staff. I see
43 Chuck and Laura present. Good afternoon. Go ahead and
44 give the analysis, please.
45
46 MS. GREFFENIUS: Good afternoon, Mr.
47 Chair. Board members and Council Chairs. My name is
48 Laura Greffenius. I'm a wildlife biologist with the
49 Office of Subsistence Management.
50

1 I will be presenting Proposals WP08-30
2 and WP08-31 together. The analysis can be found on
3 Page 445 of your Board book.

4
5 These proposals were submitted by the
6 Bristol Bay Subsistence Regional Advisory Council and
7 relate to moose regulations in Units 9B and 9C.

8
9 Proposal WP08-30 would shorten the fall
10 season by 11 days and the winter season 14 days in Unit
11 9B, which would align Federal and State seasons.

12
13 Proposal WP08-31 requests that Federal
14 public lands i Unit 9B and a portion of Unit 9C, that
15 portion draining into the Naknek River from the north,
16 and Unit 9C remainder be closed for the taking of moose
17 to all by Federally-qualified subsistence users.

18
19 In recent years, Council members and
20 area residents have repeatedly expressed their concern
21 over the declining moose population in Units 9B and 9C.
22 Council testimony clearly reflects that local residents
23 are having increasing difficulty harvesting moose,
24 which is largely attributed to a decline in the local
25 population. The Council suggests that shorter
26 subsistence hunting seasons and a closure of Federal
27 public lands to non-Federally-qualified subsistence
28 users will reduce the number o moose harvested and may
29 help to slow the decline of the moose population in
30 this area.

31
32 Considerations regarding closure of
33 Federal public lands are outlined in the Board's
34 Closure Policy adopted in 2007.

35
36 Local residents have consistently
37 reported difficulties in harvesting moose. It may be
38 that closure of Federal public lands are necessary to
39 continue traditional uses of moose in this area. The
40 declining moose population and resultant reduction in
41 moose harvests is made even more problematic by the
42 lack of alternative resources, especially caribou.
43 This topic was address by Bristol Bay Chair Alvarez
44 during the Council Chairs discussion yesterday morning.

45
46 Caribou are not available to harvest in
47 much of Unit 9C due to the closure of Federal and State
48 seasons for the Northern Alaska Peninsula Caribou Herd.
49 Plus, in Unit 9B, the Mulchatna Caribou Herd is
50 declining in numbers and harvest limits have been

1 reduced under both Federal and State regulations.

2

3 While local reports from subsistence
4 users consistently point to declining moose
5 populations, biological information for moose in Units
6 9B and 9C is mixed, with differing interpretations as
7 to the moose population status. Based on State moose
8 management reports, the current moose population in
9 Unit 9 is considered to be stable, but at a lot
10 density. Table 1 on Page 452 summarizes Units 9B and
11 9C moose density and composition ratios from the 1980s
12 to the present. These data are a composite of trend
13 areas which are representative of the entire subunit.
14 It should be noted that the averages indicated in Table
15 1 are derived from variable population density
16 estimates.

17

18 Additional information is needed to
19 better assess moose population trends in Units 9B and
20 9C.

21

22 Table 2 on Page 453 summarizes Units 9B
23 and 9C hunter residency and moose harvest success.

24

25 The following points are effects of the
26 proposals.

27

28 If WP08-30 is adopted, the Unit 9B fall
29 season will be shortened by 11 days and the winter
30 season will be shortened by 14 days. The Federal and
31 State seasons in Unit 9B would be aligned. The shorter
32 seasons would likely reduce the number of moose
33 harvested by Federally-qualified subsistence users.

34

35 If WP08-31 is adopted, it would
36 implement a closure to non-Federally-qualified
37 subsistence users consistent with ANILCA and the
38 Board's Closure Policy as necessary to ensure the
39 continuation of subsistence uses by Federally-qualified
40 subsistence users.

41

42 The OSM conclusion is to support
43 Proposal WP08-30. The Council and other local users
44 have expressed conservation concerns about the moose
45 population in Unit 9B and have reported difficulties
46 harvesting enough moose to provide for subsistence
47 uses. The Council recommended shortening the Federal
48 season in an effort to reduce harvest numbers, and
49 would align the Federal seasons with the State fall and
50 winter seasons. The measure supports the Council's

1 intentions to address their conservation concerns by
2 shortening seasons for subsistence users.

3

4 The OSM conclusion is to support
5 Proposal WP08-31. Council testimony and local
6 residents report that there is a conservation concern
7 with the moose populations in Units 9B and 9C, and they
8 base this claim on their experiences of seeing and
9 harvesting fewer moose in recent years. Their
10 experiences, combined with the closure of the Northern
11 Alaska Peninsula Caribou Herd Federal and State seasons,
12 and Mulchatna Caribou Herd population declines support
13 the position of local residents who maintain they are
14 experiencing increasing difficulties in providing for
15 their subsistence uses.

16

17 As mentioned, biological data are
18 limited and have mixed interpretations, although
19 reports by local subsistence users are consistent.

20

21 Closure of Federal Public lands is
22 consistent with ANILCA and Federal policy as necessary
23 to continue traditional uses of moose in Units 9B and
24 9C.

25

26 This concludes my presentation. Thank
27 you.

28

29 CHAIRMAN FLEAGLE: Thank you, Laura.
30 Appreciate it.

31

32 And we have summary of written public
33 comments. Hi, Ann.

34

35 MS. WILKINSON: Hello. Thank you, Mr.
36 Chair. We had written public comments on Proposal 30
37 from the Lake Clark Subsistence Resource Commission in
38 opposition to that proposal. They do not support
39 decreasing the moose hunting opportunities.

40

41 There's also a letter that we received
42 today from Mr. Klutsch who is in King Salmon. And I'll
43 try as best to summarize it. It's fairly lengthy.

44

45 Primarily for this proposal, he states
46 that there is significant lack of adherence to current
47 regulations in the region. He says that on average 36
48 percent of the moose reported killed are cows. Several
49 villages report over a 50 percent cow harvest. This
50 has occurred despite extensive efforts by ADF&G to

1 persuade local residents that the illegal harvest of
2 cows will have serious long-term consequences.
3 Approximately 73 percent of the total harvest took
4 place outside liberal subsistence seasons.

5
6 He also states that the Regional
7 Advisory Council choose to ignore substantial evidence
8 presented by the ADF&G area biologist showing that
9 there is no indication that the GMU 9B moose population
10 is in decline.

11
12 He requests that the Board reject the
13 RAC recommendation on this proposal and instead support
14 an area-wide moose management workshop where issues
15 such as adherence to seasons and restrictions on
16 harvest of cows could be addressed.

17
18 We also received a written public
19 comment today from the Alaska Professional Hunters
20 Association. They have a representative here who will
21 speak to that, so I'll just let him do that.

22
23 CHAIRMAN FLEAGLE: Thank you, Ann.

24
25 Public testimony. Pete.

26
27 MR. PROBASCO: Thank you, Mr. Chair.
28 We do have one individual, Mr. Robert Fithian.

29
30 CHAIRMAN FLEAGLE: Ann Wilkinson.

31
32 MS. WILKINSON: I'm sorry, I forgot to
33 mention that the Lake Clark Subsistence Resource
34 Commission did support 31, that it would improve
35 subsistence opportunities. Thank you.

36
37 CHAIRMAN FLEAGLE: Thank you. Bobby
38 Fithian.

39
40 (No comments)

41
42 CHAIRMAN FLEAGLE: Okay. Well, we'll
43 move on. Regional Advisory Council recommendations.
44 Let's see, that's Randy Alvarez.

45
46 MR. ALVAREZ: Thank you, Mr. Chair.
47 The Bristol Bay RAC supports these two proposals. The
48 RAC is the author of both of them. And our -- I could
49 elaborate more on these proposals when we get down to
50 the comment period.

1 CHAIRMAN FLEAGLE: All right. Thanks,
2 Randy.
3
4 Alaska Department of Fish and Game
5 comments. Ken Taylor.
6
7 MR. TAYLOR: Thank you, Mr. Chairman.
8 I think Terry Haynes will have some comments on this,
9 and I believe we have our area biologist here, too, to
10 offer you a presentation.
11
12 CHAIRMAN FLEAGLE: Okay. Great.
13 Terry.
14
15 MR. HAYNES: Thank you, Mr. Chairman.
16 Before we give our comments, Lem Butler, area biologist
17 in King Salmon does have a short PowerPoint
18 presentation to present, and Gino DelFrate, the area
19 management coordinator also is here to answer questions
20 during discussions.
21
22 CHAIRMAN FLEAGLE: You bet. Go
23 afternoon. Welcome, Lem.
24
25 MR. BUTLER: Thank you, Mr. Chair.
26 Members of the Board. I appreciate you making time to
27 hear my presentation.
28
29 I originally put this presentation
30 together for the local RAC. As Laura mentioned, there
31 are a lot of concerns for the moose population in GMU
32 9, and a lot of user conflicts and tension that we're
33 facing out there currently.
34
35 But there seemed to be a real disparity
36 between the information that I was receiving through
37 surveys and harvest data and some of the local
38 comments. And I believe that a lot of the data is not
39 as subject to mixed interpretations as has been
40 indicated by Federal staff.
41
42 So what I did for the RAC was I tried
43 to put together a series of slides that depict
44 graphically some of the data to at least try to get
45 everyone to a common point for discussion.
46
47 Go to the next slide. As Laura
48 mentioned, Proposal 30 would align the winter season,
49 Federal subsistence season, with the current State
50 season in 9B, and Proposal 31 would close Federal lands

1 to non-Federally-qualified subsistence users, hereafter
2 referred to non-locals in the graphs that you'll be
3 seeing. Primarily this would result in closed -- a
4 closure of Park Service lands, Lake Clark Preserve,
5 Katmai Preserve, as well as Alagnak Wild and Scenic, as
6 well as BLM lands which in this area tend to be very
7 scattered and difficult to distinguish.

8
9 The next graph or next slide shows this
10 on a map. The dark gray areas are Federal lands and
11 are identified by the white text. The light gray area
12 would be the areas that are either State or private
13 lands that would not fall under Federal jurisdiction.
14 And it's important to note that a lot of the gray area
15 is actually where the moose hunting opportunity lies
16 for locals being it's close to communities and more
17 easily accessible along many of the river systems.

18
19 Next slide. Our conclusions are
20 different. The effects of this proposal as I see it is
21 that we're going to see an increased competition with
22 -- between non-locals and locals. Currently non-locals
23 are able to access much of the lands being closed. And
24 as was stated at the Regional Advisory Council meeting
25 by at least one of the members, you know, these Federal
26 lands tend to be very difficult for locals to access,
27 and they do have a lot of moose. Closing these lands
28 will force the non-local hunters into areas that are
29 more easily accessible by local hunters, increasing the
30 tension between these user groups. So again it's going
31 to redistribute and concentrate on key areas for
32 locals, including the lower Alagnak River, the Kvichak
33 River drainage in general and the general area
34 surrounding Iliamna Lake.

35
36 Next slide. These changes are not
37 expected to have any effect on the moose population
38 either in terms of its status, bull ratio or
39 productivity. The current harvest by non-locals is
40 targeted at a very small segment of the population.
41 Non-locals hunt under an antler restriction. And
42 currently we don't have a problem with bull ratios in
43 the area. The limited harvest that is being taken by
44 non-locals is not affecting the bull ratio in any way.
45 So we really shouldn't expect to see any changes in the
46 productivity. The populations as noted has been
47 relatively stable since about 1980. And with no
48 changes in productivity or calf survival, really no
49 expected status change there.

50

1 Next slide. And, of course, what this
2 all implies is that we really can't expect to see any
3 benefit for local users. We can expect increased user
4 tension, increased competition. It is not going to
5 facilitate customary and traditional uses. Again, we
6 don't expect any changes, improvements in the moose
7 population to have any reason to believe that locals
8 would be more successful in their endeavor. And in
9 fact, you know, they may be less successful if they're
10 forced to compete increasingly with non-locals.

11
12 Next slide. So what I asked the
13 Regional Advisory Council to do is to review the
14 available information. Of course, local concerns are
15 important, and I don't mean to belittle them at all. I
16 know it can be quite challenging to hunt moose in these
17 areas. But it's important to note that we do get
18 concerns from locals all throughout the State for moose
19 populations, even in very high density, high harvest
20 areas. So I want to come back to that, but first I
21 would like to review population trends and harvest
22 information since that tends to be a little bit more
23 clear, and eventually get a discussion of alternatives
24 for land closures.

25
26 Next slide. The first point that I
27 wanted to impress on the RAC and I won't belabor this
28 much here, is that we do have a fair amount of moose
29 data. That was a point of contention at the fall
30 meeting. And as you can see, the densities in Unit 9
31 vary from low densities of about .2 moose per square
32 mile up to as high as 1.5 moose. And what we have is a
33 lot of differences in habitat between area.

34
35 Next slide. Generally, historically,
36 what we've seen is moose before more abundant in the
37 1930s and 40s. We had a period of relative stability
38 in the 50s to -- 1950 to 1970, followed by a decline
39 associated with overgrazing land, reduced
40 productivity. But generally since about 1980 we've
41 seen relatively stable populations according to our
42 surveys.

43
44 The next slide will show you each GMU
45 unit. This is what I'm talking about when I say
46 relatively stable. In terms of moose populations and
47 over this period of time, you know, this is about as
48 stable as it gets for a moose population. You do see
49 variation. Some of that may be associated with changes
50 in distribution, small changes in the population,

1 differences in sightability conditions and observers on
2 surveys. Lots of things go into these data points.
3 These are -- this is what you get in real world data
4 for moose trends.

5
6 Next slide. And in terms of mixed
7 interpretations, we can actually analyze this in a way
8 that a lot of scientists are pretty comfortable with by
9 fitting a regression line to the data. And what we see
10 in 9B, the slope is not significantly different from
11 zero. A P value of .86, so really not seeing a change.
12 The values there that we're seeing currently are about
13 the same as we were seeing in the mid to late 80s,
14 about .5 moose per square mile.

15
16 Next slide. Similarly, the Branch
17 River, which has a lot of the Alagnak Wild and Scenic
18 and Katmai Preserve lands, no change detected using a
19 regression analysis. The tables presented in the Staff
20 analysis do show a change in averages. You'll note
21 that in 1989 there was a high data point that pulls
22 that average up from the 80s, but generally, you know,
23 again the densities that we're seeing today are pretty
24 similar to what was seen in the 80s. So no population
25 change detected, although there is some scattering
26 around that line.

27
28 Next slide. Similarly, the bull ratios
29 are above management objectives. We set the management
30 objectives to try to provide a satisfaction level for
31 hunters. They want to encounter enough bulls in their
32 hunt to feel like they had a reasonable chance in
33 taking bulls. It's also based on what we think we need
34 for productivity, to make sure the cows are pregnant,
35 and to keep the population healthy and stable. Again,
36 there's some movement around that line, but generally
37 we're right around 40, which is where we want to be.
38 So really it's hard to say with this data that there's
39 any real effect of the non-local use level at this
40 point, particularly again given that we're dealing with
41 antler restrictions.

42
43 Next slide. What we see repeatedly,
44 this - we're going to get into harvest data here, is
45 that we generally have seen somewhat of a decline in
46 overall harvest, but typically that's also -- that's in
47 concert with a decrease in the number of hunters
48 afield. The dash line on this graph represents
49 hunters, the vertical bars represent harvest. And this
50 will be a trend throughout these harvest slides. This

1 particular slide deals with all harvest, total moose
2 harvest in 9B and the Branch River drainage in 9C.

3
4 Next slide. In terms of hunter
5 success, this is just another way of looking at that
6 information from the previous slide. Amazingly stable
7 for a moose population over this period of time. And
8 again, that's all hunters in this particular slide.

9
10 Next. In terms of success again,
11 another way to look at it is how we stand in relation
12 to other resource users in the State, and what you see
13 is that we're in the top 30 percentile for moose hunter
14 success, so doing really good. This average is about
15 28 statewide, and we're looking at close to 38 percent
16 moose hunter success, so really, you know, we're not
17 seeing a big change in success rate as has been
18 reported by locals, and really relative again to what
19 other users are presented with, we're doing pretty good
20 as a unit.

21
22 Next slide. To take this down to the
23 local hunter level, so that we're not including guides
24 and people from Anchorage, this is where we stand again
25 in relation to the other GMUs in the state. We're
26 above average, just under 30 percent. The yellow bars
27 are depicting either your subunit averages, and you'll
28 see that 9B is the middle yellow bar, that's one of the
29 areas that we're talking about, above average, and 9C
30 is to the right of it, just below what's described
31 there as the average. But generally people are doing
32 air -- at least the people that are participating in
33 the reporting system are doing well.

34
35 Next slide. Moose harvest in general.
36 The reported harvest are shown in the solid bars. The
37 solid black is local hunter success -- or harvest. The
38 gray is the non-local and the white's the non-resident.
39 And generally given the moose population, we're not
40 seeing a large reported harvest relative to what the
41 population can sustain. It's important to note that
42 there is a disparity between what's reported and what's
43 reported under the household survey reports. You see
44 here the two surveys that were conducted in these 9B
45 communities in 2001 and 2004.

46
47 I'm not trying to say anything about
48 these at this point other than just to show that there
49 is a difference in what's reported and what's
50 happening, at least according to some measures in the

1 area. And at least by some measures, the locals are
2 taking the majority of the harvest.

3

4 Next slide. Local hunter effort and
5 success. Again, I think I threw this slide in for the
6 RAC just to depict that, you know, again this general
7 pattern of increase in harvest or decrease in harvest
8 is usually associated with changes in the number of
9 hunters afield, and not a change in, you know -- a
10 decrease in harvest success.

11

12 Next slide. The same total harvest
13 figures for the Branch River. Here you note that it's
14 very low. Harvest average is about 12 moose annually.
15 Non -- or the local harvest is very small generally.
16 You know, we're getting about two or three moose taken
17 in recent years. The next slide shows that in relation
18 to the number of hunters, and, you know, when you get
19 down to this low a number of hunters actually
20 participating, you get some pretty erratic success
21 rates. 2006, 100 percent success rate. But that's
22 just -- that's probably more a function of sample size
23 than anything. But not many local hunters reporting
24 using the Alagnak, although again certainly based on
25 the other -- previous slide, there may be a few more if
26 we can get at that information through household
27 surveys, but generally not much traffic, particularly
28 from the non-locals.

29

30 Next slide. So this gets me back to
31 these local concerns. Is there any support for these
32 local concerns? We've seen that the populations as
33 best as we can assess them are stable. Reported hunter
34 success based on people that are complying with the
35 various management programs is, you know, locals are
36 doing well relative to other areas of the State.

37

38 So is there any support for why or what
39 may be going on that would affect local, and how they
40 perceive the moose population? Next slide. This is
41 from the 2001 household survey. This depicts the
42 percentage of the harvest that was cows. And you can
43 see here the eight communities that were surveyed in
44 that year. And this is somewhat alarming. About 38
45 percent of the harvest was reported to be cows.
46 There's some support for this with law enforcement
47 reports. Certainly talk about this around villages,
48 and some of the Council members have also substantiated
49 that this is occurring to some degree. This is a big
50 concern. This may be affecting areas that are easily

1 accessed by locals. Most of the harvest is reported to
2 be coming off of State lands currently.

3

4 The next slide shows another kind of a
5 statistics that says that there may be some issues here
6 that are affecting the population. This is out-of-
7 season harvest, and we're seeing harvest in pretty much
8 every month of the year. We've seen that in other
9 parts of the State, and that -- this kind of pattern of
10 high cow harvest and taking moose opportunistically can
11 deplete a population. We're not seeing it on the
12 Federal lands. The Federal lands are well surveyed.
13 But this may be a real thing around some of the
14 villages. And this may be again influencing local
15 perception of moose availability and how easy it is to
16 get a moose, particularly if you're hunting near these
17 communities. So this is certainly something that we
18 need to work with locals on.

19

20 Next slide. So where does this leave
21 us? I guess in summary essentially, you know, adoption
22 of this proposals isn't going to produce the intended
23 results. Proposal 30, based on the information, it's
24 probably going to be -- reducing the season isn't
25 likely to change the moose harvest by locals under the
26 current compliance. We need to work on it. It's
27 certainly something that should be considered
28 independently of 31 as a conservation measure, but it
29 shouldn't be a vehicle to -- used as a justification
30 for 31. It's kind of disingenuous to say that you're
31 reducing the Federal season in 31 and therefore you can
32 somehow justify getting rid of nonlocals, you know,
33 when really it doesn't seem to be all that big of a
34 change given the local use patterns. Again, we're not
35 expecting to see a big improvement in the moose
36 population from either proposal. We are expecting
37 increased user conflicts in key areas. And generally
38 this isn't enhancing customary and traditional use
39 opportunities.

40

41 So what this leads me to the conclusion
42 of is that we're going to just see greater
43 dissatisfaction for the next few years if this -- these
44 proposals pass.

45

46 Next slide. In terms of resolving the
47 problems that we're facing out there, I think that, you
48 know, really whatever solution we arrive at is going to
49 need to have local support and the locals are going to
50 be the ones who need to develop it to get the local

1 buy-in and participation. And I'm hoping that that
2 would increase the compliance with these hunting
3 regulations. It's probably going to take working with
4 school kids, education, maybe some hunter ed classes,
5 increased interaction as best we can as an agency, but
6 it's again going to really take some community
7 development and encouragement to really get people to
8 adopt these better management practices and
9 conservation principles.

10

11 One of the disturbing things that I
12 noticed in the Federal Staff analysis, when -- and I've
13 heard it discussed at RAC level as well is one solution
14 that's always offered for local perceived decreases in
15 success is to try to extend the moose season to give
16 people more opportunity. If what locals are telling us
17 is real, that locals are having increased difficulties
18 finding and harvesting moose, extending the moose
19 season is probably the worst thing we could possibly
20 do, so we definitely don't want to find solutions that
21 are going to harm the sources such as extending
22 seasons. And that means that to provide for C&T, we
23 really have to understand the moose population and work
24 on conserving it to foster that use by locals.

25

26 Next slide. So to wrap things up for
27 you, what I think we need to do as agencies is to
28 increase our population monitoring both on Lake Clark
29 National Park as well as on these scattered BLM lands
30 and State lands. And we've got various ideas for that
31 and where to go. But we also need to work as best we
32 can with these locals again to let the resource users
33 identify issues and develop solutions, and that may be
34 through some of the structures already in place with
35 the RAC or AC level. We can talk about different ways
36 to go on that.

37

38 But, anyway, that was essentially in a
39 nutshell what I presented to the RAC. And I'd be happy
40 to answer any questions for you.

41

42 CHAIRMAN FLEAGLE: You bet. Thanks,
43 Lem.

44

45 Questions, Board members.

46

47 (No comments)

48

49 CHAIRMAN FLEAGLE: All right. Thank
50 you. Randy.

1 MR. ALVAREZ: Thank you, Mr. Chair.
2 Lem, I've got a question. I was reading from some of
3 the written reports, and Joe Klutsch, you know who he
4 is, one of the guides out there, him and this other
5 written comments, they state that there's 36 percent of
6 the harvest is -- they quote as being a cow harvest.
7 Do you know where they got that information from?

8
9 CHAIRMAN FLEAGLE: Lem.

10
11 MR. BUTLER: Through the Chair. Yeah,
12 I think they were referring to that same report that I
13 presented on the 2001 household subsistence survey
14 technical paper. That's where they got the
15 information.

16
17 MR. ALVAREZ: Yeah. Mr. Chair.

18
19 CHAIRMAN FLEAGLE: Randy.

20
21 MR. ALVAREZ: Yeah. We questioned this
22 report at our RAC meeting. The 2001 survey. You all
23 probably noticed that one graph about halfway through
24 where the subsistence harvest was a little over 150 to
25 160, kind of like five or six times more than anything
26 else on the whole page. And, you know, we didn't
27 believe that there was that kind of harvest, and we
28 still don't believe that those are -- in fact, we could
29 have -- I could probably argue on most of the graphs
30 that Lem had showed on the board here, but we don't
31 have that kind of time to go over that, but we just
32 don't think that a lot of those numbers were accurate.
33 And I guess when it comes to -- before deliberation for
34 comments, I'll go over some of the stuff on the booklet
35 we have here.

36
37 CHAIRMAN FLEAGLE: Sounds good.

38 Questions for Lem. Greg.

39
40 MR. ROCZICKA: Mr. Chairman. On this
41 chart that's included, I don't know if you have it or
42 not, Table 1 in the Board book, it caught my eye, in
43 9B, a significant falling trend under calf/cow ratio.
44 And I don't know if you were up on that one. Is that a
45 spring or a fall, do you know? And what to explain. I
46 know it's briefly mentioned in here in their narrative
47 that it's partially on brown bear, but I think brown
48 bears have been pretty healthy down there, and another
49 stable and high population for a long time. And, you
50 know, on these decade-long trend that you've got going

1 here, that looks pretty spooking. In other areas I've
2 heard it said that you need at least 20 calves per 100
3 cows on survival just to maintain a stable population,
4 and for the most part -- can you offer any kind of more
5 enlightenment on why those numbers are dropping so
6 drastically?

7

8 CHAIRMAN FLEAGLE: Lem Butler.

9

10 MR. BUTLER: Through the Chair. Yeah,
11 those are fall calf/cow ratios. And brown bears likely
12 are a significant predator on calves in this area. And
13 likely because of that, adult survival tends to be
14 better as well. So that general rule of thumb, 20
15 calves per 100 cows is just that. It depends on your
16 adult survival rate in relation to how many calves are
17 coming into the population, being recruited into the
18 population.

19

20 The amazing thing about Unit 9 is that
21 we chronically do have low calf ratios. But even that
22 initial population growth in the 30s through the 50s,
23 they talk about the calf ratios being fairly low during
24 that era as well. So, you know, there seems to be some
25 unique differences.

26

27 The low numbers that you see, those are
28 just averages. They bounce around. A couple of those
29 averages are pulled low by calf ratios as low as two
30 calves per 100 cows. If you get two of those in a
31 decade, you tend to get a low average. But usually in
32 that, if you saw all the data points, you'd see a few
33 years where there's close to, you know, 30, you know,
34 calves per 100 cows. And that seems to be enough of an
35 influx impulse of calves to keep these populations
36 stable. And that's why I always reinforce to the local
37 people at all the meetings is, you know, we really
38 don't have a high calf production potential out here,
39 or population growth potential, and it's really
40 important to preserve these cows that are producing
41 those calves. So it -- yeah, it's again one of those
42 unique things about Unit 9 I guess.

43

44 CHAIRMAN FLEAGLE: Thank you, Lem.

45

46 Other questions. Buklis.

47

48 MR. BUKLIS: Mr. Chairman. I just want
49 to note for the record this was not a jointly developed
50 presentation. It was presented to the InterAgency

1 Staff Committee by the State, and I think we do have
2 some questions about some of the statistics in the way
3 of pooling and depicting information we might not be in
4 concurrence with.

5
6 Thank you.

7
8 CHAIRMAN FLEAGLE: Pete, how do we deal
9 with that?

10
11 MR. PROBASCO: Mr. Chair. Probably the
12 best way to deal with that is go through your -- get
13 your comments on the table, and when we get into Board
14 discussion with Council Chairs and State liaison, if
15 there's specific questions and points that we want to
16 bring out on the record as far as data, that would be
17 the time to do it. Mr. Chair.

18
19 CHAIRMAN FLEAGLE: Okay. That sounds
20 good. Not hearing any more questions for Lem, I'm
21 going to go ahead and call up our one public testifier
22 to that table, Lem, and then InterAgency Staff
23 Committee will speak and then we'll -- yeah.

24
25 Terry. Something pertinent to.....

26
27 MR. HAYNES: Did you want to hear our
28 comments on the proposal?

29
30 CHAIRMAN FLEAGLE: I thought we just
31 did. But go ahead.

32
33 MR. HAYNES: Mr. Chairman. I thought I
34 indicated that after Lem made his presentation, I would
35 present our comments.

36
37 Alaska Department of Fish and Game
38 Comments to the Federal Subsistence Board

39
40 Wildlife Proposals WP08-30 and WP08-31:

41
42 WP08-30 proposes to shorten the fall
43 and winter federal moose hunting seasons by 11 days and
44 14 days respectively in Game Management Unit 9B. The
45 corrected WP08-31 proposes to close federal public
46 lands in Unit 9B and in all of Unit 9C except for that
47 portion draining into the Naknek River from the south
48 to moose hunting by non-federally qualified subsistence
49 users.

50

1 Introduction:

2

3

4 The Bristol Bay Regional Advisory
5 Council submitted these proposals based on local belief
6 that the moose population is declining. The Council
7 recommends shortening the federal season in order to
8 slow that perceived decline and closing federal public
9 lands to non-federally qualified hunters in Unit 9B and
10 a portion of Unit 9C to reduce hunting pressure. WP08-
11 30 would align federal regulations with the shorter
12 state season in Unit 9B to help slow the decline of
13 the moose population without affecting the opportunity
14 to harvest moose by subsistence users. WP08-31 would
15 close the federal public lands in Unit 9B and in those
16 portions of Unit 9C not already closed to moose hunting
17 by non-federally qualified subsistence users.

17

18 Impact on Subsistence Users:

19

20 Adoption of WP08-30 would shorten the
21 fall and winter moose seasons in Unit 9B but still
22 provide a total of 47 days of hunting opportunity for
23 federally-qualified subsistence users. WP08-31 would
24 eliminate competition from non-federally qualified
25 moose hunters on federal lands in Unit 9B, in that
26 portion of Unit 9C draining into Naknek River from the
27 north, and in the remainder of Unit 9C. Both proposals
28 are designed to reduce the total number of moose
29 harvested and to slow the perceived moose population
30 decline in the area. The Bristol Bay Regional Advisory
31 Council believes the opportunity for federally-
32 qualified subsistence users to hunt moose in Units 9B
33 and 9C would be unaffected by the shortened season.
34 Federally-qualified subsistence users would still have
35 a 15-day fall season and a 32-day winter season on
36 federal public lands.

37

38 The proposed closure of federal lands
39 would shift hunting effort by non-federally qualified
40 subsistence users to State and private lands, which
41 would increase hunter effort and conflict in areas
42 preferred by many local residents (e.g., lower Alagnak
43 River, King Salmon Creek, Nikabuna Lakes, and Yellow
44 Creek). In the long term, adoption of this closure
45 will affect both federally-qualified subsistence users
46 and state subsistence users. Thus, the need for
47 adoption of proposal WP08-31 is not supported by
48 substantial evidence and could be detrimental to the
49 satisfaction of subsistence needs of federally-
50 qualified subsistence users.

1 Opportunity Provided by State:

2
3 State regulations for Unit 9B authorize
4 residents to harvest one bull moose from September 1-15
5 or December 15 January 15. In Unit 9C, that portion
6 draining into the Naknek River, residents may harvest
7 one bull from September 1-15 or December 1-31.
8 Nonresident hunting in these two areas is limited to
9 September 5-15 for one bull with 50-inch antlers or
10 antlers with four or more brow tines on at least one
11 side.

12
13 Conservation Issues:

14
15 The staff analysis appears to rely too
16 heavily upon a recent survey in one part of Lake Clark
17 National Park and Preserve as a basis for recommending
18 closure of federal public lands in Units 9B and 9C,
19 although the analysis does acknowledge that biological
20 data are limited and can be interpreted differently.
21 The Alaska Department of Fish and Game has no evidence
22 that moose numbers have declined generally in either
23 Unit 9B or that portion of Unit 9C draining into the
24 Naknek River from the north. Local residents report
25 seeing fewer moose in their traditional hunting areas,
26 which may be attributed to localized declines and lower
27 moose densities in heavily hunted areas. Bull:cow
28 ratios are within the Department s management
29 objectives. State seasons in which nonresident hunters
30 participate include antler restrictions that
31 significantly reduce harvest opportunity, and such
32 harvests often occur in areas not usually accessed by
33 federally-qualified subsistence users.

34
35 Nonlocal hunters harvested an average
36 of 22 moose annually in Unit 9B between 2003 and 2006,
37 which constitutes 1% of the moose population. Nonlocal
38 hunting effort and harvest are trending downward in
39 this subunit. Nonlocal hunters harvested an average of
40 15 moose annually between 2003 and 2006 in Unit 9C, or
41 about 2% of the moose population. This comparatively
42 low level of nonlocal harvest cannot be construed as a
43 significant source of competition for local residents.

44
45 Enforcement Issues:

46
47 Differences in federal and state
48 regulations resulting from adoption of WP08-31 creates
49 enforcement problems in areas with mixed land
50 ownership.

1 Other Comments:

2

3 Closing federal lands to non-federally
4 qualified users will not increase the moose population
5 or improve success for local hunters. Population trend
6 data for these subunits are comparable to other areas
7 of the state, and composition data collected in 2007
8 clearly indicate that moose harvests are sustainable at
9 existing levels. There are no advantages gained by
10 excluding from Units 9B and 9C the few non-federally
11 qualified subsistence users. The light harvest is not
12 a factor for moose populations in Unit 9B and 9C,
13 which, similar to other portions of Unit 9, are limited
14 primarily by calf recruitment and habitat availability.
15 The moose population in Unit 9 is at an appropriate
16 level for its habitat availability.

17

18 Recommendations:

19

20 WP08-30:

21

22 Adopt. Adoption of this proposal is
23 necessary to address conservation concerns with the
24 declining moose population in Units 9B and 9C.

25

26 WP08-31:

27

28 Oppose. Adoption of this proposal
29 would unnecessarily close federal lands to non-
30 federally qualified moose hunters in Units 9B and 9C.
31 Such a closure would shift moose hunting by non-
32 federally qualified subsistence users to non-federal
33 lands closer to local communities and increase
34 competition for moose in those areas, and this closure
35 would therefore be detrimental to the interests of
36 subsistence users.. Adoption of WP08-31 is not
37 required to ensure continuation of subsistence uses by
38 federally-qualified subsistence users on federal public
39 lands in Unit 9B and 9C.

40

41 CHAIRMAN FLEAGLE: Right. Go ahead,
42 Terry. Sorry about that.

43

44 MR. HAYNES: Thank you, Mr. Chairman.
45 Our comments are on Pages 458 and 459 of your meeting
46 book.

47

48 Before going to the comments
49 specifically, I wanted to respond. Mr. Alvarez raised
50 some questions about some of the subsistence harvest

1 information, and particularly that one year where the
2 harvest based on the subsistence surveys were
3 substantially higher than in other years. My
4 recollection from that Subsistence Division report for
5 2001 that much of that substantial increase in harvest
6 was in Nondalton that year, and people in Nondalton
7 invested considerable effort in harvesting moose,
8 because moose were readily available that year, and
9 their salmon harvest and harvest of other resources
10 were substantially below usual. There is another more
11 recent year of harvest data for Nondalton that shows --
12 that brings their annual moose harvest down more in
13 line with what it is in a typical year. So I think
14 that although the harvests were substantially higher in
15 that one year, that year was kind of an oddity for a
16 number of years, so I wanted to clarify that point.

17
18 As Lem has pointed out in his
19 presentation, the Department has no evidence that moose
20 numbers have declined generally in either Unit 9B or
21 that portion of Unit 9C draining into the Naknek River
22 from the north. Local residents report seeing fewer
23 moose in their traditional hunting areas, which may be
24 attributed to localized declines and lower moose
25 densities in heavily hunted areas. Bull/cow ratios are
26 within the Department's management objectives. State
27 seasons in which non-resident hunters participate
28 included antler restrictions that significantly reduce
29 harvest opportunity, and these harvest often occur in
30 areas not usually accessed by Federally-qualified
31 subsistence users.

32
33 In our opinion, closing Federal lands
34 to non-Federally-qualified users as proposed in WP08-31
35 will not increase the moose population or improve
36 success for local hunters. Population trend data for
37 these subunits are comparable to other areas of the
38 State and composition data collected in 2007 clearly
39 indicate that moose harvests are sustainable at
40 existing levels. There are no advantages gained by
41 excluding from Units 9B and 9C the few Federally-
42 qualified subsistence users hunting moose in those
43 areas. The light harvest is not a factor for moose
44 populations in 9B and 9C, which similar to other
45 portions of Unit 9 are limited primarily by calf
46 recruitment and habitat availability.

47
48 So our recommendations are to adopt
49 Proposal WP08-30, because it is necessary to reduce the
50 season length to address conservation concerns with the

1 declining moose population in 9B ad 9C.

2

3 But we oppose adoption of WP08-31,
4 because it would unnecessarily close Federal lands to
5 non-Federally-qualified moose hunters in Units 9B and
6 9C. That would shift moose hunting by non-Federally-
7 qualified subsistence users to non-Federal lands closer
8 to local communities, and therefore increase
9 competition for moose in those areas. And this closure
10 would therefore be detrimental to the interests of
11 subsistence users.

12

13 Adoption of WP08-31 is not required to
14 insure continuation of subsistence uses by Federally-
15 qualified subsistence users on Federal public lands in
16 Unit 9B ad 9C.

17

18 Thank you, Mr. Chairman.

19

20 CHAIRMAN FLEAGLE: Okay. Thank you,
21 Terry. InterAgency Staff Committee comments, Larry.

22

23 MR. BUKLIS: Thank you, Mr. Chairman.
24 The Staff Committee comments can be found on Page 457
25 of your Board book. I'll highlight the main points
26 there.

27

28 The Staff Committee suggests several
29 points to be considered by the Board relative to these
30 proposals. First, will -- it's a series of questions,
31 actually.

32

33 Will implementation of the shortened
34 season and closing lands to non-Federally-qualified
35 subsistence users accomplish the stated objective of
36 slowing the decline in the moose population and thereby
37 increase the chances of providing for subsistence uses.

38

39

40 Secondly, does the information
41 presented meet the standards of the Board's closure
42 policy? And you do have the closure policy in your
43 yellow folders.

44

45 And, third, could implementation of the
46 changes concentrate hunting by non-Federally-qualified
47 subsistence users onto State and Native corporation
48 lands? If so, could that create increased potential
49 for user conflicts nearer to villages in the affected
50 areas?

1 The Staff Committee also noted that
2 current State regulations in the units require a spike
3 fork, 50-inch or four brow-tine bull for non-resident
4 hunters, and any bull for resident hunters, whereas the
5 Federal regulations allow any bull. Therefore, non-
6 resident hunters who hunt on Federal public lands must
7 comply with the State's more restrictive requirement.

8

9 The Staff Committee also believes that
10 the Council views these two proposals as a package and
11 discussion about one affects the other.

12

13 Finally, we point out that the State
14 has suggested establishment of a State, Federal,
15 Stakeholder work group which could explore the issues
16 more deeply and seek additional ideas or resolution of
17 the issues while still providing for subsistence uses.

18

19 Thank you, Mr. Chairman.

20

21 CHAIRMAN FLEAGLE: Thank you, Larry.

22

23 Lem, would you come back up to the
24 table. We're going to open up for discussion, and,
25 Randy, did you want to lead off?

26

27 MR. ALVAREZ: Yes, Mr. Chair. Thanks.
28 I guess I should start out by noting that last year
29 cycle we'd sub -- we had proposed a proposal dealing
30 with moose in 9B to ask for corridors along certain
31 rivers and streams, creeks in 9B to restrict -- to help
32 eliminate conflict between non-qualified users and the
33 locals, because the locals, their main means of moose
34 hunting is with skiff and outboards in the falltime.
35 But we withdrew that, because we were understanding
36 that it was against ANILCA, because there had to be a
37 conservation concern. Well, we probably should have
38 left it in there, because we -- it is a conservation
39 concern.

40

41 And it's common knowledge around the
42 region that the all season, some of the villages
43 wouldn't be able to harvest any moose, because there
44 wasn't any around. People did harvest, and as the
45 State's slides show you, there's plenty of
46 participation. In fact there -- the harvest for locals
47 is -- hasn't -- according to the graph has stayed about
48 the same for those reporting. Because -- it's my
49 opinion that it's because they're having to hunt the
50 whole season, right up to the last day.

1 And there is a big problem with non-
2 reporting. And I keep impressing to the people in the
3 region, but they're so remote, these villages are so --
4 you know, they're so -- there's no development, there's
5 not much jobs. There's nothing around there. They
6 don't get -- they tend not to get tags, because there
7 aren't any in town, and they can't go anywhere to get
8 any. When they do go some place, you know, what gas
9 they're going to expend is trying to harvest
10 subsistence foods. And some of the villages in -- I
11 even was asked last fall at the end of the moose season
12 if I would ask the State, like Lem had mentioned, had
13 asked to have the season extended, because Kakhonak,
14 for example, nobody wasn't able to harvest a moose, and
15 there are like 150 people there, and nobody harvested
16 anything. And so that's -- they wanted to ask for it
17 to be extended. And also another RAC member from
18 Iliamna had -- it says in the minutes here that five
19 villages that he knows of, they -- hardly anything were
20 harvested from people that he talked to.

21
22 And I'd like to point out some graphs
23 in our workbook here. On Page 452. You know, the
24 State, they put out some graphs -- part of the graph
25 that they showed the harvest in 9B, well, 9B doesn't
26 really reflect what goes on in -- or Unit 9 doesn't
27 really reflect what goes on in Unit 9B. I noticed that
28 one of the graphs, it showed the harvest for Unit 9.
29 Well, if you look at the graph on top up here on Page
30 452, Unit 9B moose, and the 80s average, 90s average,
31 2000 and then they 2007 composition, well, there was no
32 numbers for that, but you can see the moose density per
33 square mile has steadily gone down about half a moose
34 per square mile. Well, this morning you guys were
35 discussing Unit 15, and I looked at that page, and the
36 number per square mile there ranged from 777 to around
37 1200, well, I figured it out to be about 1.1 to about
38 1.8 moose per square mile, and that -- and that's
39 probably a high moose density I would guess, but if you
40 think -- you can relate it to half a moose per square
41 mile, we don't have very many moose. Never have.

42
43 And if you look over to the next column
44 where it says bulls to cow ratio, well, the bull/cow
45 ratio is pretty good. But the population is not that
46 high, but what bulls there are is -- to 100 cows is
47 adequate.

48
49 And then you look over on the next, the
50 last aisle over there, the calves per 100 cows, it has

1 steadily gone down to two. But Lem says the two might
2 be a bad count for that year, but it's probably not
3 very much higher than that, and if you consider that,
4 it's steadily going down. And our recruitment for
5 moose isn't very promising.

6
7 And so we need -- we figure something
8 has to be done. Last year we asked for the corridor to
9 restrict non-user groups from where the locals hunt.
10 And since that -- we weren't be able to submit that, we
11 asked for these proposals. The status quo isn't going
12 to work. If you look at these figures, it's just going
13 to get worse, and I don't know, we can't wait two more
14 years until the next cycle, you know, there's hardly
15 any -- people are complaining now that they're not
16 harvesting enough, and be it that they're probable is
17 not a lot of it that's reported, because of the cards
18 don't get turned in, and also they -- you know, the
19 non-locals, nonresidents harvest has also gone down,
20 but also the participation has, too, because, you know,
21 the moose -- they don't want to spend \$10,000 to go to
22 an area that hardly has any moose when they can go
23 someplace else have a lot better change of hunting. So
24 if it is closed, it's not going to affect them that
25 much. There's not that much participation anyway.

26
27 You know, another problem that we --
28 you know, that's a bit more than the non-residents
29 harvesting is the predation, but, you know, we know
30 what the stance of the Park Service is on predation, so
31 considering that, what other options do we have.

32
33 Thank you.

34
35 CHAIRMAN FLEAGLE: Thanks, Randy.

36
37 Other discussion. Sue.

38
39 MS. ENTSMINGER: Mr. Chairman. I just
40 wanted to bring up something about the reporting and
41 the lack of. It came up to our Eastern Interior on the
42 Refuge I guess, the Yukon Flats, that there's some --
43 and actually some sheep up in the Arctic Sheep
44 Management Area there. Richard Carroll from Fort
45 Yukon, he requested for more protection officers to get
46 after people that are out there breaking the law, and
47 really pushing to his people that they abide by
48 seasons. So I guess, you know, I just wanted to -- and
49 if it meant they were -- he said, if it meant that, you
50 know, the reporting wasn't out there to say you

1 actually did -- killed them, or did take an animal, and
2 it was done illegally, that it doesn't count. So he
3 wants to make sure that people are abiding by the law.
4 And I just wanted to bring that up.

5
6 CHAIRMAN FLEAGLE: Thank you, Sue.

7
8 Randy.

9
10 MR. ALVAREZ: I guess I should comment
11 to that. I keep telling, you know, the people from --
12 the representatives from the villages that they need to
13 report, because if at some time we have to go to Tier
14 II, those guys aren't going to have any record of them
15 harvesting anything, so they're not going to get a Tier
16 II permit. So I'm telling them that just to try to get
17 them to, you know, get their tags and turn them back
18 in, but I don't know if it's doing any good or not, but
19 -- and we -- and as for the protection officers, we've
20 only got one. We've got one at Iliamna and there's one
21 at King Salmon, but they're pretty spread out, and I
22 don't know how much they're patrolling.

23
24 CHAIRMAN FLEAGLE: Thanks, Randy. I
25 want to explore the opportunity of dueling science.
26 Pete, how do we want to proceed here? We haven't had
27 to do this before.

28
29 MR. PROBASCO: Well, Mr. Chair, I would
30 prefer that if there's questions on the data, I really
31 would -- don't want to get the State and Federal
32 biologists dueling it out. I would just ask for
33 interpretations of the data from their perspectives on
34 the information and leave it at that. Mr. Chair.

35
36 CHAIRMAN FLEAGLE: Okay. Buklis, you
37 mentioned that there was some disagreement.

38
39 MR. BUKLIS: Mr. Chairman. I would
40 just point out that when you're looking at statistics
41 and graphs, you need to keep some qualifications in
42 mind. And I don't know that those were brought out
43 very clearly. I could highlight a few that might be
44 examples of what I mean.

45
46 CHAIRMAN FLEAGLE: Please.

47
48 MR. BUKLIS: For example, there was one
49 graph, Mr. Chairman, again I don't have a paper copy of
50 this, and I didn't get a preview of what you were going

1 to see today, other than at our Staff Committee meeting
2 a month ago, and I didn't know how it was being
3 adjusted for this meeting, but in looking at it with
4 you just now, I noticed one graph was shown depicting
5 multiple observations of moose density per year, and
6 that indicated a very wide range by year for
7 observations of moose density. But in subsequent
8 graphs you've got regressions with single points by
9 year. And so you need to keep in mind the variability
10 inherent in these observations.

11
12 Secondly, do the regression equation
13 annual density points represent a compilation of
14 density data, and if so, is the variability around
15 those annual points accounted for? Is such variability
16 driving the lack of significance in the regression
17 statistics? Those are thoughts we need to keep in mind
18 as we look at regressions.

19
20 Thirdly, some of the graphs suggest
21 that report success rate is stable, but other graphs
22 suggested that the number of hunters has declined. So
23 keep in mind when you're looking at stability and
24 success rate, you might have fewer people engaged. And
25 so there's another side of that picture of success
26 rate.

27
28 Finally, several graphs were shown
29 comparing success rates for reported harvest statewide
30 across all units by unit, and then to a grand average
31 for the State. And those kind of snapshots can be
32 confounded by varying reporting rates by unit and other
33 factors. So those kinds of considerations need to be
34 in your mind when you're looking at snapshots like
35 that.

36
37 Thank you.

38
39 CHAIRMAN FLEAGLE: Appreciate that.
40 Offer an opportunity for response. Lem.

41
42 MR. BUTLER: Yeah. Mr. Chair. No real
43 objections. Certainly statistics are, you know, they
44 do need to have qualifiers and, you know, it's always
45 difficult to insert all those qualifiers into a
46 presentation that occurs over a short period of time.
47 You know, I don't know if you have any one issue that
48 you want to hear more about, if anything struck you as
49 something you'd like to explore further, I'd be happy
50 to answer it. But.....

1 CHAIRMAN FLEAGLE: Yeah. I think --
2 well, I noticed the one that Larry is speaking to, the
3 one with the multiple points for density per year.

4
5 MR. BUTLER: Yeah. Sure. Essentially
6 what you have is we're surveying subunits with trend
7 areas, and the qualifier I use, if I'm going to throw
8 out an average density for a subunit, is I want the
9 majority of the trend areas within that survey unit,
10 subunit to be sampled, so that is an average of all the
11 trend areas. That's -- those are years in which the
12 trend areas were all surveyed. It's an average. There
13 is an error associated with that, that, you know,
14 rightly could be addressed. I just analyzed it based
15 on an average and how that average changes through time
16 using the same subunits and again trying to keep each
17 data point as consistent as possible within the means I
18 have available to me.

19
20 CHAIRMAN FLEAGLE: Okay. Thanks, Lem.

21
22
23 Other questions. Marcia.

24
25 MS. BLASZAK: Yeah. Mr. Chair. I'd
26 like to ask a question of Lem and then perhaps ask
27 Randy also his reaction to it. In your presentation
28 you suggest that if we were to approve the proposal to
29 do the closure, that it would push the -- or push the
30 competition more locally with the village locations
31 where the users are, you know, I think more
32 concentrated. And I wonder what Randy's reaction to
33 that notion was in your presentation.

34
35 CHAIRMAN FLEAGLE: Randy.

36
37 MR. ALVAREZ: Mr. Chair. Ms. Blaszak.
38 Yeah, I think what Lem was alluding to is if it's
39 closed in some of the Federal areas -- or the Federal
40 area, it would push those non-locals that still want to
41 hunt in 9B onto State lands which are closer to the --
42 along the -- closer to the villages and along the lake,
43 and then there would be more competition with the
44 locals, but I don't think that those -- the guides and
45 outfitters want to be in conflict with the villages,
46 because of them have to utilize Native corporation land
47 which is along the villages and along the rivers, and
48 they can restrict them from using those lands if they
49 need be, and I think they're trying to -- they would
50 rather get along with the locals, the corporations that

1 own -- the landowners, unless they're from somewheres
2 where they don't need to deal with them. But my
3 opinion, I don't -- it probably wouldn't be -- they
4 probably wouldn't hunt close to the villages if they --
5 if they were pushed to the villages.

6

7 CHAIRMAN FLEAGLE: Other discussion.
8 Sue.

9

10 MS. ENTSMINGER: I'd just like to point
11 out in that line of thinking that you were talking, if
12 there's non-resident guiding in the State land around
13 those areas, and you've displaced somebody off of
14 Federal land, I don't know the land status that well,
15 but you potentially move more people into the State
16 land.

17

18 CHAIRMAN FLEAGLE: Ken Taylor.

19

20 MR. TAYLOR: Yes, Mr. Chairman. Just
21 to clarify that, the guides are restricted to having
22 three guide use areas throughout the State, and that
23 includes whatever Federal areas they have, so if they
24 have a guide use area that's part State, part Federal,
25 and their Federal areas are closed to their
26 utilization, then all of their clients will be hunting
27 on the State lands within that guide use area.

28

29 CHAIRMAN FLEAGLE: Niles.

30

31 MR. CESAR: Yeah. Just a question for
32 Randy. Yeah. You suggested and I think you're right,
33 that those guides would have an interest in keeping a
34 relationship with the ANCSA corporation owners, you
35 know, or else they wouldn't be there. And I would
36 assume that most of the people in the surrounding
37 villages are in fact shareholders of one or more of
38 those ANCSA corporations, is that correct?

39

40 MR. ALVAREZ: Yeah. Mr. Niles. Yes,
41 that's correct. You know, most of the people that live
42 in these villages belong to the regional, Bristol Bay
43 regional corporation. And the village corporations, it
44 could be that one or the next one up the lake or down
45 the river. And they -- you know, these user groups
46 tend to want to have good relations with, you know, the
47 land -- these corporations, because they do control a
48 lot of the land that they have to use.

49

50 MR. CESAR: Especially around election

1 time I would assume.

2

3 CHAIRMAN FLEAGLE: Marcia.

4

5 MS. BLASZAK: I'd like to ask one other
6 question of Larry. When he made his comments on behalf
7 of the InterAgency Staff Committee, he said one of the
8 questions that was raised in their discussions was the
9 -- whether the information presented met the standard
10 of our closure policy. And, Larry, can you expand on,
11 you know, what that discussion was about?

12

13 CHAIRMAN FLEAGLE: Larry.

14

15 MR. BUKLIS: Mr. Chairman. There are
16 several proposals before you this week that address
17 imposing closures or lifting or partly lifting
18 closures. And I think the Staff Committee is reminding
19 the Board in those circumstances that we do have a
20 recently developed closure policy, and that the lifting
21 of closures, partial lifting of closures, or the
22 imposition of a closure should be consistent to the
23 policy. There wasn't a particular questioning that
24 this is a circumstance that does or doesn't qualify.
25 It was more of a what you do needs to be in context
26 with your policy on it. So it's a call to the policy.

27

28 CHAIRMAN FLEAGLE: I've got a couple
29 questions for Randy from your Advisory Council. First
30 of all the comment that was made that you wouldn't -- I
31 mean, that you would want to treat these two proposals
32 as a common issue. I mean, obviously there's a lot of
33 support for Proposal 30, but you wouldn't want to see
34 Proposal 30 passed without 31, right?

35

36 MR. ALVAREZ: Mr. Chair. Yes. The way
37 this was brought -- we brought it up is we want to --
38 there was those that wanted to eliminate non-resident
39 user groups. Well, I pointed out that we should -- if
40 we're going to do that, we should also shorten the
41 local season, you know, to help bear the burden of the
42 low moose populations. And just to make it seem more
43 fair that they are having to bear part of the
44 conservation. And then it would, you know, also align
45 it with the State season.

46

47 CHAIRMAN FLEAGLE: Right. I understand
48 that. But we were to consider action on Proposal 30
49 and pass it, and then fail 31, you'd go home with some
50 bad news. I mean, that would be contrary to what

1 you're Advisory Council would want, right? I mean,
2 maybe we should look at these in the reverse order.
3 And Pete has suggested this. I just wanted to get your
4 idea.

5
6 MR. ALVAREZ: Thank you, Mr. Chair.
7 Yeah, it would probably be more appropriate to take 31
8 up first, then 30. If we -- if the Board opposed or
9 did not pass 31, we would ask not to pass 30 also.

10
11 CHAIRMAN FLEAGLE: All right. That's
12 what I was getting at. Thanks. And then we'll note
13 that any action -- we'll deal with Proposal 31 first.

14
15 But, now, in regards to Proposal 31,
16 and that's the closure, just looking at the land status
17 map with the subunits on Page 450. Now, I've got a
18 couple of issues there, and just from your local
19 knowledge and your Advisory Council, it look pretty
20 simple that in that northern section of Unit 9B north
21 of the lake, Port Alsworth, Nondalton area, that would
22 be pretty easy to define what's closed and what isn't,
23 and also down in 9C, of course, the Katmai, that's all
24 easily definable. But as was brought out in testimony
25 about the BLM lands that are patchwork down to the
26 southwest of the lake, that seems to be a little more
27 problematic as to how they're -- how that would be
28 applied, because only those shaded lands that are BLM
29 controlled would be closed and the rest would be open.
30 Did your Council address how that would affect hunter
31 displacement or enforcement or any of that.

32
33 MR. ALVAREZ: Well, we didn't take it
34 up individually, but we looked at it as the BLM -- you
35 know, well, let first discuss, yeah, the Preserve.
36 Well, that is one solid piece, but then it also runs
37 down into the Alagnak River, is that -- on both sides
38 of the wild river, that's Federal managed. But in the
39 BLM land like you say, it's the light shaded where we
40 can barely see it on a map here, well, if you -- but if
41 you look at where that is, most of that is along those
42 rivers, or those creeks along the -- a couple of miles
43 away from I guess I would say the main river, the
44 Kvichak River, and if it would keep -- that area,
45 that's -- those areas are pretty much what areas that
46 are utilized by the locals. And it would -- if it --
47 it would push them back into the hills where the locals
48 would not be able to hunt, it was kind of -- it would
49 be similar to what we asked for last year with
50 corridors in this specific area. I guess that's kind

1 of my only comment on that.

2

3 CHAIRMAN FLEAGLE: All right. Thank
4 you.

5

6 Other discussion. Now's the time to
7 get the questions from the Council and from the State.

8

9 Jack Reakoff.

10

11 MR. REAKOFF: Well, there's -- I've
12 always been reluctant to close areas to non-subsistence
13 users unless we've explored all other options. And
14 it's my opinion that your moose season's too early.
15 You're not giving enough opportunity to harvest bulls
16 when they're moving around, and success rates decline
17 because of that.

18

19 I was wondering why your Council didn't
20 explore lengthening your moose season. You've got good
21 bull/cow ratios, and moving the moose season up to the
22 25th of September or the first of October or something
23 to give -- because I've always said to the State, a
24 bull killed in the fall is a cow saved. And so I'm of
25 the opinion you want to harvest those bulls. If you've
26 got that kind of bull/cow ratios, then let's harvest
27 those bulls. So I just wanted to put that out. That's
28 kind of been eating on me on this one.

29

30 CHAIRMAN FLEAGLE: Randy.

31

32 MR. ALVAREZ: Thank you, Mr. Chair. We
33 did discuss that, Jack. For instance not this past
34 season, but 2006, the fall of 2006, there was -- I was
35 with three other people, and we -- well, to begin with,
36 we hunted the whole season, and then on the last day of
37 the season, September 15th, there was four of us, we
38 ran across two bulls that just got down swimming the
39 Kvichak. And we got both of those bulls. One was 47
40 and the other one was 55 or 56-inch bull. Well, there
41 were -- when we got them, they're pissing all over, you
42 know, when we shot them, we had to shoot them a couple
43 times, and they were pissing on -- come -- it was
44 coming out, and the meat was, in my opinion, was
45 starting to turn. You could taste a little bit of it.
46 In my opinion, in another week, it would have been
47 inedible. And so by moving it, we thought about that
48 and I didn't want to see it moved back another week,
49 because it would be a waste of meat, waste of moose.

50

1 CHAIRMAN FLEAGLE: Go ahead, Jack.
2
3 MR. REAKOFF: Up in our country, we've
4 got to hunt a little harder than that, and we don't
5 even hardly see a moose before -- if I see a moose on
6 the 10th, that's -- I'm pretty lucky. And I've killed
7 lots of moose after the 15th. If you get that-- skin
8 them out and get that -- or keep that pee off the meat,
9 it just airs right out. They're not like caribou.
10 They don't go bad like caribou. So I've got lots of
11 guys in the Western Interior Region killing moose way
12 into the end of September, first part of October.
13 They're losing fat, and not as good of meat after the
14 20th, but they're good meat. It's not like caribou.
15 You can't eat a caribou in rut, and we should -- the
16 State of Alaska should be closing off these caribou
17 seasons in October. But a bull killed in the all is a
18 cow saved. And so that's the way I look at that. So I
19 just wanted to put that out for the Board.
20
21 CHAIRMAN FLEAGLE: Thanks, Jack.
22
23 MR. ALVAREZ: One more comment, Mr.
24 Chair.
25
26 CHAIRMAN FLEAGLE: Okay. Randy.
27
28 MR. ALVAREZ: A couple years ago, or
29 more like five years ago, a cousin of mine shot a
30 moose, a big bull, and it was inedible, and he got it
31 probably a few days before the end of the season. And
32 I think it all depends how warm it is where you at when
33 they start going into the rut. So, you know, they
34 could last longer farther upwards, it stays cold
35 longer. But I think different areas they go into rut
36 differently.
37
38 CHAIRMAN FLEAGLE: Maybe being from in
39 between you guys, I can mediate this.
40
41 (Laughter)
42
43 CHAIRMAN FLEAGLE: I've shot a lot of
44 moose right heavy in the rut, too, and I agree with
45 Jack, that doesn't affect the meat, but I have shot bad
46 moose. And I think it's because they've just come out
47 of a big conflict, and they're all up on adrenalin and
48 hormones and everything. I have shot bad moose, but I
49 don't think it's because of the rut. I mean, you know,
50 the rut -- I've shot ruddy moose that are good, too.

1 So, you're right, it's not like caribou.

2

3 But anyway, different subject. Are we
4 done with the round table discussions?

5

6 MR. BSCHOR: Mr. Chair. I have a
7 question.

8

9 CHAIRMAN FLEAGLE: Denny.

10

11 MR. BSCHOR: Yeah, I just have a
12 question. In the InterAgency Staff Committee comments,
13 they mention that the State had suggested establishment
14 of a State and Federal stakeholder work group. And,
15 you know, we're starting to get into some details and
16 some options, and it's obviously very complex. I'm
17 just curious as to if the State and/or others have had
18 any more thoughts about the desirability of making
19 doing that, whoever wants to answer that question.

20

21 CHAIRMAN FLEAGLE: Gino.

22

23 MR. DELFRATE: Thank you, Mr. Chair.
24 Everybody seems to be looking at me.

25

26 We have talked about this. The term
27 work group has lots of different definitions, and I
28 don't think the State is interested in entering into a
29 Unit 23 style work group where we meet for two years to
30 come up with some recommendations down the road.

31

32 We have talked amongst ourselves of
33 trying to get our Federal biologists and our State
34 biologists together with members of the RAC, of the
35 Advisory Committee, of the Subsistence Resource
36 Commission, and if we need to bring in some -- a guide
37 representative, or maybe a guide that works that area
38 or lives in that area, to talk about non-local issues.
39 We can meet in a local, maybe a little more informal
40 basis and continue to work on trying to sort through
41 this, the stated issues, and see if there is some
42 common ground that we can come back to either the
43 Federal Board or the State Board in March. And I think
44 as we're committed at least from the region, that we
45 would at least provide enough resources to get our A B
46 to stay home in King Salmon for a week or so to meet
47 with representatives, or we all meet in Iliamna or
48 somewhere in the middle and we'll do what we can if
49 that's the direction that this Board would like us to
50 go, I think we could continue to work that direction.

1 Thank you.

2

3 CHAIRMAN FLEAGLE: Thank you. Let's
4 stand down for 10 minutes and come back and take this
5 issue back up.

6

7 (Off record)

8

9 (On record)

10

11 CHAIRMAN FLEAGLE: All right. The
12 Federal Subsistence Board is back on record.

13

14 And we left with discussion continuing
15 with Council chairs, the State and the Federal Board on
16 Proposals 30 and 31. Sue.

17

18 MS. ENTSMINGER: Yeah. Thank you, Mr.
19 Chair. I just wanted to bring up the concern as ditto
20 Jack basically on the domino effect of closing to not
21 -- to everyone but the subsistence user. It's a little
22 bit of a concern. If there's a way to work things
23 through, I'd like to see -- that's important, because
24 sometimes it's difficult to ever see something back
25 open again. And I would encourage Randy to expound on
26 his ideas.

27

28 CHAIRMAN FLEAGLE: Randy, any
29 additional comments.

30

31 MR. ALVAREZ: I mentioned to Sue that,
32 you know, last year our proposal for corridors, if we
33 could get the Board of Game this winter to pass on
34 State land and then also -- and then this Board do the
35 same thing as we proposed last year so that the
36 boundary -- there would be no boundary conflict, that
37 way, you know, there would be no conflict between the
38 user groups, and it would still leave non-resident a
39 place to harvest, but that still leaves the problem
40 with the low population, and something would need to --
41 that would really not take care of the problem of low
42 population. I don't know. We know it needs to be
43 discussed further, and our Council, and you guys would
44 probably have to discuss it also, and what options we
45 have. And that was just an option I'd mentioned to Sue
46 is that might be one, but, we feel that something needs
47 to change the status quo. I mean, like I said before,
48 it's not going to work.

49

50 CHAIRMAN FLEAGLE: Thank you, Randy.

1 Ready to take this on, Board? Marcia.
2
3 MS. BLASZAK: Well, I'm -- this has
4 been a difficult proposal to really understand all the
5 various viewpoints and I think we've all heard that
6 there's a lot of concern. But I'm not -- you know, I'm
7 not certain that the proposed action quite hits the
8 mark. And what I'm prepared to move -- is this where I
9 get to do that, Mr. Chairman?
10
11 CHAIRMAN FLEAGLE: You bet.
12
13 MS. BLASZAK: Is that we defer this
14 proposal, and if I can have a second, I can talk more
15 to that.
16
17 CHAIRMAN FLEAGLE: Are you stating
18 deferral for both proposals, 30 and 31?
19
20 MS. BLASZAK: Excuse me. Yes, sir.
21 I'm sorry. For both Proposals 30 and 31.
22
23 CHAIRMAN FLEAGLE: Okay.
24
25 MR. BSCHOR: I'll second that, Mr.
26 Chairman.
27
28 CHAIRMAN FLEAGLE: There you go.
29
30 MS. BLASZAK: Again, this is a
31 compelling concern, and I heard what Sue mentioned, and
32 it really reinforces a place where we are. A
33 difficulty in closing the Federal and particularly when
34 it isn't the majority of this unit that would be closed
35 to general State hunting, but also recognizing the
36 concerns that Randy and the Council are trying to
37 address, and that we think we have a viable opportunity
38 for further work on this in the work group setting that
39 was brought up. And I would be hopeful that this could
40 be better analyzed in a way that a solution could be
41 crafted that is perhaps more likely to draw more
42 support than what we currently have before us.
43
44 CHAIRMAN FLEAGLE: My mic was still on.
45 Other comments.
46
47 (No comments)
48
49 CHAIRMAN FLEAGLE: Hearing none, ready
50 for the question for deferral. Pete.

1 MR. PROBASCO: Thank you, Mr. Chair. A
2 motion to defer Proposals 30/31. Mr. Bschor.
3
4 MR. BSCHOR: Yes.
5
6 MR. PROBASCO: Mr. Melius.
7
8 MR. MELIUS: Yes.
9
10 MR. PROBASCO: Mr. Fleagle.
11
12 CHAIRMAN FLEAGLE: Yes.
13
14 MR. PROBASCO: Ms. Blaszak.
15
16 MS. BLASZAK: Yes..
17
18 MR. PROBASCO: Mr. Lonnie.
19
20 MR. LONNIE: Yes.
21
22 MR. PROBASCO: And Mr. Cesar.
23
24 MR. CESAR: No.
25
26 MR. PROBASCO: Motion carries,
27 five/one.
28
29 CHAIRMAN FLEAGLE: Thank you. And I
30 understood the intent of that deferral action was to
31 remand this back to a committee or a group that the
32 State is going pull together in Unit 9 to address
33 alternate solutions, and the natural best -- I mean,
34 the next time available would be within the two-year
35 cycle, but if they come together with a solution before
36 that, I think I heard from individual Board members
37 anyway that they would be willing to look at it
38 earlier, if that were available, if the group came up
39 with a solution or a proposed solution earlier than the
40 two-year cycle.
41
42 Randy.
43
44 MR. ALVAREZ: Mr. Chair. Thank you. I
45 was going to ask that, when would the Board take this
46 back up. We don't want to see it go two years, that's
47 too long. At the longest, this meeting next year, you
48 know, if it could, maybe the fall meeting, but probably
49 more realistically this meeting next year, if -- I
50 don't see why we can't have anything accomplished by

1 then, and that would be, you know -- it's only one
2 year, and two years is seen as an awful long time.

3

4 CHAIRMAN FLEAGLE: But I think this
5 meeting next year is non-existent, right, Pete?

6

7 MR. PROBASCO: That's correct, Mr.
8 Chair. We're in the two year cycle. Your next meeting
9 is January of '09 which will deal with fisheries. Your
10 wildlife meeting is January or December/January 2010,
11 probably January.

12

13 With that said, however, the Board can
14 develop its own agenda, can address issues. They have
15 their special action authority, and they also have a
16 process through proper notice that they can convene a
17 meeting. So there are other options, but right now it
18 sounds like to me it's up to the work group to develop
19 some additional information for the Board to consider.

20

21 CHAIRMAN FLEAGLE: I've got Marcia, and
22 then Denny, and then Ken.

23

24 MS. BLASZAK: Part of our break time
25 deliberations, perhaps this is something that could be
26 taken up in conjunction with the next Council meeting
27 so that it can be done, you know, fairly quickly, and
28 then as Pete recommended, be brought back in some
29 fashion to the Board ahead of the next regular wildlife
30 cycle.

31

32 CHAIRMAN FLEAGLE: Thanks, Marcia.
33 Denny.

34

35 MR. BSCHOR: Mr. Chair. I was just
36 going to support from my perspective the -- I hear the
37 urgency from the Chair of the Advisory Council, and I
38 think whatever we can do to accommodate this concern
39 and do it in a timely way that better meets his needs,
40 I would support.

41

42 CHAIRMAN FLEAGLE: Thanks, Denny. Ken.

43

44 MR. TAYLOR: Thank you, Mr. Chairman.
45 The State would be pleased participate in that work
46 group and to do whatever we need to do to make sure
47 that we do reach a solution. I just simply wanted to
48 point out that the Board of Game will be taking up
49 Southcentral proposals at their March meeting next
50 year, and ideally we would have a solution that goes

1 before both that Board and then is taken up by your
2 Board by then.

3

4 CHAIRMAN FLEAGLE: Thanks, Ken. Good
5 suggestion.

6

7 Other comments.

8

9 (No comments)

10

11 CHAIRMAN FLEAGLE: All right. That
12 dispenses with Proposals 30 and 31.

13

14 We'll move back to our regular order.
15 And that puts us to Proposal 22a. And we'll give a
16 moment for the Staff to change positions again.

17

18 (Pause)

19

20 CHAIRMAN FLEAGLE: Okay. We'll turn it
21 over to OSM Staff. Dr. Polly Wheeler and Helen
22 Armstrong joins us. Good afternoon.

23

24 MS. H. ARMSTRONG: Thank you, Mr.
25 Chair. My name is Helen Armstrong. I'm an
26 anthropologist with the Office of Subsistence
27 Management.

28

29 Proposal WP08-22a is found in your
30 books on Page 382, and it was submitted by Carl Romig,
31 and requests a positive customary and traditional use
32 determination for residents of Cooper Landing for Units
33 7, 15A and 15B.

34

35 The proposal also requested seasons and
36 harvest limits which are analyzed separately following
37 this proposal in WP08-22b.

38

39 The proposal asks that Cooper Landing
40 be added to the existing C&T determination for 15A and
41 15B, which is for rural residents of Ninilchik,
42 Nanwalek, Port Graham and Seldovia. In Unit 7 the
43 existing C&T determination is only for those drainages
44 draining into Kings Bay, for residents of Chenega Bay
45 and Tatitlek. The remainder of Unit 7 has a finding of
46 no Federal subsistence. If this proposal is adopted,
47 it would establish a C&T finding for Cooper Landing in
48 all of Unit 7.

49

50 I'm going to go through a little bit of

1 the regulatory history just because it's kind of an
2 interesting one. I won't go through every detail of
3 it, but when the Federal Subsistence Program was first
4 established in 1990, the State's customary and
5 traditional use determinations were adopted. At that
6 time the road connected portion of the Kenai Peninsula,
7 which is most of Unit 7 and 15, was determined by the
8 State to be a non-subsistence area, and as a result,
9 Units 7, 15A and 15B had no subsistence determinations
10 for moose.

11
12 Then in July of 1995 the Federal
13 Subsistence Board made a positive customary and
14 traditional use determination for moose for Unit 15 for
15 residents of Port Graham, Nanwalek, Seldovia and
16 Ninilchik, but the Board deferred a customary and
17 traditional determination for Cooper Landing.

18
19 The Board addressed C&T for moose two
20 times after that in Unit 15 in 1996 and then again in
21 2003, and both times they determined that the C&T
22 determination for Unit 15 was for Nanwalek, Ninilchik,
23 Port Graham and Seldovia, which it is today, and again
24 deferred making C&T determinations for Cooper Landing
25 until the Board completed its decennial review of rural
26 determinations.

27
28 The rural review as those of us who
29 have been around for a while know, was completed in
30 2006, but Board has not yet considered the deferred
31 issue of customary and traditional use determinations
32 for Cooper Landing. Through this proposal, the
33 customary and traditional use status of Cooper Landing
34 is addressed.

35
36 Cooper Landing is a small community
37 within the Kenai Peninsula with an estimated permanent
38 year-round population of 357 in 2006. The history of
39 Cooper Landing is discussed in the analysis, and I
40 won't go into it in detail here either.

41
42 The Dena'ina inhabited the Cooper
43 Landing area long before Russian explorers arrived in
44 1850. A trading post was established in 1880 by Joseph
45 Cooper from Ninilchik, and by 1991 the Dena'ina had
46 moved from the Cooper Landing area.

47
48 I'm also not going to go through all of
49 the eight factors. Those are in the analysis and part
50 of the administrative record. But I will focus on the

1 use of moose, and how much is harvested on average in
2 which subunits. Suffice it to say that the moose --
3 that moose are a part of the fabric of the resource
4 use, and there is a clear pattern of use. Moose were
5 among the most sought after wildlife by the early
6 settlers of the Kenai Peninsula. Long-time residents
7 of Cooper Landing state that their families utilized
8 moose at least as far back as 1920, and that they often
9 hunted moose.

10

11 In a study conducted in the early
12 1990s, from 1990 to 1991, moose continued to be the
13 most widely used land mammal by Cooper Landing
14 residents. In 1990, the Cooper Landing population was
15 estimated to be 243. And at that time, the estimated
16 community take of moose was about 10 animals. This
17 information is consistent with the ADF&G harvest ticket
18 base, which from 1983, which from 1983 to 2006 recorded
19 harvest by Cooper Landing residents with a range of
20 three to 13 moose a year, and an average of about 6 per
21 year.

22

23 Cooper Landing residents harvest moose
24 in Units 15A, 15B and 7 on the Kenai Peninsula
25 generally from Tustumena Lake north to Turnagain Arm,
26 and along the Seward Highway all the way to Portage and
27 up to 20-Mile River. If you look at Page 387 in your
28 books, there's a map of the use area, and I just wanted
29 to make note, because it's a little bit confusing when
30 you look at the map, because there is a line sort of in
31 the middle of Unit 7, that's a Forest Service boundary
32 line. Unit 7 is the whole right-hand side of the map,
33 and Cooper Landing is within Unit 7. It's just a few
34 miles from the border of Units 15A and 15B.

35

36 The ADF&G harvest data base shows that
37 the majority of the moose harvested by Cooper Landing
38 residents from 1983 to 2006 were from Unit 7, which is
39 where they reside, and that makes sense, but Unit 15A
40 and Unit 15B were also used, so the harvest ticket data
41 base is consistent with the mapping that was done by
42 ADF&G Subsistence Division.

43

44 If the proposal is adopted a positive
45 customary and traditional use determination for the
46 residents of Cooper Landing for moose in Units 7, 15A,
47 and 15B would qualify them to harvest moose under
48 Federal subsistence regulations. If the proposal is
49 rejected, they would continue to harvest, be allowed to
50 harvest moose under State regulations.

1 Just as a reminder, if there are
2 conservation concerns, these would be addressed in
3 Proposal WP08-22b through the implementation of
4 seasons, harvest limits, methods and means of the
5 harvest, but are not a factor in making customary and
6 traditional use determinations.

7
8 The OSM conclusion is to support
9 Proposal WP08-22a. We found that Cooper Landing moose
10 harvest generally exhibit the eight factors of
11 customary and traditional use determinations for using
12 moose in Units 7, 15A and B, and that mapping of the
13 Cooper Landing subsistence use areas indicates that
14 Cooper Landing harvest moose in Units 7, 15A and 15B,
15 and that the ADF&G harvest ticket data base supports
16 the mapping. The majority of moose reported harvested
17 by Cooper Landing residents are from Unit 7, but moose
18 are also harvested from 15A and 15B.

19
20 Thank you, Mr. Chair. That concludes
21 my presentation.

22
23 CHAIRMAN FLEAGLE: Thank you. For the
24 summary of written public comments, Donald Mike.

25
26 MR. MIKE: Thank you, Mr. Chair. The
27 summary of written public comments begins on Page 394.

28
29
30 There were six written comments
31 received, and I'll summarize the C&T portions of those
32 comments, Mr. Chair.

33
34 Paul Wiest of Moose Pass opposed the
35 proposal, and he writes, I have long questioned whether
36 the Community of Cooper Landing is justified in being a
37 subsistence community rating under any truly impartial
38 and objective guidelines. Cooper Landing's arguably on
39 part or economically above many other communities here
40 on the Kenai Peninsula that do not qualify for
41 subsistence status, including larger communities such
42 as Seward.

43
44 Shawn McDonald of Moose Pass opposed
45 the proposal, and he writes, as a resident of Moose
46 Pass, I object to Cooper Landing residents being given
47 priority access to the resource over me. The
48 subsistence status of Moose Pass residents is in review
49 and is likely to change this year. Until that has been
50 determined, no action should be taken on this proposal.

1 Mr. Bruce Jaffa of Moose Pass, he
2 opposes the proposal. This application to establish a
3 true subsistence hunt should be tabled at this time.
4 The data and science referred therein is questionable.
5 He further comments that the community of Moose Pass
6 has an active challenge to the current non-rural
7 subsistence designation of its residents. Until this
8 issue is resolved the further potential erosion of the
9 game population in the Moose Pass area by special
10 seasons is unfair.

11
12 And the Cooper Landing in general
13 supports the proposal.

14
15 Thank you, Mr. Chair.

16
17 CHAIRMAN FLEAGLE: Public testimony,
18 Pete.

19
20 MR. PROBASCO: Mr. Chair. We have no
21 one signed up for this proposal.

22
23 CHAIRMAN FLEAGLE: Regional Council
24 recommendation. Ralph.

25
26 MR. LOHSE: The Regional Council
27 unanimously supported this proposal.

28
29 CHAIRMAN FLEAGLE: Department of Fish
30 and Game comments. Ken Taylor.

31
32 MR. TAYLOR: Thank you, Mr. Chairman.
33 Tina Cunning will comment on this proposal for us.

34
35 CHAIRMAN FLEAGLE: Tina.

36
37 MS. CUNNING: For reasons expressed by
38 Commissioner Lloyd in his opening remarks, the
39 Department recommends that action be deferred on
40 customary and traditional proposals at this meeting.
41 However, if the Board does take action, the Department
42 offer the following observation. And our comments are
43 on page 392, 393.

44
45 On WP08-22a, in addition to requesting
46 that you defer the decision, we note that while
47 available evidence presented in the Office of
48 Subsistence Management analysis may support finding
49 that residents of Cooper Landing have a customary and
50 traditional use of moose in Unit 7, the evidence is

1 less compelling for Units 15A and 15B. The Federal
2 Board should discuss on the record whether or not
3 sufficient evidence to generally demonstrate the eight
4 regulatory factors is presented in the Federal Staff
5 analysis to support a positive finding of use by Cooper
6 Landing of moose populations in each of these units.

7
8 Whether there is sufficient evidence
9 also needs to be clarified given the Federal Board's
10 inconsistent application of its regulations, and lack
11 of clear objective standards for making determinations.

12
13 On additional important consideration
14 is that there are numerous requests for reconsideration
15 of the Board's decision on finding Cooper Landing a
16 rural community which have yet to be resolved by the
17 Board.

18
19 Alaska Department of Fish and Game
20 Comments to the Federal Subsistence Board

21
22 Wildlife Proposal WP08-22a:

23
24 Establish a customary and traditional
25 use for moose in a portion of Game Management Unit 7
26 and in Unit 15 for residents of Cooper Landing.

27
28 Wildlife Proposal WP08-22b:

29
30 Open the moose season in Unit 7
31 Remainder, adjust the season dates and harvest limits
32 in parts of Unit 15.

33
34 Introduction:

35
36 The proponent seeks approval for
37 residents of Cooper Landing to be recognized in federal
38 regulations as having customary and traditional use of
39 moose in Units 7 and 15. The proponent seeks
40 additional hunting opportunity under federal
41 regulations.

42
43 Impact on Subsistence Users:

44
45 If both proposals are adopted, the
46 number of rural residents eligible for federal
47 subsistence moose hunts in Units 7 and 15 increases.
48 It is unclear how or if moose hunting patterns in
49 Cooper Landing would be affected in practice, but
50 additional harvests on low-density moose populations

1 could eventually require more restrictive regulations.

2

3 Opportunity Provided by State:

4

5 State regulations allow moose hunting
6 by residents and nonresidents in Unit 7 and in most
7 parts of Unit 15. The Portage Glacier and Resurrection
8 Creek closed areas in Unit 7 are not open to moose
9 hunting.

10

11 Conservation Issues:

12

13 The Remainder of Unit 7 has a low
14 density moose population, and bull:cow ratios are
15 presently at desired levels for long-term management.
16 Establishing new federal hunts, increasing the number
17 of rural residents eligible for these hunts, and
18 allowing harvest of any bull may detrimentally affect
19 this moose population and jeopardize sustained yield
20 management.

21

22 Other Comments:

23

24 The affected moose populations in Units
25 7 and 15 are low density and subject to high winter
26 mortality. The State hunts in Unit 15 in which Cooper
27 Landing residents typically participate occur before
28 the rut and have antler restrictions that protect the
29 middle age class of bulls. Some Cooper Landing
30 residents may opt for the more liberal federal hunts if
31 Proposal WP08-22b is adopted, and their success rates
32 may improve as a result. Adoption of WP08-22b also
33 would open a federal season in Unit 7 Remainder, which
34 presently is closed. Existing State regulations allow
35 hunting in this area, but limit harvest to bulls with
36 spike-fork or 50-inch antlers or antlers with 3 or more
37 brow tines on at least one side. The proposed federal
38 season would be for any bull. This more liberal
39 federal harvest limit has the potential to increase
40 harvest levels in a low-density moose population.

41

42 The federal staff analysis in the
43 Office of Subsistence Management Conclusion addresses
44 some but not all of these concerns.

45

46 Recommendation:

47

48 WP08-22a:

49

50 Defer. While available evidence

1 presented in the Office of Subsistence Management
2 analysis may support finding that residents of Cooper
3 Landing have a customary and traditional use of moose
4 in Unit 7, the evidence is less compelling for Units
5 15A and 15B. The Federal Board should discuss on the
6 record whether or not sufficient evidence to generally
7 demonstrate the eight federal regulatory factors is
8 presented in the federal staff analysis to support a
9 positive finding of use by Cooper Landing of moose
10 populations in each of these units. Whether there is
11 sufficient evidence also needs to be clarified given
12 the Federal Board s inconsistent application of its
13 regulations and lack of clear, objective standards for
14 making determinations.

15

16 Recommendation WP08-22b:

17

18 Oppose. The proposal as modified by
19 the Southcentral Regional Advisory Council and in the
20 Office of Subsistence Management Conclusion excludes
21 the late fall season requested by the proponent in the
22 Unit 7 Remainder and in Units 15A and 15B. (If WP08-
23 22a is adopted, residents of Cooper Landing would be
24 eligible for the existing late fall season hunt in Unit
25 15B.) This is an important first step in reducing the
26 potential for moose conservation issues to arise if
27 this proposal is adopted.

28

29 The Department opposes opening the
30 proposed early fall season in Unit 7 Remainder on
31 August 10, which is ten days earlier than the
32 corresponding state season. Part of the basis for
33 finding that Cooper Landing residents have a customary
34 and traditional use of moose in Unit 7 presumably is
35 based on their participation in existing state hunting
36 seasons. The State season in Unit 7 has never opened
37 before August 20 and in some years did not open until
38 September 1, so any possible customary and traditional
39 pattern of use could not include a time period during
40 which moose hunting has not been authorized by
41 regulation.

42

43 CHAIRMAN FLEAGLE: Thank you, Tina.

44

45 InterAgency Staff Committee comments.
46 Larry.

47

48 MR. BUKLIS: Mr. Chairman. The Staff
49 Committee comments can be found on Page 391.

50

1 The majority of the Staff Committee
2 found that the Regional Council recommendation was
3 supported by the evidence presented in the Staff
4 analysis.

5
6 There was an alternative view expressed
7 that the evidence may not support a positive C&T
8 finding for moose by residents of Cooper Landing in
9 Units 15A or 15B.

10
11 Unit 15 is less than 10 miles from
12 Cooper Landing. During the period 1983 to 2006, the
13 reported number of Cooper Landing residents hunting
14 moose in Units 15A or 15B averaged less than one
15 percent of the population of the community in each of
16 those units. This level of reported hunting effort for
17 a subsistence resource such as moose may not
18 sufficiently demonstrate a pattern of use for the
19 community.

20
21 Thank you, Mr. Chairman.

22
23 CHAIRMAN FLEAGLE: Thank you, Larry.

24
25 Board discussion with Council Chairs
26 and State liaison. Ralph.

27
28 MR. LOHSE: Well, I'll just speak to
29 the -- I'll speak to the whole thing. Basically from a
30 Council Chair position, or from a Council positing, if
31 I look at Cooper Landing, it's a rural community and I
32 look at their use of wild products, there's no way that
33 I could deny them a C&T. Whether or you feel that
34 they're too road accessible and have access to too much
35 stuff, they are a rural community. They're rated as
36 rural at this point in time. They make use of wild
37 products probably to the same extent as many other
38 rural communities do. There's been -- there's definite
39 evidence that they have taken them in the past.

40
41 And I'll speak to 15A and 15B. It's
42 hard for me to think of a rural community that doesn't
43 make use of resources that are within 10 miles of the
44 community. It's 10 miles from Cooper Landing to Unit
45 15. And Unit 15A and B come together right where the
46 road enters from Cooper Landing. We had maybe not as
47 much -- maybe not as much evidence of them using 15A
48 and 15B as we did for Unit 7, but knowing rural
49 residents, knowing how people in Alaska exist, it's
50 just -- I would just find it very difficult to feel

1 that in the past and even in this present time that
2 they don't hunt or fish or collect berries or anything
3 else on an area that's only 10 miles away. And from
4 that standpoint, with the evidence that we had, we feel
5 that Cooper Landing was -- that 15A, 15B and 15 -- 15A,
6 15B and 7 were not only reasonable but had had enough
7 evidence that we felt that they should be qualified for
8 C&T in those areas.

9

10 CHAIRMAN FLEAGLE: Other discussion.
11 Ken.

12

13 MR. LORD: Thank you, Mr. Chair. I'd
14 like to respond a little bit to the State's comments in
15 general on the Board's actions on C&Ts during this
16 meeting.

17

18 The State has said now twice that we
19 have been inconsistent and that we have -- don't have
20 good -- a good standard for making C&T use
21 determinations, but in fact this Board has been very
22 consistent in deferring to the Regional Advisory
23 Council recommendations on C&Ts and responding to
24 regional variations in how customary and traditional
25 use determinations are made. Characterizing the
26 outcomes as inconsistent I think is not a fair
27 characterization of what our past actions have been.

28

29 I mean, in addition, it's important to
30 remember that the District Court has upheld our
31 methodology for making C&T use determinations. And
32 while that decision is up on appeal, for now that --
33 the district court decision is the law in the district
34 of Alaska. So for that reason, there is no legal
35 reason that the Board should defer this decision.

36

37 CHAIRMAN FLEAGLE: Thank you, Ken.

38

39 I just wanted to get an update from
40 Pete I think before we discuss too much further. There
41 are a number of RFRs and Tina mentioned one there.
42 Just what are -- what's the status of those, the ones
43 that affect this area anyway.

44

45 MR. PROBASCO: Thank you, Mr. Chair.
46 As the Board is well aware of, we got -- we've received
47 a total of 19 RFRs this go around, this year, five of
48 which have been totally completed through our process.
49 The remaining fisheries RFRs, the threshold analysis
50 have been completed and it's waiting for the Board's

1 final action, which we hope to complete shortly after
2 this meeting.

3
4 The rural determination RFRs, which
5 there are six of them, because of the workload
6 associated with these proposals, we are working with
7 the Staff Committee, and once the Staff Committee has
8 reviewed the analyses, those will be forwarded to the
9 Board for their action and review. We anticipate to
10 have these RFRs completed sometime during the summer.

11
12 Mr. Chair.

13
14 CHAIRMAN FLEAGLE: Just it raises a
15 good process question for me. With that RFR for rural
16 determination still not having been addressed by the
17 Board, if the Board were to take action on finding a
18 C&T and establishing a season here, depending on
19 whether its 7, or 15A and B or all combined, pending
20 the result of the RFR, we could then be negating what
21 the Board does here. I mean, I just see a problem with
22 the process. I'm not trying to preclude what the Board
23 may or may not do, but the rural determination is still
24 essentially I guess up for question. I mean, it's been
25 adopted by the Board, but it's being asked to be
26 reviewed.

27
28 Pete.

29
30 MR. PROBASCO: Mr. Chair. I call him
31 my expert on rural. I'm going to turn to Larry. He's
32 been immersed in rural, and, Larry, would you answer
33 that question.

34
35 CHAIRMAN FLEAGLE: Larry.

36
37 MR. BUKLIS: Thank you, Mr. Chairman.

38
39 A couple of points. First the RFRs
40 cover a range of issues and communities, and some of
41 them raise questions how the decennial review is
42 conducted in general. It wasn't unique to Cooper
43 Landing or even to Kenai Peninsula. So if you applied
44 the concern you expressed uniformly, you would probably
45 suspend action statewide.

46
47 Secondly, if in the course of your RFR
48 consideration, if a rural -- and a current rural
49 community was found to change status to non-rural,
50 there's a five year waiting period before that took

1 effect. And so if you took an action today and a place
2 positively affected by your action lost rural status at
3 some point in the future, there would be an additional
4 five-year waiting period after that decision.

5

6 Mr. Chairman.

7

8 CHAIRMAN FLEAGLE: Okay. Good.
9 Thanks. That's just gets it out on the record.
10 Further discussion.

11

12 (No comments)

13

14 CHAIRMAN FLEAGLE: Are we ready for the
15 Board to take this on. Denny.

16

17 MR. BSCHOR: Mr. Chair. I move to
18 adopt the proposal.

19

20 MR. MELIUS: Second.

21

22 CHAIRMAN FLEAGLE: Go ahead and would
23 you speak to that motion, please.

24

25 MR. BSCHOR: Yes, I will, Mr. Chair.
26 In light of what was discussed, I don't think we should
27 wait on this or defer it, so I think we ought to move
28 forward based on the information that we've seen from
29 the Council recommendations and the OSM
30 recommendations. And I've reviewed the tables and the
31 maps in the analysis, and they have customarily and
32 traditionally used for subsistence the wildlife
33 populations there.

34

35 Although Cooper Landing's use of Unit 7
36 is extremely clear and the use of 15 is not as clear,
37 on balance, considering all the factors for making
38 customary and traditional use determinations, I believe
39 that there is sufficient use in Unit 15. Also, the
40 proximity to Unit 15, in light of that, it would be
41 unreasonable to provide that customary and traditional
42 use determination to all of Unit 7 and not in nearby
43 15, because it's basically the same moose population.

44

45 So with those reasons, that why I would
46 vote for adopting the proposal.

47

48 CHAIRMAN FLEAGLE: Thanks, Denny.

49

50 Discussion, other Board members.

1 (No comments)
2
3 MR. MELIUS: Call the question.
4
5 CHAIRMAN FLEAGLE: All right. The
6 question's called, the question is recognized. Pete.
7
8 MR. PROBASCO: Thank you, Mr. Chair.
9 Final action on WP08-22a. Mr. Melius.
10
11 MR. PROBASCO: Mr. Melius.
12
13 MR. MELIUS: Aye.
14
15 MR. PROBASCO: Mr. Fleagle.
16
17 CHAIRMAN FLEAGLE: Yes.
18
19 MR. PROBASCO: Ms. Blaszak.
20
21 MS. BLASZAK: Yes.
22
23 MR. PROBASCO: Mr. Lonnie.
24
25 MR. LONNIE: Yes.
26
27 MR. PROBASCO: Mr. Cesar.
28
29 MR. CESAR: Yes.
30
31 MR. PROBASCO: And Mr. Bschor.
32
33 MR. BSCHOR: Yes.
34
35 MR. PROBASCO: The motion carries
36 six/zero.
37
38 CHAIRMAN FLEAGLE: Thank you. I
39 probably should have made my comment before the vote,
40 but anyway the eight factors are addressed in the
41 analysis and everything that would be applied to the
42 justification for that vote are in the written
43 documents although they weren't spoke onto the record.
44 I just wanted to make that clear that we are taking
45 action based on information we have before us.
46
47 Denny.
48
49 MR. BSCHOR: Yes, Mr. Chair. And my
50 reference to the Council's recommendation, that's in

1 there.

2

3 CHAIRMAN FLEAGLE: Thank you. All
4 right. That brings us to 09-22b.

5

6 MR. BSCHOR: Mr. Chair. One more
7 correction to what I just said. Not a correction, but
8 the OSM analysis includes all eight factors

9

10 CHAIRMAN FLEAGLE: Yeah. And that's
11 what I was referring to.

12

13 All right. For Proposal 08-22b we have
14 Chuck and Greg Risdahl back at the table. Good
15 afternoon.

16

17 MR. RISDAHL: Good afternoon. Mr.
18 Chairman and members of the Board.

19

20 You just heard and voted on the first
21 part of Wildlife Proposal 08-22 by my colleague, Helen
22 Armstrong. The second part of the proposal begins on
23 Page 401 of your Board book.

24

25 The second part, 22b, requests several
26 additions or changes to Federal subsistence regulations
27 which I will go over in a moment. But first, as I
28 mentioned before when I gave the presentations for 17
29 and 18, and 19, 20 and 21, the regulatory history,
30 biology and harvest history are the same for Unit 15
31 for each of these analyses, so I'm not going to repeat
32 the Unit 15 information, but I will give the
33 information for Unit 7 if that's okay.

34

35 Currently there's only one Federal
36 subsistence moose season in Unit 7, which is in the
37 Kings Bay area mentioned by my colleague, established
38 by the Federal Subsistence Board in 1997. However,
39 based on conservation concerns, the Board closed all
40 Federal public lands in Unit 7 to the taking of moose
41 by all users in 2006.

42

43 The Alaska Department of Fish and Game
44 harvest objective, management objectives for Unit 7 is
45 to maintain a healthy population of moose with a
46 minimum bull/cow ratio of 15 bulls per 100 cows. A
47 comprehensive survey has never been done in Unit 7, but
48 based on limited information gathered by the Department
49 of Fish and Game along with harvest reports,
50 indications are that the moose population has remained

1 relatively stable during the past decade at somewhere
2 between 700 and 1,000 animals. The most recent survey
3 information collected in 2003 indicated a bull/cow
4 ratio of 24 bulls per 100 cows, and a cow -- excuse me,
5 a calf/cow ratio of 27 calves per 100 cows.

6
7 The average total harvest under State
8 regulations in Unit 7 reported from 1996 through 2007
9 was 46 moose per year. During the same time period
10 approximately 19 Cooper Landing residents took an
11 average of three to four moose per year, which equates
12 to about 7.7 percent of the total moose harvest from
13 Unit 7.

14
15 The State of Alaska also issues 25
16 permits for a late season drawing hunt in Unit 7, which
17 also includes the northwestern portion of Unit 7 and
18 the northeastern portion of Unit 15A. This season runs
19 from October 10 through November 10. The annual
20 reported harvest for this permit hunt is only one or
21 two bulls per year from each unit.

22
23 If the proponent's proposal is adopted,
24 seven significant changes to the Federal subsistence
25 regulations for moose in Units 7 and 15 would occur.

26
27 If the proposal is adopted, it would
28 open a Federal subsistence moose season in Unit 7
29 remainder for the first time, and establish regulations
30 for an early fall season in all of Unit 7 that would
31 run from August 10 through September 20 by Federal
32 registration permit. The August 10 start date would
33 provide 10 additional days of opportunity for Federal
34 subsistence users before the start of the State general
35 season. The change would be consistent with Federal
36 subsistence regulations for other areas of the Kenai
37 Peninsula, including all of the Unit 15 subunits. If
38 the proponent's proposal is adopted, it would allow
39 Cooper Landing residents an opportunity to harvest any
40 bull in Unit 7 remainder, Unit 15A and Unit 15B by
41 Federal registration permit during both the early and
42 late seasons.

43
44 This proposal would change the spike
45 fork antler restriction in Units 15A and 15B to any
46 bull. With an any bull opportunity, it is expected
47 that most Federally-qualified subsistence users would
48 choose to hunt on Federal public lands under Federal
49 regulations. An any bull opportunity would thus likely
50 increase the number of individuals that hunt moose in

1 Units 15A and 15B and result in an increase in the
2 overall subsistence moose harvest. Likewise, an any
3 bull opportunity would also increase the number of
4 Cooper Landing residents that hunt moose in Unit 7 as
5 well as the total harvest.

6
7 The any bull aspect of this part of the
8 proposal is of particular biological concern in Unit 7
9 as well as in Unit 15A given the limited moose
10 population, the limited amount of moose habitat, the
11 low bull/cow ratios and low recruitment rates. The
12 spike fork, 50-inch, or three or more brow tines and at
13 least one antler restriction was adopted by the Board
14 specifically to protect the over-harvest of breeding
15 age bulls in Unit 15. The Ninth Circuit Court has
16 confirmed the Board's decision to implement these
17 antler restrictions in the past.

18
19 If the proponent's proposal is adopted,
20 it would also open the Skilak Loop Wildlife Management
21 Area to hunting. This would be inconsistent with the
22 current Refuge management plan and of concern again
23 because of the low moose numbers in Unit 15A.

24
25 If the proponent's proposal is adopted,
26 it would adopt into Federal regulations the
27 Resurrection Creek and Portage Glacier closed areas in
28 Unit 7. Including these closed areas in Federal
29 regulations is important for conservation and safety
30 concerns -- safety reasons.

31
32 If Proposal 22b is adopted, it would
33 start the late season hunt in Unit 15B on October 10th
34 instead of October 20th, and expand it to include Units
35 7 and 15A as well. Starting the last season 10 days
36 earlier in Unit 15B and opening a late season in Units
37 7 and 15A would allow hunting during the latter part of
38 the peak of the rut. Bull moose are more vulnerable,
39 as mentioned before to being taken by hunters during
40 this time period. The October 20th through November 10
41 season in Units 15B and 15C was recommended by the
42 Southcentral Regional Council and adopted by the Board
43 in 2006 specifically to avoid disrupting rutting
44 activities.

45
46 In addition, while the October 20th
47 through November 10th season was implemented in Units
48 15B and C, it was not adopted by the Board in Unit 15A,
49 because of easy road access, the declining quality of
50 moose habitat and a general decline in the moose

1 population over all.

2

3 Therefore, in summary, this is the
4 first proposal to open Unit 7 to Federal subsistence
5 moose hunting outside the Kings Bay area since the
6 inception of the Federal program. An August 10 through
7 September 20 moose season in Unit 7 would be consistent
8 with the approach that the Council and Board have taken
9 in the past for moose seasons in Units 15A, B and C.
10 An August 10 start date in Unit 7 would provide an
11 additional 10 days of opportunity for Federally-
12 qualified subsistence users prior to the start of the
13 State season. The increase in anticipated harvest by
14 these modifications is likely to be minimal, however;
15 therefore there are not likely to be any conservation
16 concerns.

17

18 Consequently, the OSM conclusion is to
19 support the proposal with modifications, to establish
20 an August 10 through September 20 moose season with the
21 same antler restrictions in Unit 7 remainder, establish
22 the special provisions in Federal regulations, maintain
23 the no open season status in the Skilak Loop Wildlife
24 Management area, and retain the current antler
25 restrictions in 15A -- or excuse me. The antler
26 restrictions and seasons in Units 15A and 15B.

27

28 Thank you.

29

30 CHAIRMAN FLEAGLE: Thank you, Greg.

31

32 Summary of written public comments.

33 Donald.

34

35 MR. MIKE: Thank you, Mr. Chair. The
36 summary of written public comments begins on Page 394,
37 and I will summarize the written comments on the season
38 part, Mr. Chair.

39

40 There were six written comments
41 received. And the Homer Fish and Game Advisory
42 Committee opposed the proposal, commenting that the
43 committee -- that adequate opportunity for Federally-
44 qualified subsistence moose hunters can be achieved
45 under the State moose season in Game Management Units 7
46 and 15.

47

48 Paul Wiest of Moose Pass opposed the
49 proposal, stating that the current proposal or any
50 modification thereof would give the residents of Cooper

1 Landing or any other community on the Kenai Peninsula a
2 legal right to harvest any bull moose. Units 7, 15A
3 and 15B will conclude that our moose population has
4 been on the decline in these units and rapidly trending
5 downward.

6
7 Shawn McDonald of Moose Pass opposed
8 Proposal WP08-22b.

9
10 Bruce Jaffa of Moose Pass opposed the
11 proposal, stating that the statements in the
12 application that additional pressure by a relatively
13 small local hunting population would have no impact are
14 not based on conclusive data. No definitive or
15 substantive study of the area moose population has ever
16 been performed.

17
18 And the Kenai Fish and Game Advisory
19 Committee provided some comments with no position
20 stated. In general they were commenting on the late
21 season in Unit 7. A late season hunt on this
22 population could be a total devastation on this
23 population. And for Unit 15A, they're commenting that
24 a late fall hunt in October 10th to November 20th when
25 the end of the first rut is taking place, lower bull to
26 cow ratios and low calf survivability and high
27 predation could drastically harm this population. They
28 further commented that to maintain a sustainable yield
29 of moose harvested for human consumption and
30 subsistence, the spike fork over 50 inches or three
31 brow tines on one side is a proven tool in maintaining
32 sustainable yield and not reverting back to any bull.

33
34 The current State regulations allows
35 for a 32-day harvest season from August 20th to
36 September 20th with a 10-day earlier start for
37 Federally-qualified individuals provides an adequate
38 advantage for meaningful subsistence harvest.

39
40 The Cooper Landing Advisory Committee
41 supports the proposal, and they further commented that
42 the number of hunters is small enough that the effect
43 would be minimal, and that the Alaska Department of
44 Fish and Game position seems to be contrary to their
45 permit hunt they offer in GMU 15A during the same
46 period of time, October 10th to November 20th.

47
48 Thank you, Mr. Chair.

49
50 CHAIRMAN FLEAGLE: Thank you, Don.

1 Public testimony. Pete.

2

3 MR. PROBASCO: Mr. Chair, we have no
4 one signed up for this proposal.

5

6 CHAIRMAN FLEAGLE: Regional Council
7 recommendation. Ralph.

8

9 MR. LOHSE: The Regional Council
10 supported this proposal with a vote of nine to one.
11 And it's kind of interesting, because the person who
12 voted against it was the person from Cooper Landing,
13 but we supported this proposal with the modifications
14 that we put in to make it more -- what we figured more
15 conservationist-minded. And we think we have a good
16 proposal in front of you.

17

18 CHAIRMAN FLEAGLE: Thank you.
19 Department of Fish and Game comments. Ken.

20

21 MR. TAYLOR: Thank you, Mr. Chairman.
22 Terry Haynes will speak to this proposal.

23

24 CHAIRMAN FLEAGLE: Thank you. Terry.

25

26 MR. HAYNES: Thank you, Mr. Chairman.
27 The Department's comments are on Pages 392 and 393 of
28 your meeting book. They were kind of incorporated with
29 the comments on 22a.

30

31 The remainder of Unit 7 has a low
32 density moose population and bull/cow ratios are
33 presently at desired levels for long-term management.
34 Establishing new Federal hunts, increasing the number
35 of rural residents eligible for these hunts, and
36 allowing the harvest of an bull may detrimentally
37 affect this moose population and jeopardize sustained
38 yield management.

39

40 The affected moose populations in Units
41 7 and 15 again are low density and subject to high
42 winter mortality. The State hunts in Unit 15 in which
43 Cooper Landing residents typically participate occur
44 before the rut and have antler restrictions that
45 protect the middle age class of bulls. Some Cooper
46 Landing residents may opt for the more liberal Federal
47 hunt if Proposal 08-22b is adopted and their success
48 rates may improve as a result.

49

50 Adoption of 22b also would open a

1 Federal season in the remainder of Unit 7 which
2 presently is closed. Existing State regulations allow
3 hunting in this area, but limit harvest to bulls with
4 spike fork or 50-inch antlers, or antlers with three or
5 more brow tines on at least one side. The proposed
6 Federal season would be for any bull. This more
7 liberal Federal harvest limit has a potential to
8 increase harvest levels in a low density moose
9 population.

10
11 Our recommendation is not to adopt
12 Proposal 22b. We would note that the Proposal as
13 modified by the Southcentral Regional Council and in
14 the Office of Subsistence Management conclusion
15 excludes the late fall season requested by the
16 proponent in the remainder of Unit 7 and in Units 15A
17 and 15B. This is an important first step in reducing
18 the potential for moose conservation issues to arise if
19 this proposal is adopted.

20
21 The Department opposes opening the
22 proposed early fall season in the remainder of Unit 7
23 on August 10, which is 10 days earlier than the
24 corresponding State season. Part of the basis for
25 finding that Cooper Landing residents have a customary
26 and traditional use of moose in Unit 7 presumably is
27 based on their participation in existing State hunting
28 seasons. The State season in Unit 7 has never opened
29 before August 20th, and in some years did not open
30 until September 1st, so any possible customary and
31 traditional pattern of use could not include a time
32 period during which moose hunting has not been
33 authorized by regulation.

34
35 Thank you, Mr. Chairman.

36
37 CHAIRMAN FLEAGLE: Thank you, Terry.

38
39 Staff Committee. Larry.

40
41 MR. BUKLIS: Thank you, Mr. Chairman.
42 The Staff Committee comments are on Page 426 for
43 Proposal 08-22b, and it's the short statement we've
44 read before about the analysis being complete and the
45 Council recommendation being consistent with ANILCA
46 Section 805c.

47
48 Thank you, Mr. Chairman.

49
50 CHAIRMAN FLEAGLE: Thank you. Board

1 discussion with Chairs and State. Ralph

2

3 MR. LOHSE: Thank you, Mr. Chair. And
4 like Terry pointed out, the Council had some of the
5 same concerns that the Fish and Game had, which is one
6 reason that we felt -- which we felt it necessary to
7 maintain the antlered spike fork 50 -- antlered bull
8 with spike fork or 50-inch antlers or three brow tines,
9 the same as the State did.

10

11 As far as the August 10th opener goes,
12 that then becomes the only priority that's being given
13 to subsistence users. It makes no additional bulls
14 available. And all of the bulls that are spike fork or
15 50-inch antlers or three brow tines are available to
16 the non-subsistence hunter as they are to the
17 subsistence hunter. What the advantage that has gone
18 to the subsistence hunter is they have 10 days early in
19 the season to take the same animals. So the increase
20 in take of animals should be eligible to take part in
21 that hunt.....slight increase insignificant, because
22 the same animals could be taken later.

23

24 We maintain the same closures. We
25 recognized the closures in the Resurrection Creek and
26 the Portage Glacier area as being vital. We left them
27 in there. And we maintained the same season that's
28 currently in effect for 15A and 15B and the same antler
29 provisions and that. The only thing that's different
30 is Cooper Landing residents are now also, because of
31 the C&T are now also -- want to say available, but
32 that's not the correct work. Eligible to take part in
33 that hunt. So have a possibility of a slight increase
34 in the number of people taking part in the 15A and B
35 hunt, but we felt that this was a way to give a
36 subsistence priority without increasing or endangering
37 the status quo of the moose that are in that area.

38

39 And like all of these things, it's a
40 learning process for all of us. We could sit there and
41 look and say, oh, my gosh, there's 250 people in Cooper
42 Landing, the amount of pressure is going to increase by
43 250 people, but we may find, just like we found with
44 the other subsistence seasons on the Kenai that the
45 participation is low and the success rate is low, and
46 we may come back from low and find out that we've had
47 basically little or not effect. There's only one way
48 to find out and that's to do it. We thought that with
49 the protection that we put in here, we didn't have a --
50 we wouldn't have a crisis situation in two years. And

1 that was kind of the Council's feeling.

2

3 And that I think is why the only member
4 of the Council that opposed was the Council person from
5 Cooper Landing. He really expected more, but as you
6 see, the Cooper Landing Advisory Committee after
7 looking at the proposal and our action has supported
8 it.

9

10 So with that, I'll be open for any
11 comments or questions.

12

13 CHAIRMAN FLEAGLE: Additional
14 discussion. Tom.

15

16 MR. MELIUS: Now really a question,
17 more or less a comment that recognizing the issues that
18 Terry had pointed out, I do believe that the proposal,
19 the compromised proposal with the modifications that
20 the Council came up with is a good way to begin this
21 process. And I appreciate the effort that went into
22 it. Thank you, Ralph.

23

24 CHAIRMAN FLEAGLE: Other discussion.

25

26 (No comments)

27

28 CHAIRMAN FLEAGLE: Ready for Board
29 action. Tom.

30

31 MR. MELIUS: Okay. Mr. Chairman. What
32 I will do is offer an amendment to adopt Proposal 22b
33 and with a second I would then also move at the
34 appropriate time to offer an amendment that brings in
35 the recommendations that the Southcentral Regional
36 Council has put forth as outlined on the top of Page
37 401.

38

39 CHAIRMAN FLEAGLE: Yeah, that's what he
40 meant.

41

42 MR. MELIUS: Yeah, to adopt.

43

44 CHAIRMAN FLEAGLE: Go ahead, Tom.

45

46 MR. BSCHOR: I'll second.

47

48 CHAIRMAN FLEAGLE: All right. There's
49 a motion to adopt with a second. Tom, with the
50 amendment.

1 MR. MELIUS: Yes. I would make an
2 amendment to the proposal to adopt, and that amendment,
3 as I just indicated, would support WP08-22b with the
4 modifications to establish only an August 8th [sic]
5 through September 20th season with antler restrictions
6 in Unit 7 remainder, maintaining the no open season in
7 the Skilak Loop Wildlife Management area, and retain
8 the current antler restrictions and seasons in 15A and
9 B. This is the modification that was adopted by the
10 Southcentral Alaska Subsistence Regional Advisory
11 Council.

12
13 CHAIRMAN FLEAGLE: Okay. And you
14 probably just misread it, but it's August 10 on mine.

15
16 MR. MELIUS: August 10.

17
18 CHAIRMAN FLEAGLE: Okay.

19
20 MR. MELIUS: Stand corrected.

21
22 CHAIRMAN FLEAGLE: Is there a second
23 for the amendment.

24
25 MR. BSCHOR: Second.

26
27 CHAIRMAN FLEAGLE: All right. You do
28 have your second, Tom. Do you want to speak to that
29 amendment.

30
31 MR. MELIUS: As Terry had indicated, I
32 don't believe that the -- as the proposal originally
33 identified that Unit 7 and 15 can sustain an any bull
34 regulation as proposed. And so I believe that the
35 modification with the restrictions as identified meet
36 many of the concerns that were expressed. And I
37 believe this would be the start -- I believe that it's
38 a beginning and if in the future we have to address it,
39 we will, but I think at this point it's the beginning.
40 And appreciate the efforts that went into it.

41
42 CHAIRMAN FLEAGLE: Thank you, Tom.

43
44 On the amendment to -- let me see. The
45 special provisions addressing the Resurrection Creek
46 closed area and the Portage Glacier closed area, you
47 didn't specifically reference those in the amendment,
48 did you?

49
50 MR. MELIUS: No, I did not.

1 CHAIRMAN FLEAGLE: Okay. We'll take
2 that as a second amendment then. On the amendment that
3 establishes the.....

4
5 Go ahead, Tom.

6
7 MR. MELIUS: I believe though -- I
8 stand corrected. I believe that those are in the
9 proposed modification.

10
11 CHAIRMAN FLEAGLE: Okay. If that's the
12 clear understanding on the record, then I'll accept
13 that. It wasn't verbally spoken, but you did refer to
14 Page 401, and that is within that page. Everybody in
15 concurrence?

16
17 (No comments)

18
19 CHAIRMAN FLEAGLE: All right. We'll go
20 ahead. The question on the amendment, are we ready for
21 the vote.

22
23 (No comments)

24
25 CHAIRMAN FLEAGLE: All right. To apply
26 the Regional Advisory Council recommendation, which is
27 a compromise from the original proposal as stated on
28 401. Pete, would you poll the Board, please on the
29 amendment.

30
31 MR. PROBASCO: Thank you, Mr. Chair.
32 The amended motion for WP08-22b. Mr. Fleagle.

33
34 CHAIRMAN FLEAGLE: Yes.

35
36 MR. PROBASCO: Ms. Blaszak.

37
38 MS. BLASZAK: Yes.

39
40 MR. PROBASCO: Mr. Lonnie.

41
42 MR. LONNIE: Yes.

43
44 MR. PROBASCO: Mr. Cesar.

45
46 MR. CESAR: Yes.

47
48 MR. PROBASCO: Mr. Bschor.

49
50 MR. BSCHOR: Yes.

1 MR. PROBASCO: And Mr. Melius.
2
3 MR. MELIUS: Yes.
4
5 CHAIRMAN FLEAGLE: Ready for the
6 question on the main motion.
7
8 MR. PROBASCO: The motion carries.....
9
10 CHAIRMAN FLEAGLE: Sorry.
11
12 MR. PROBASCO: That's all right.
13
14 CHAIRMAN FLEAGLE: The amendment
15 carries.
16
17 MR. PROBASCO: The amendment carries
18 six/zero.
19
20 CHAIRMAN FLEAGLE: Six/zero.
21
22 MR. PROBASCO: Yep.
23
24 CHAIRMAN FLEAGLE: All right. The
25 question's now recognized on the main motion as
26 amended. Pete.
27
28 MR. PROBASCO: Final action on WP08-
29 22b. Final action as amended. Ms. Blaszak.
30
31 MS. BLASZAK: Yes.
32
33 MR. PROBASCO: Mr. Lonnie.
34
35 MR. LONNIE: Yes.
36
37 MR. PROBASCO: Mr. Cesar.
38
39 MR. CESAR: Yes.
40
41 MR. PROBASCO: Mr. Bschor.
42
43 MR. BSCHOR: Yes.
44
45 MR. PROBASCO: And Mr. Melius.
46
47 MR. MELIUS: Yes.
48
49 MR. PROBASCO: And Mr. Fleagle.
50

1 CHAIRMAN FLEAGLE: Yes.

2

3 MR. PROBASCO: The motion as amended
4 carries six/zero.

5

6 CHAIRMAN FLEAGLE: All right. Well,
7 that concludes Southcentral Alaska suite of proposals.
8 We'll stand down for five or 10 minutes and let the
9 Staff get changed in position and bring Bristol Bay
10 back to the table.

11

12 (Off record)

13

14 (On record)

15

16 CHAIRMAN FLEAGLE: Good afternoon.
17 We're back on record, and the next proposal in order is
18 08-27 alpha. And we have Dr. Polly Wheeler and Liz
19 Williams back with us. Welcome.

20

21 MS. WILLIAMS: Thank you. Mr. Chair
22 and members of the Board. I'm Liz Williams,
23 anthropologist with OSM.

24

25 The analysis for Proposal 27a starts on
26 Page 428 in your books.

27

28 This proposal was submitted by the
29 Bristol Bay Regional Advisory Council and requests a
30 positive customary and traditional use determination
31 for brown bear in Unit 9C for residents of three
32 communities located in Unit 9B: Igiugig, Kakhonak and
33 Levelock. The season and harvest limit component of
34 the proposal is analyzed separately as 27b.

35

36 Residents of Unit 9B have a positive
37 customary and traditional use determination for brown
38 bear in Unit 9B. Residents of Unit 9C have a positive
39 customary and traditional use determination for brown
40 bear in Unit 9C. So both units -- the residents of
41 both units have C&T for brown bear; however, there's no
42 Federal season for brown bear in Unit 9C.

43

44 The primary areas where this proposed
45 hunt would take place are Katmai National Preserve and
46 other Federal public lands in Unit 9C. The majority of
47 Unit 9C is Federal public lands. Most of these lands
48 include Katmai National Park where subsistence is
49 prohibited. The remaining lands include Katmai
50 National Preserve, Alagnak Wild and Scenic River and

1 Becharof National Wildlife Refuge and BLM lands.

2

3 Since the start of the Federal
4 Subsistence Management Program, numerous proposals have
5 addressed customary and traditional uses of brown bear
6 throughout Unit 9. Many of these proposals were
7 deferred for years.

8

9 When the Federal Subsistence Management
10 Program began, the Board adopted most of the customary
11 and traditional use determinations of the State. While
12 there are significant differences in both the
13 regulatory history and subsistence hunting
14 opportunities in Units 9B and 9C, the main difference
15 is that when the Federal program assumed subsistence
16 management on wildlife on public lands, it also assumed
17 the State's negative customary and traditional use
18 determination for brown bear in Unit 9C, and it assumed
19 the State's positive customary and traditional use
20 determination for brown bear for units -- residents of
21 Unit 9B.

22

23 In 1999 the Federal Board made a
24 positive customary and traditional use determination
25 for residents of Unit 9C for brown bear; however,
26 there's still no harvest season in Unit 9C under the
27 Federal system.

28

29 The customary and traditional uses of
30 brown bear in by residents of Unit 9 throughout Unit 9
31 are fairly documented in at least five past analyses.
32 there's a clear customary and traditional pattern of
33 use in harvest of brown bear in this area. And I'll
34 just read a few lines from a 16-page analysis from 1997
35 in which all the eight factors are clearly detailed.

36

37 It says that brown bear were apparently
38 significant when other large land mammals or sea
39 mammals were scarce since they could provide large
40 quantities of meat, fat and other material such as gut.
41 And a lot of people liked bear gut, because some other
42 forms of gut will freeze in winter, but some bear gut
43 doesn't according to some sources. Brown bear has been
44 important in this respect in many areas even where fats
45 and other materials were normally available from other
46 species since brown bear could be obtained in the
47 spring when other resources were scarce or
48 unattainable.

49

50 Traditionally bear hunting has been

1 perceived as a dangerous pursuit for brave and
2 experienced men. Great spiritual power surrounds the
3 bear. This calls for extreme care in all interactions
4 with the animal, and people in the region may be
5 reluctant to talk about bears for this region.

6
7 And that's just a few points from past
8 C&T analyses.

9
10 While harvest of brown bear are
11 generally low, this is due in part as noted in the
12 previous quote to the specialized nature of brown bear
13 hunting, and that rather than being a focus of many
14 people in the community, brown bear hunting is a
15 specialized skill set held by a few hunters in each
16 community. These hunters then share their harvest
17 broadly within and beyond their community. This
18 pattern is part of the customary and traditional use of
19 brown bear in this area.

20
21 They are primarily harvested in the
22 fall and the spring, although they can be harvested
23 year round. Brown bear are harvested and used for
24 their fat, their meat, their hides and other parts.
25 It's been noted that in the Iliamna Lake subregion,
26 both spring and fall bear hunting frequently occurred
27 opportunistically during travel or while harvesting
28 other species.

29
30 If you look at Page 434, Table 1
31 includes data from ADF&G Division of Subsistence
32 household surveys from three different years, which
33 estimate the amount of subsistence brown bear that are
34 used by Igiugig, Kakhonak ad Levelock. In these
35 Subsistence Division studies, there was no information
36 about location of harvest, and it should be noted that
37 each survey year represents only that year of the
38 community's harvest.

39
40 The surveys indicate that while brown
41 bear are not harvested every year, when a community
42 doesn't harvest, they typically receive brown bear meat
43 and fat from another community. If you look at the
44 second line on the table, for example, in 1992 you can
45 see that 10 percent of Igiugig households attempted to
46 harvest brown bear, none harvested, but 30 percent of
47 the households in that community received brown bear,
48 and of those 30 percent that received it, 10 percent in
49 turn shared it with other households.

50

1 Data from the ADF&G brown bear sealing
2 records are only available from 1983 to 2004. These
3 records don't show any reported brown bear harvest from
4 Igiugig or Kakhonak in Unit 9C, although there are
5 records of three harvests of brown bears by residents
6 of Levelock in Unit 9C.

7

8 If you look at Map 2, on Page 430, you
9 can see that two of the Levelock harvests occurred in
10 UCU 0701 and one occurred in UCU 0601. And these are
11 the UCUs with the dots. Both of these UCUs include or
12 border Katmai Preserve land.

13

14 For Igiugig, the brown bear sealing
15 records indicate harvest of two brown bears in UCU 0202
16 and 0301. These are the ones with the slanted lines.
17 They're both in Unit 9B, but they share the Preserve
18 boundary and the boundary of Unit 9C.

19

20 For Kakhonak, brown bear sealing
21 records indicate the harvest of three bears in Unit 9B,
22 all in UCU 0301 where Igiugig also harvested bears, so
23 you see sort of crosshatch lines. And again this is a
24 UCU which abuts the Preserve boundary and the boundary
25 of Unit 9C.

26

27 During the October 2007 Bristol Bay RAC
28 meeting, the Council discussed this proposal and
29 mentioned hunters from Igiugig, Kakhonak and Levelock
30 and their routes to Katmai Preserve for the harvest of
31 brown bear. Council members stated that Kakhonak is
32 most accessible to the Preserve, and that Igiugig has
33 to wait until freeze up to travel to the Preserve.
34 Levelock goes up to the Branch River, which is also
35 called the Alagnak, and takes bears.

36

37 If you look at Map 1 on Page 429, it
38 shows the Alagnak River right under the Village of
39 Levelock, and you can see that the river flows to the
40 preserve lands, and you can see that the river flows
41 from two lakes that are located in the Preserve,
42 Kukaklak and Nonvianuk Lakes. A 1982 Division of
43 Subsistence study including mapping of the general
44 resource harvest areas for Igiugig and Kakhonak. if
45 you look at the maps in Appendix B on Pages 438 and
46 439, they show that the subsistence harvest areas of
47 Igiugig and Kakhonak include the Alagnak River and the
48 two lakes, Kukaklak and Nonvianuk, which are in Preserve
49 lands.

50

1 In conclusion, the subunits of Unit 9
2 appear to be arbitrary boundaries for subsistence users
3 who have described their harvest patterns across these
4 boundaries as noted in past analyses, harvest data, and
5 Regional Council transcripts. Brown bear harvests are
6 typically a small, but nonetheless important component
7 of the subsistence resource repertoire of these three
8 communities. There's a clear customary and traditional
9 pattern of harvest and use of brown bear in the area as
10 exemplified by the eight factors.

11
12 For these reasons, the OSM conclusion
13 is to support Proposal 27a.

14
15 CHAIRMAN FLEAGLE: Thank you, Liz.

16
17 Summary of written public comments.
18 Ann Wilkinson.

19
20 MS. WILKINSON: Mr. Chairman. If
21 you'll look at Page 443, there are the written public
22 comments. There are three in the book, and then we
23 received two today. All of the comments you received
24 were in opposition to the proposal.

25
26 The National Parks Conservation
27 Association stated that they have not opposed hunting
28 in Katmai Preserve, but instead have encouraged
29 National Park Service and the Department of Fish and
30 Game to manage the hunt so as to sustain both a healthy
31 observable population of bears for quality wildlife
32 viewing experience as well as a quality sport hunt. In
33 that context, they've ask the Department of Fish and
34 Game and the Park Service to manage the hunt so that
35 the number of bears harvested is returned to the pre-
36 2003 numbers. The management agencies need to address
37 the existing decline in observable bears before any
38 consideration should be given to an entirely new hunt.

39
40 Ken and Chris Day of Homer wrote to
41 state that they are opposed to the proposal, and that's
42 all they said.

43
44 The Alaska Wildlife Alliance, Alaska
45 Center for the Environment, and Defenders of Wildlife
46 sent one together, which states that the proposed
47 subsistence hunt would likely exceed the harvestable
48 surplus of brown bears in this region, as it would
49 represent almost double the number of brown bears
50 historically taken in the area. Having a field order

1 closure by the superintendent would also present
2 reporting difficulties, creating the potential for
3 over-harvest. At this time there are no reliable
4 estimates for the number of brown bears in the Preserve
5 and little information on the age and sex composition
6 of the population. We feel a more conservative harvest
7 limit within the historic range of 14 to 19 bears would
8 be appropriate until a comprehensive study and planning
9 for management in the preserve can be completed.

10

11 Mr. Joe Klutsch wrote a comment stating
12 that there have been minimal requests for registration
13 permits to hunt for subsistence bears. There's an
14 unreported harvest which historically been significant,
15 and continued liberalization of hunting regulations
16 without adherence to reporting responsibilities,
17 seasons and bag limits will result in loss of
18 opportunity due to a lack of conservation management.

19

20 And the Alaska Professional Hunters
21 Association stated that there's no evidence,
22 substantial or otherwise showing any need for this
23 expansion. The facts that -- excuse me. The facts are
24 that these three communities have taken only six brown
25 bears from Units 9B and C in the last 25 years. That
26 minimal level of take does not satisfy the Federal
27 Subsistence Board's regulatory criteria for a C&T
28 finding.

29

30 And that's the end of the comments.
31 Thank you.

32

33 CHAIRMAN FLEAGLE: Thank you, Ann.

34

35 Public testimony, Pete.

36

37 MR. PROBASCO: Yes, Mr. Chair. We do
38 have one individual, Mr. Robert Fithian.

39

40 CHAIRMAN FLEAGLE: Bobby Fithian.

41

42 MR. FITHIAN: Thank you, Mr. Chairman.
43 I'll refer my testimony to the comments that were just
44 given, Ann, and that she addressed both Joe Klutsch's
45 and the Birch Horton Bittner Cherot, Bill Horn letter
46 for your consideration. Thank you.

47

48 CHAIRMAN FLEAGLE: Thank you, Bob.

49

50 Regional Council recommendation.

1 Randy.

2

3 MR. ALVAREZ: Thank you, Mr. Chair.
4 The Bristol Bay RAC supports this proposal. We are the
5 authors of it, and I will elaborate on our reasons why
6 and our proof that we should have it later under Board
7 discussion.

8

9 CHAIRMAN FLEAGLE: Thank you, Randy.

10

11 State of Alaska. Ken Taylor.

12

13 MR. TAYLOR: Thank you, Mr. Chairman.
14 Tina Cuning will speak to this proposal.

15

16 CHAIRMAN FLEAGLE: Thank you. Tina.

17

18 MS. CUNNING: For reasons expressed by
19 Commissioner Lloyd in his opening remarks, the
20 Department continues to recommend that action be
21 deferred on C&T proposals at this meeting. It is our
22 observation that the court did not authorize the Board
23 to ignore its C&T regulatory factors. If the Board
24 does take action, the Department offers the following
25 observation.

26

27 The Federal Staff analysis -- and by
28 the way, our comments are on Page 442.

29

30 The Federal Staff analysis in your book
31 provides limited evidence to support a positive
32 customary and traditional use finding for the three
33 subject communities. One or more of the subject
34 communities appears to have a long history of only
35 occasional harvest and use of a few brown bears.
36 Whether this is sufficient evidence to generally
37 demonstrate the eight Federal regulatory factors is
38 unclear. If there was evidence in previous analyses as
39 implied in the Staff testimony, then it should have
40 been included in the analysis in your book for
41 consideration on the record, not by reference.
42 Therefore, it is important for the Federal Subsistence
43 Board to carefully evaluate the evidence presented in
44 consideration of the regulatory factors on the record
45 for the subject brown bear populations if the Board
46 proceeds to consider this proposal at this time.

47

48 Alaska Department of Fish and Game
49 Comments to the Federal Subsistence Board

50

1 Wildlife Proposal WP08-27a:

2

3 Expand the customary and traditional
4 use determination for brown bear in Game Management
5 Unit 9C to include residents of Unit 9B in the
6 communities of Igiugig, Kakhonak, and Levelock.

7

8 Wildlife Proposal WP08-27b:

9

10 If a customary and traditional
11 determination of brown bear use in Unit 9C is made for
12 the communities of Igiugig, Kakhonak, and Levelock,
13 then the proponent requests an October 1 May 31
14 federal season to be administered by federal
15 registration permit in Unit 9C, which currently has no
16 federal open season. Under this proposal, each permit
17 would authorize harvest of one brown bear and the
18 season would be closed by the Superintendent of Katmai
19 National Park and Preserve when 10 brown bears have
20 been harvested. Because a federal customary and
21 traditional use determination for brown bear in Unit 9C
22 already exists, the Federal Subsistence Board could
23 consider WP08-27b regardless of whether WP08-27a is
24 adopted.

25

26 Introduction:

27

28 Only rural residents of Unit 9C
29 presently have a customary and traditional use
30 determination for brown bear in Unit 9C. Existing
31 federal regulations authorize brown bears to be
32 harvested in Units 9B and 9E, but not in Units 9A, 9C,
33 or 9D.

34

35 Impact on Subsistence Users:

36

37 Adoption of WP08-27a would
38 substantially increase the pool of eligible rural
39 residents for this hunt. The Office of Subsistence
40 analysis does not address the potential impacts on the
41 smaller pool of presently eligible rural residents of
42 this expansion of federally-qualified subsistence
43 hunters in the Unit. If WP08-27b is adopted, increased
44 opportunity for subsistence hunting brown bears would
45 primarily occur in October before brown bears begin to
46 den and after they exit their dens in May. Adoption of
47 this proposal would also enable rural residents of Unit
48 9C to hunt brown bear in Unit 9C, because they already
49 have been found to have a customary and traditional use
50 of brown bear in that subunit.

1 Opportunity Provided by State:

2

3

4 The Alaska Board of Game found that
5 there are no customary and traditional uses of brown
6 bears in Unit 9C. State regulations allow residents
7 and nonresidents to harvest one brown bear every four
8 regulatory years in the Remainder of Unit 9C, which
9 excludes the Naknek River drainage. Hunting is
10 authorized October 1-21 in odd-numbered years and May
11 10-25 in even-numbered years. Residents of Igiugig,
12 Kakhonak, and Levelock have reported sealing only six
13 brown bears in Units 9B and 9C since 1962, when the
14 State instituted mandatory sealing of brown bears. No
15 residents of these communities have obtained
16 registration permits for the subsistence brown bear
17 permit hunt in Unit 9B. The Alaska Department of Fish
18 and Game Division of Subsistence technical reports
19 document some harvest of brown bears by Igiugig,
20 Kakhonak, and Levelock, but the reports do not indicate
21 that the brown bears were taken in Unit 9C. State
22 regulations already provide the residents of Igiugig,
23 Kakhonak, and Levelock with the opportunity to harvest
24 brown bears, but residents of these communities have
25 only minimally utilized that opportunity.

26

27 Enforcement Issues:

28

29 Differences in federal and state
30 regulations resulting from adoption of WP08-27b create
31 enforcement problems in areas with mixed land
32 ownership. Federally-qualified subsistence users
33 hunting under terms of a federal registration permit
34 would be required to salvage the hides, skulls, and
35 edible meat of brown bears taken in Unit 9C. State
36 regulations in Unit 9C require that within 30 days of
37 harvest, the skull and hide (with claws and evidence of
38 sex attached) of a brown bear must be taken to an
39 officially designated sealing officer to be sealed. If
40 this cannot be done, the hunter must complete and sign
41 a temporary sealing form that can be obtained from the
42 Department of Fish and Game.

43

44 Jurisdiction Issues:

45

46 Katmai National Park and Preserve
47 constitutes the majority, but not all, of the federal
48 lands in Unit 9C. The Park is closed to all
49 subsistence uses. A federal season in Unit 9C would
50 apply in Katmai National Preserve, a small part of the
Becharof National Wildlife Refuge, and Bureau of Land

1 Management lands.

2

3

Other Comments:

4

5

No evidence is presented indicating that the proposed change is needed to provide for continuation of subsistence uses of brown bear on federal lands for federally-qualified subsistence users. If adopted and provided as an additional harvest beyond what the State of Alaska has identified as sustainable harvest by State regulations, then other users hunting under State regulations during the fall and spring seasons could be unnecessarily restricted if the federal quota is reached.

15

16

Recommendation:

17

18

WP08-27a:

19

20

Defer. The Office of Subsistence Management provides limited evidence to support a positive customary and traditional use finding for the communities of Igiugig, Kakhonak, and Levelock. One or more of the subject communities appears to have a long history of only occasional harvest and use of a few brown bears. While this evidence of use is weak, it is at least as strong as that used by the Board to make a positive determination for brown and black bear for Ninilchik in Unit 15. Whether this is sufficient evidence to generally demonstrate the eight federal regulatory factors is unclear given the Federal Board's past inconsistent application of its regulations and lack of clear, objective standards for making determinations. Therefore, it will be important for the Federal Subsistence Board to carefully evaluate the evidence presented in consideration of the regulatory factors on the record if the Board proceeds to consider the proposal at this time.

39

40

WP08-27b:

41

42

If Proposal WP08-27a is adopted, adopt WP08-27b as modified in the Office of Subsistence Management Conclusion to authorize a federal subsistence bear hunting season in Game Management Unit 9C with provisions important for administering this hunt. Close monitoring will be essential to ensure that harvests are sustainable and to enable managers to evaluate effects of the additional opportunity being provided in federal regulation. If adopted, the Board

1 needs to evaluate and avoid unnecessary impacts of the
2 additional and potentially unsustainable harvest on
3 other users hunting under State regulations during fall
4 and spring seasons.

5
6 CHAIRMAN FLEAGLE: Thank you, Tina.

7
8 Staff Committee comments. Larry.

9
10 MR. BUKLIS: Thank you, Mr. Chairman.
11 The Staff Committee comments are on Page 440.

12
13 And as we've covered for some prior
14 analyses, the Staff Committee comments simply speak to
15 the analysis being seen as complete and accurate, and
16 the Council recommendation to be consistent with ANILCA
17 Section 805c.

18
19 Thank you, Mr. Chairman.

20
21 CHAIRMAN FLEAGLE: Thank you. Open for
22 discussion. Randy.

23
24 MR. ALVAREZ: Thank you, Mr. Chair.
25 When Liz Williams spoke a minute ago, she mentioned
26 that Branch -- Levelock Igiugig, and Kokhanok, you
27 know, have a history of usage,

28
29 And I guess I wanted to add that -- she
30 mentioned that Igiugig has to wait until freeze up to
31 get into the 9B. Well, Igiugig also is on the Kvichak
32 River as is Levelock. And Igiugig use -- gets to the
33 Federal lands in 9B by traveling down the river, as
34 Levelock and then into the Alagnak River, which is
35 called the Branch River also.

36
37 The history of the usage is there is a
38 vacant village that's called Branch River Village. And
39 the last person to live there I think moved out of
40 Branch River Village in the early 70s, but there is
41 about 10 houses there, old houses. There's an old
42 Russian Orthodox Church there. The people that moved
43 out of the village there moved to Levelock and Igiugig.
44 And I don't think any of them moved to Naknek. I think
45 they're all -- and they're all related to those people
46 that used to live there.

47
48 And the Levelock Native Corporation
49 owns quite a bit of land from the mouth of the Alagnak,
50 also called the Branch River, up I'd say at least 10

1 miles. I know that the biggest lodge there is the
2 Katmai Lodge and they lease the land from the Levelock
3 Native Corporation for the lodge there.

4
5 Igiugig owns land at the mouth of the
6 Kukaklek, which is one side of the Branch, of the --
7 one fork of the Branch River. They own quite a bit of
8 land at the mouth, and downriver a little ways.

9
10 And then there's quite a few Native
11 allotments along the whole river. And if you'd look at
12 records of those allotments, of who owns them, I don't
13 know of anybody who has a Native allotment there -- I
14 have a lot of relatives from Naknek and Levelock, and
15 one of my uncles also lives in Igiugig, as I live in
16 Igiugig. I've lived there since '83. I was born and
17 raised in Naknek. My mother's from Levelock and my
18 father's born in Naknek. And most -- as I say, I don't
19 know anybody that lives out of those three areas that
20 has Native allotment down the river, and most of those
21 Native allotments on the river are people that are from
22 Levelock and Igiugig.

23
24 And I'm just telling you this, because
25 it just goes to show that there is a long history,
26 because of the village there and the people that were
27 there that moved to their relatives. This always has
28 been a well-used area for subsistence, because of how
29 wide the river is, how shallow it is. There's a lot of
30 bears there. It's easier -- because the Kvichak is
31 such a big river, and wide, deep, that the bears --
32 there's more bears on the Alagnak River than there are
33 on the Kvichak, so it's always been a traditional place
34 for harvesting bears.

35
36 I've trapped over there. My uncle owns
37 three trapping cabins that his father and brothers had
38 built there, and they sometimes used to harvest bears
39 in the wintertime when they were trapping.

40
41 And there aren't -- there isn't a big
42 harvest record, because, you know this -- the
43 population was not that great. But they did harvest as
44 long as they've been there, and there's records of them
45 being there for a long time.

46
47 So I guess that's the conclusion of my
48 statements. Thank you, Mr. Chair.

49
50 CHAIRMAN FLEAGLE: Thank you, Randy.

1 Further discussion. Marcia.

2

3 MS. BLASZAK: Thank you, Mr. Chairman.
4 I think many of us are aware that we've had quite a bit
5 of attention about bear hunting in the preserve for
6 sport hunting lately, and, you know, one of the things
7 that that's allowed us to do is really pull together
8 all of the affected parties to try and figure out how
9 we can address the perceived conflict between the bear
10 viewing community, which I think many of the public
11 comments reflect that groups concerns, as well as the
12 opportunity for continuation of sport hunting. But
13 when we talked through that, we really didn't focus on
14 the effect on subsistence hunting yet. And I think
15 that it's important as we move forward in that working
16 group that we have a voice from the subsistence
17 community.

18

19 And I don't know, Randy if you're
20 involved in that. I don't think they've met yet. I
21 think we're going to -- actually you guys are pulling
22 together the group, Ken, but I know that it's an
23 important region of the State.

24

25 But we've learned a lot about the
26 population, and I don't think we have a conservation
27 concern here.

28

29 And I'm I guess intrigued at the notion
30 that we would not consider this for the reasons that
31 it's been presented, and wondered if there's any other
32 thoughts on that.

33

34 CHAIRMAN FLEAGLE: Ralph.

35

36 MR. LOHSE: Thank you, Mr. Chair. I
37 was just reading through what was said here and
38 listening to Randy and listening to what was being
39 talked about.

40

41 And in 1966 I was out on the Peninsula.
42 I was quite a bit farther out than where he's talking,
43 but I was out on the Alaska Peninsula. And a lot of
44 things that are said about brown bear here is exactly
45 what I experienced at that point in time. We lived out
46 in a village out there that didn't have much other land
47 mammals. We had some sea mammals. And we ate brown
48 bear. We took brown bear. And we had a member of the
49 village who was a traditional brown bear hunter. His
50 father had been a brown bear hunter, his grandfather

1 had been a brown bear hunter, and I could tell you some
2 pretty good stories about how he hunted brown bear that
3 would probably make the average sport hunter curl up
4 and curl up his toes and cover his head and wonder what
5 he was doing. But they did hunt brown bear, and they
6 take them for meat.

7

8 And you have to remember that this is a
9 proposal only establishing C&T. This isn't a proposal
10 on a season. This isn't a proposal on bag limits.
11 This is a C&T. What you're asking is, do these
12 villages that live right here, have they, do they and
13 have they taken brown bear in the past as part of their
14 customary and traditional way of life for food and
15 other resources in the area. And it would be -- from
16 what I saw from living out there, it would be almost
17 impossible for me to think that a community could have
18 existed there for any length of time without making use
19 of brown bear as meat and as clothing and as blankets
20 and as everything else.

21

22 And there were a lot of things
23 connected with taking brown bear. The average person
24 in Perryville and Ivanoff did not hunt brown bear. It
25 took a special person to hunt brown bear, and he hunted
26 brown bear and shared it with the rest of the
27 community. And so the numbers were small. And if
28 there was other resources, the numbers -- you know, it
29 wasn't a primary food. It was something that you took
30 as a supplementary food. And the year that I taught
31 school there, our village ate three of them. We only
32 had 30 people in the village. 30, 35 people in the
33 village. And we ate three brown bear.

34

35 So from that standpoint, I have to go
36 along -- you know, I have to say that I can't apply it
37 to those three villages particularly, but in that area,
38 that was common way of life, just like what the staff
39 is describing. At least it was in the early 60s. And
40 I'm sure from talking to them and living with them that
41 that extended a lot farther back than the early 60s.
42 If you ever want to hear some stories, I'll tell you
43 some stories, but I'll let it go at that.

44

45 CHAIRMAN FLEAGLE: Thanks, Ralph.
46 We've got Greg and then Randy.

47

48 MR. ROCZICKA: Thank you, Mr. Chairman.
49 I just wanted to make the observation here, I had --
50 back in the early to mid 90s, I was a staffer for the

1 Western Alaska Brown Bear Management Working Group
2 which did take in part of Bristol Bay as well, and I
3 worked for an outfit called Nunanklutski (ph). In
4 English that translated to protectors of the land, or
5 stewards of the land. But in talking to the folks
6 there, it was pretty much -- it reflects a lot of what
7 the gentleman here just said. I'm sorry, I forgot -- I
8 don't know your name.

9

10 MR. LOHSE: Ralph.

11

12 MR. ROCZICKA: Ralph. But, you know,
13 in dealing with bears, it's something that, as he said,
14 that's specific to people that -- and even between
15 villages that may be only 10 or 15 miles apart, the
16 ways and means and beliefs, there can be a drastic
17 difference. But in speaking with some of the folks
18 there, is when we included -- and this was for GMU 17,
19 which was included in the Brown Bear Management area,
20 and one of the things mentioned from folks there, too,
21 is that -- and it's something that I think goes across
22 in a lot of areas, is you don't speak of bears. And so
23 I guess the point I'm getting to here is that it gets
24 back to this thing that we deal with in a lot of other
25 places about not reporting. And just because it's not
26 down on paper doesn't mean it doesn't exist. Because
27 it's been brought out about there's very few bears that
28 have been reported harvested and so forth, so that I
29 think plays in a lot here, too.

30

31 CHAIRMAN FLEAGLE: Thank you, Greg.

32 Randy.

33

34 MR. ALVAREZ: I guess I should have
35 mentioned that there -- I know of two guys that have
36 harvested bears in the last two or three years. One of
37 them is my uncle from Igiugig. He likes to eat bear
38 meat, and especially bear fat, and the last one he got
39 back in the hills after it froze up, probably right on
40 the border about between 9C and 9B. And then there's
41 his brother-in-law, Nick Apokedak from Levelock. He
42 went up in the falltime, up late in the fall, and
43 probably at the bottom of the bridge on the Branch
44 River where he's got a Native allotment, he got a bear
45 for subsistence use. So I know those -- that recently,
46 there might have been somebody else, but those two I'm
47 positive on for, that there is a record of harvest that
48 I know of, although I don't know if they reported it to
49 the Department, but I just wanted to mention that.

50

1 CHAIRMAN FLEAGLE: Thank you, Randy.

2

3 A question for Liz. The analysis
4 addresses a discussion on the eight factors, and it
5 references an appendix that shows a timeline, that's
6 Appendix A on Page 437, but neither the analysis or the
7 appendix specifically point out the eight factors and
8 how they're -- I mean, there's a general discussion
9 about how the C&T can be granted based on the eight
10 factors, but the eight factors aren't mentioned. I
11 just wonder if it would be appropriate for the record
12 if you would just run down those eight factors and tie
13 them to the narrative in your analysis. Are you
14 prepared to do that?

15

16 MS. WILLIAMS: Sure.

17

18 CHAIRMAN FLEAGLE: Thank you.

19

20 MS. WILLIAMS: One reason we didn't do
21 it is because 9B and 9C, there's already a C&T for
22 brown bear, so it's kind of a done deal that people use
23 brown bear, and we didn't want to like repeat something
24 that had been done 20 times already, although I realize
25 this Board is new. But.....

26

27 CHAIRMAN FLEAGLE: No, I understand
28 that, but for this specific issue.

29

30 MS. WILLIAMS: Okay. Sure. Sure.

31

32 CHAIRMAN FLEAGLE: It's a new area
33 that's being -- that the C&T is being asked to be
34 applied to.

35

36 MS. WILLIAMS: Right. Right.

37

38 CHAIRMAN FLEAGLE: And I think just for
39 this specific issue, for a more defensible record, we
40 should have a brief discussion on it.

41

42 MS. WILLIAMS: Let's see. The long-
43 term consistent pattern of use. ADF&G Subsistence
44 Division has done numerous technical papers on the uses
45 of brown bears in these areas. Banki (ph) is one,
46 1987, and it's in the archeological record that people
47 used bear. And the quotes I read to you were from
48 long-term consistent pattern of use by residents of
49 this area. I mean, it's just -- I worked a lot in
50 Kodiak in the past and it's a similar ecosystem where

1 there's not a lot of ungulates except those that have
2 been introduced. And people often told me that bears
3 are kind of like our cows. So that has gone on for a
4 long time, because before transplants started
5 happening, that's what people ate a lot of.

6
7 Let's see. Pattern of use, recurring
8 and specific seasons for many years. There's a Fall
9 and Hutchinson-Scarborough citation of 1996, but I did
10 note in the analysis that fall and spring are the
11 primary times when people harvest bear. Spring is
12 usually an emergency, if you don't have other food,
13 although, you know, you may want something tender that
14 just woke up. Fall is really good, because fat is just
15 thick on bears at that time. And you get bears in fall
16 when you're out doing other things. I mean, picking
17 berries, who comes around you?

18
19 And then, let's see, pattern of use
20 consisting of methods and means of harvest which are
21 characterized by efficiency and economy of effort.
22 This one talks about getting bears when they were
23 swimming, with harpoons, lassoing them and dragging
24 them with a boat. I'm stealing Ralph's stories.
25 Taking them in dens, which a lot of us have heard of.
26 Traps and deadfalls, and also encouraged to charge so
27 they could be impaled on a spear that was set into the
28 ground. High-powered rifles. You know, people use the
29 most efficient methods that become available to them.

30
31 In 1987 there's a Division of
32 Subsistence technical paper that talks about weather
33 prediction -- weather patterns are so unpredictable on
34 the Alaska Peninsula that that really affects harvest.
35 You can go out in good weather and 10 seconds later
36 it's turned to winter in the middle of July.

37
38 The consistent harvest and use of fish
39 or wildlife as related to past methods of taking near
40 or reasonably accessible from the community or area.
41 Fish and Game 1992 technical paper talked about these
42 villages as part of the Iliamna Lake subregion and bear
43 are common there. They concentrate on the salmon
44 streams, and it's part of the subsistence repertoire.
45 It's what you take that's in your neighborhood and that
46 tastes good.

47
48 Let's see. What else do we have.
49 Means of handling, preparing and preserving, storing
50 fish and wildlife which has traditionally been used.

1 Let's see. You have -- there were really strong
2 prescriptions as Greg and Randy and Ralph noted. You
3 couldn't necessarily have bear near children or women
4 of childbearing age. You hear this from Kodiak out to
5 the Aleutian Islands, that you put the head facing to
6 the east when you put the head away, which was part of
7 the Western Alaska Brown Bear Management, that people
8 didn't have to return the skulls, because it was a
9 violation of a cultural practice that would cause a lot
10 of trouble if you didn't follow it.

11
12 A 1996 Division of Subsistence
13 technical paper says that the product from brown bear
14 that is highly prized by many people is the fat. It's
15 cut up into small pieces and essentially rendered. And
16 that can be kept for a long time. And so people may
17 not get a bear every year, because the one they do get
18 lasts and it gets spread around. I mean, you can get a
19 lot of good fat out of a big bear.

20
21 And there's a couple of other technical
22 papers where bear stomachs were used as float, bear
23 hide was used in mukluk soles. People used them for
24 covers, for sledding.

25
26 A pattern of use which includes the
27 handing down of knowledge of fishing and hunting
28 skills. Another technical paper written by people in
29 Fairbanks that Fish and Game probably know, John
30 Wright, he did one that talked about the smaller
31 communities and how boys, elders and sort of the middle
32 aged special hunting people would go out together to
33 harvest bear. And in some cases that still happens,
34 but some of the more recent technical papers say that
35 women are now incorporated into these hunting groups.
36 I don't know, you know, what their reproductive status
37 is at the time, but it's a transition.

38
39 A pattern of use in which the harvest
40 is shared or distributed within a definable community
41 of persons. I think the table that's in the analysis
42 showed the sharing pretty well. The year that I
43 pointed out, 1992 for Igiugig, they didn't harvest any
44 bear, but if you look down to 1992 for Kakhonak, they
45 harvested 15, the same year that 30 percent of the
46 households in Igiugig received bear when nobody in
47 Igiugig harvested. So I think that shows like Randy
48 said that people are related, and if you don't get it
49 in your community, somebody else does and gives it to
50 you.

1 And those are the eight factors.

2

3 DR. WHEELER: Diversity of resources.

4

5 MS. WILLIAMS: Oh, diversity of
6 resources. If you look on Page 432 of the analysis, I
7 took from the Subsistence Division community profile
8 data base their most recent statistics, which weren't
9 all that recent. I think 1992, but put the number of
10 pounds per household harvested annually. And for
11 Igiugig in '92 it was 2,826 pounds of subsistence
12 resources harvested annually. Kokhanok.....

13

14 DR. WHEELER: By household.

15

16 MS. WILLIAMS: Yeah, that's by
17 household, not per person. Kakhonak had about 4500
18 pounds, and Levelock had about 2500 pounds per
19 household. And at the middle or the meat of each
20 paragraph, you can see just a gross diversity of what
21 the types of resources are. I didn't break them down
22 into types of berries or types of birds, but all the
23 different species that are available people harvest,
24 and that contributes to that large per household
25 poundage.

26

27 CHAIRMAN FLEAGLE: All right. Thank
28 you.

29

30 All right. Any more discussion before
31 we move into the proposal. Ken Taylor.

32

33 MR. TAYLOR: Mr. Chairman. I just
34 wanted to point out a couple of things. In Appendix B
35 that was referred to by the Staff has Figures 1 and
36 Figures 2 that are resource harvest areas for Igiugig
37 and Kokhanok. When these maps were developed back in
38 the 80s we went to various villages and asked people
39 where they harvested everything. So the maps are
40 fairly -- very broad and included every harvest area
41 that anybody that we interviewed said that they may
42 have gone at one point or another. They don't
43 necessarily reflect the harvest areas for brown bears
44 for that particular village. It reflects their harvest
45 area for everything from fish, marine mammals, moose,
46 caribou. It's all inclusive.

47

48 I think -- I guess the question I had
49 was you have a positive C&T that both the Board of Game
50 found and the your Board found for brown bear use in

1 9B. Going through a fairly rigorous process, the Board
2 of Game found a negative C&T in 9C, although your Board
3 found a positive C&T. And I don't know how the people
4 of 9C feel about this, but I'm curious as to why the
5 proponents for a season are from outside of 9C when
6 they have a season in their unit already. And I'm a
7 little concerned that, frankly, the timing of
8 establishing a new hunt right now is -- it probably
9 couldn't be worse from the standpoint of resource
10 management in the Park. And I share Marcia's concerns
11 for doing so.

12

13 CHAIRMAN FLEAGLE: Thanks, Ken.

14

15 Randy, do you have a response to the
16 community question?

17

18 MR. ALVAREZ: Yes, Mr. Chair. Mr.
19 Taylor. As I mentioned, the Kvichak is a big wide,
20 deep river, and it's not very good for hunting bears.
21 You can catch a bear around the river once in a while,
22 but -- when he's walking up and down, but the Alagnak
23 is shallow and swift and a lot of islands, and it's a
24 lot easier for the bears to catch fish there, so
25 there's a lot more bear over there, so the people have
26 tended to always hunted the Alagnak, Branch River for
27 bears. So it's -- and it's where you went if you
28 wanted hunt bear, unless you went back to hills in the
29 wintertime and then kind of looked for if they're out,
30 or if you knew where they were denning. And it's just
31 where you went -- the Alagnak was just where you went
32 to get bears.

33

34 And then you alluded to these maps here
35 for 1982, and I don't think these were very accurate.
36 It was before I moved to Igiugig. As I said, I didn't
37 get there until '83. But if you look on Page 438 and
38 439, you'll notice that Page 439 shows Kokhanok's usage
39 area. Well, it extends well into the Katmai National
40 Park. And I suppose you could probably catch some fish
41 over there, or maybe pick some berries, but, I don't
42 know, you couldn't hunt anything over there. They may
43 have, you know, caught fish or some -- but.....

44

45 And Igiugig is on Page 438, and I would
46 say it's more than that. You know, I know it would
47 include the next -- Nonvianuk Lake right next door, and
48 also farther down the river, because, you know, the
49 people that utilize that area, I know they do, and
50 probably farther towards -- in every direction, but it

1 wouldn't be as big as what Kakhonak area is.

2

3 I just wanted to point out that I don't
4 think these two are very accurate for depiction of the
5 harvest area.

6

7 CHAIRMAN FLEAGLE: Thanks, Randy.

8

9 Any more discussion. Ready for the --
10 Ralph.

11

12 MR. LOHSE: May I ask one question?
13 I've heard it come up about three times about
14 establishing another season. Is there -- by doing
15 this, are you establishing a season there, or are you
16 just finding C&T?

17

18 CHAIRMAN FLEAGLE: It will just bring
19 the Federal residents of 9B into 9C.

20

21 MR. LOHSE: Okay. So you would be
22 adding these residents to a season that is already
23 established. Okay.

24

25 CHAIRMAN FLEAGLE: And, Larry, do you
26 want to speak to the season portion that's under the
27 consent agenda?

28

29 MR. BUKLIS: Thank you, Mr. Chairman.
30 As I understand it, there is currently no Federal
31 season. But the 27b, the b portion which is on your
32 consensus agenda would establish that season. And
33 there is an existing pool of C&T eligible people. 27a
34 adds these -- if you acted positively would add these
35 three communities to that group.

36

37 CHAIRMAN FLEAGLE: Okay. That's a
38 better clarification.

39

40 Marcia.

41

42 MS. BLASZAK: Time for a motion?

43

44 CHAIRMAN FLEAGLE: Yes.

45

46 MS. BLASZAK: I move that we support
47 the Bristol Bay Regional Council's recommendation on
48 08-27a.

49

50 MR. CESAR: I'll second it.

1 CHAIRMAN FLEAGLE: Do you want to speak
2 to the motion.
3
4 MS. BLASZAK: Yeah. As I mentioned
5 earlier, we do have, you know, considerable interest in
6 the bear population in general in the Preserve due to a
7 lot of other factors, but I'm compelled with the
8 information before us that these three communities
9 should be able to be included in this C&T
10 determination.
11
12 CHAIRMAN FLEAGLE: Other discussion.
13
14 (No comments)
15
16 CHAIRMAN FLEAGLE: I'm compelled as
17 well. Ready for the question.
18
19 MR. MELIUS: Call the question.
20
21 CHAIRMAN FLEAGLE: The question's
22 called on Proposal 27a. Pete.
23
24 MR. PROBASCO: Mr. Chairman. Final
25 action on WP08-27a. Mr. Lonnie.
26
27 MR. LONNIE: Yes.
28
29 MR. PROBASCO: Mr. Cesar.
30
31 MR. CESAR: Yes.
32
33 MR. PROBASCO: Mr. Bschor.
34
35 MR. BSCHOR: Yes.
36
37 MR. PROBASCO: Mr. Melius.
38
39 MR. MELIUS: Yes.
40
41 MR. PROBASCO: Mr. Fleagle.
42
43 CHAIRMAN FLEAGLE: Yes.
44
45 MR. PROBASCO: And Ms. Blaszak.
46
47 MS. BLASZAK: Yes.
48
49 MR. PROBASCO: The motion carries
50 six/zero.

1 CHAIRMAN FLEAGLE: Board members, I
2 don't know how much work you can get done in 20
3 minutes, but we can either break now or take up
4 Proposal 32. What's the wish.

5
6 MR. CESAR: Break.

7
8 CHAIRMAN FLEAGLE: All right. I heard
9 break. The Board will stand down until 8:30 tomorrow
10 morning. Thank you everyone for a productive day.

11
12 (Off record)

13
14 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and reporter for Computer Matrix Court Reporters, do hereby certify:

THAT the foregoing pages numbered 177 through 349 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME II taken electronically by Computer Matrix Court Reporters on the 30th day of April 2008 beginning at the hour of 8:30 o'clock a.m. at the Coast International Inn in Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 9th day of May 2008.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/2012