MEMBERS PRESENT:

Tim Towarak, Chairman
Bud Cribley, Bureau of Land Management
Geoff Haskett, U.S. Fish and Wildlife Service
Sue Masica, National Park Service
Beth Pendleton, U.S. Forest Service
Gene Virden, Bureau of Indian Affairs

Bertrand Adams - Southeast RAC
Rosemary Ahtuangaruak - North Slope RAC
Sue Entsminger - Eastern Interior RAC
Ralph Lohse - Southcentral RAC
Jack Reakoff - Western Interior RAC
Mitch Simeonoff - Kodiak/Aleutians RAC
Lester Wilde - Yukon Kuskokwim RAC
Richard Wilson - Bristol Bay RAC

Keith Goltz, Solicitor's Office
Ken Lord, Solicitor's Office

Doug Vincent-Lang, State of Alaska Representative

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CHAIRMAN TOWARAK: Good morning. My name is Tim Towarak. I made it in on a flight late yesterday afternoon, late yesterday evening. And I want to thank Bud Cribley for ably handling yesterday's meetings. Didn't quite take care of Saxman like I thought he would.....

(Laughter)

CHAIRMAN TOWARAK: .....but that's an issue that we will be leading into in the next day or so.

Our first item on the agenda this morning is information sharing for anyone that has information that they would like to provide to begin with this morning.

Pete.

MR. PROBASCO: Mr. Chair, I have a couple items. First yesterday Mr. Norman Arriola testified before the Board on behalf of the Ketchikan Indian Community and he wanted to make sure we got his testimony so that was handed out this morning. We also have ADF&G comments that were handed out on WP12-45, WP12-49.

And then Andrea asked me to remind you Board members we have the subsistence art contest so when you get a chance and -- as well as Council Chairs, go over and look at the great art we have and select -- make the selections.

And then also staff yesterday handed out blue folders to each Board member and RAC Chairs, this has pertinent information addressing various proposals. One that I want to draw your attention is Sandy Rabinowitch took the lead and he has summarized the tribal consultation teleconferences for the Board members and that's in your document as well. So we have that.

And, Mr. Chair, that's all I have at this time.

CHAIRMAN TOWARAK: Any other information
that needs to be shared?

(No comments)

CHAIRMAN TOWARAK: Not seeing any then we will.....


CHAIRMAN TOWARAK: Oh. Bert, go ahead.

MR. ADAMS: Well, welcome back, Tim, appreciate it. I just want to compliment Bud for a good job he did yesterday. He stumbled through a couple little things there, but we managed to get him through it alright, but he did a great job for you, Tim.

Thank you.

ROSEMARY: Tim, we also got a handout Resolution Number 12-1 on the Red Sheep Creek/Crane Creek proposal.

MR. PROBASCO: I guess I didn't get a copy. Thank you, Rosemary.

CHAIRMAN TOWARAK: Any further information.

(No comments)

CHAIRMAN TOWARAK: If not then we will proceed onto the second item on the agenda is a public comment period on non-agenda items. Is there anyone in the public that would like to.....

Go ahead, Pete.

MR. PROBASCO: Thank you, Mr. Chair. We have one person signed up and that's Mr. Harry Wilde.

Harry.

MR. H. WILDE: Mr. Chairman. My name is Harry Wilde, I'm from Mountain Village. I've been work with some people. When I was young I move from Hooper Bay to Mountain Village. Now I am 52 years old. I'm still go out there and hunting and living on the land. There wouldn't be no moose out there if there was no moose in my area. But the help of other people upriver,
they help us to transplant moose. Right now we got
enough moose there, however yesterday I give you villages
-- these villages' household -- assessed the household
2,000 -- close to 2,000. We go out in the village, you
see the map in there. Only Federal land where it is
small area. And part of it is to us a state.

People there they want to know there
something is kind of hard to try to live in a small place
of hunting area down in coast towards mouth of Yukon. It
was hard, we've tried to help each other. If it's not
for the people of Russian Mission upriver we wouldn't
have no moose down there. They helping us to transplant
the moose. When I work in a boat we saw only one moose,
that's all. So how the moose grow up right now, our
elders, I am elder, I've tell friends, my younger people,
young people, you go out -- you would go out hunt in this
little area right here, but you got to watch these. You
see big bulls, big horns with the big bull, we call that
(in Native), we do not like to see it to get killed
there. Right now in that area in Mountain Village people
help each other and now people living in areas there,
somewhere around 2,000 households in a small place to
hunt. If it's not for the help of our Federal I think we
would never have a moose around our area because our
elders say Federal is almost the laws things that just
like Eskimo. What they do, Eskimo, what they do in the
hunting areas. We got to try to keep it clean out and
that's what we've been doing. Well, I've been -- when I
was down in Bethel area I was a Chairman down there,
that's same as my brother right now. We always elders
appreciate the Federal, what they've done to give
everybody chance to have a -- something to eat.
Sometimes like food is kind of hard. So therefore we
will not -- we will -- don't like to see big bull moose
die off in that area. And I never used to think when I
was young working in the boat I see only one moose with
the two calf. And saw -- but antlers they telling us
watch out for those big bulls, those are the moose maker.
Right now we got so many moose down there, lot of moose,
we never used to have, nothing.

And now I learned some things after my
parents pass away and try to take care of my sisters and
brother. It is not very easy when you was 14 years old
and try to be -- taking care of a home. But today I --
I'm not afraid to say I thank you, Federal, you help us
out, you people out there, elders, give them chance to
let other families have -- help them. That little small
place, hunting place out there. It's shown on the map
that we've been looking at. How come we have a small
place and that many people yet there are a lot of people.
Sometime you see that we try to help our elders, even
bring us to our own hunting camp, hunting area, to help
each other. It is very hard especially when the plane
come in with the pontoon and land where we always go
hunting, it's our -- that hunting place, short place,
small place and they go out hunt with the plane. But
we're not really against the outside hunters, but we want
to make sure that it would be treated like us, what we
do. We go out there not by plane, we will -- we're able
to sport hunters, we're able to give them chance to hunt
so people do get what they want, but we don't want to see
a big moose, big moose. We don't hunt those because
moose are us, those are the ones that build the moose
right now. We even there's none before in the Federal
land down in the lower Yukon.

I want you to know I'm an elder, I teach
the grandchildren how to go out hunting and helping their
er elder people. Sometime it kind of hard when you see some
er elder try to go out hunting and they didn't have no way
to do things -- some things. One time I go out there and
try to help this old man, Fish and Game asked me you got
the license. I didn't know -- I didn't want to kill no
moose at that time. I didn't have no license. I get
fined, fined just to try to help elder from where he's
hunting camp because he couldn't do very much. Now I'm
still an advisor, advising Federal in the weekly meeting
at Bethel. I was just about quit, but I got reappointed
from Washington, D.C., three more years. I am a person
that I'm not afraid to help somebody and I'm not afraid
to talk to anybody, if you want to go out hunting in my
area, yeah, you could go hunt, but if those big moose are
-- that's what they make us -- help us to grow moose.
Even right now today people could come from Bethel,
anyplace, they could hunt down there. Last fall in my
fish camp I see seven calves which their cows. There are
a lot of moose down there and we got a lot of people, all
the way from Hooper Bay goes up to even there Russian
Mission. Russian Mission has helped us to grow these
moose. They give us chance to go hunt in their area. So
we want to return and give them because they -- some of
tem they fish down there. It is not easy to do things,
especially back home. We will help sport hunter who want
to go hunt, but they have -- we want to see and keep away
from big bull moose.

And that's why I come over and we want to
thank people that have been helping us all these year and
now there are people coming in from Bethel area, they're able to hunt down there because we've got enough moose now to help the people what they need.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Wilde.

Good to see you.

Any questions from any Board members?

(No comments)

CHAIRMAN TOWARAK: Thank you, Harry. You mentioned that you were 52, I think you meant you're 82.

MR. H. WILDE: 82.

(Laughter)

CHAIRMAN TOWARAK: Okay. Because if you're 52 I'm 21.

(Laughter)

CHAIRMAN TOWARAK: If there aren't any.....

MR. PROBASCO: Mr. Chair.

CHAIRMAN TOWARAK: .....anything else, go ahead.

MR. PROBASCO: Mr. Chair, we have one more and that is Norman Arriola.

(Off record comments)

MR. PROBASCO: Thank you, Harry. Mr. Norman Arriola would like to speak to the Board on herring.

MR. ARRIOLA: Good morning, Mr. Chair. For the record my name's Norman Arriola, I live in Ketchikan, Alaska, reside at 3225 Timberline Court. A life long resident here. I'm not an expert on herring, but I know that that's a food for the sea life that live in the ocean. And every winter when we get big increases of
herring going through our Southeast waters they increase
the tonnage that's taken. I wish I'd have kept that
article that was in our Ketchikan daily newspaper about
the herring. Last September or no, 2010, we had whales
right alongside our docks for about a week in search of
food. Those creatures that live in the ocean are
starving because we're taking too much herring, we're
taking their food source away from them. And the herring
roe that we harvest, we get 50 pounds whereas those that
commercial fish that take it out of here by the ton and
send to foreign countries. So it's really discouraging
when last year Sitka wouldn't allow any purse seiners in
there to take any out to bring to Southeast communities.
We have a local that lives down there, I believe his last
name is Dimmer, I can't recall the name of his boat, but
he wasn't allowed to go into Sitka area last year to
bring any herring down to the Southeast communities that
enjoy and love to eat the herring roe.

So if this is on your agenda, Mr. Chair,
and for the Board members' consider, you know, and it
would be my recommendation to shut that herring fishery
down for about five years, give them time to regenerate
and give back the food that belongs to the sea life that
enjoy and survive off that. Another example is The
Shakes was completely wiped out over 15 years ago and, of
course, the experts that sit at a desk and go online and
look at various areas said that the herring moved
elsewhere. Where'd they go, they haven't found them yet
and that's been over 15 years now. So if we don't take
control of the Sitka Sound herring fishery though they'll
end up wiping that out too and there won't be anymore.

So that's the only comments I have, sir.
Again I thank you for allowing me to come forward and
speak what little I know about herring and look forward
to hearing your recommendations.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr.
Arriola. I think at this meeting all of our issues are
wildlife related, we're not in -- we don't have any
fisheries issues.

MR. PROBASCO: That's correct, Mr.
Chairman. And then this call this winter Regional
Advisory Council, that will be the opportunity to develop
proposals that affect fisheries, et cetera.
Mr. Chair.

CHAIRMAN TOWARAK: And I would suggest
that you work with your Southeast Regional Advisory
Council to prepare for that meeting.

MR. ARRIOLA: Okay. Well, my apologies
for -- I don't have a complete agenda and I don't have
the information you guys have in front of you, but I just
thought I'd bring that to your attention.

Thank you.

CHAIRMAN TOWARAK: We appreciate your
comments.

MR. PROBASCO: Mr. Chair, that's all the
people I have signed up to testify on non-agenda items
and I believe it would be appropriate now to go back to
our wildlife proposals and pick up Proposal 82.

CHAIRMAN TOWARAK: Okay. We have -- and
I assume this is just being introduced, it's our first
step in the process, we're going to first ask for an
analysis on the proposal?

MR. PROBASCO: That's correct, Mr. Chair.

CHAIRMAN TOWARAK: For the Board, the
issue is on Page 237 in your packet.

MR. McKEE: Good morning. My name is
Chris McKee, I'm a wildlife biologist with the Office of
Subsistence Management. As mentioned the analysis for
WP12-82 begins on Page 237 of your meeting materials
booklet.

The proposal was submitted by the North
Slope Subsistence Regional Advisory Council and requests
extending the Federal brown bear season in Unit 26A a
month later, from May 31st to June 30 for a year-round
season and in Unit 26B opening the season six days
earlier, changing it from September 1st to August 25th.
Extending the Federal season would align the Federal
brown bear harvest seasons with the State seasons in
Units 26A and 26B. Currently State regulations are more
liberal than Federal regulations and I'll be speaking to
these seasonal changes here in a few minutes because a
couple things have changed, but the density of brown
bears varies widely in Unit 26 with densities highest in
the foothills of the Brooks Range and lowest in the
northern portion of the unit. The most recent estimates
for bears in 26 -- brown bears in 26A is 900 to 1,120
bears. Populations have been stable or increasing since
the 1960s. The most recent population estimate for Unit
26B is 269 bears or 1.8 bears per 100 square miles. Most
of the brown bear habitat in 26A and 26B is assumed to be
undisturbed and has supported a fairly large and growing
population of bears. The brown bear harvests remain well
under the harvestable surplus even though the brown bear
regulations have been liberalized the number of bears
harvested has generally declined since 1996. Hunters and
pilots have indicated that the bear population is
currently increasing, but even with this increase the
harvest seems to be mostly opportunistic when people are
encountering brown bears incidently while hunting for
other wildlife or fishing. And again the harvests remain
well under the harvestable surplus.

Originally as written by the proponents
the seasons for 26B would be August 25th to May 31st, but
I believe that these dates were -- originally called for
-- they were mistaken as I think they were going off of
an emergency order that had -- these are the dates when
they actually -- the original intent of the proponent was
to align with the State seasons and their intention was
to make it year-round in both units, but some things have
changed and yesterday at the Board of Game I'm -- I'll
let the State mention that, but the OSM conclusion was to
support this proposal with the intention that the
proponents' intention all along was to align with the
State season. And if the proponent would like -- the
representative for the proponent would like to speak to
that, that's fine, but our conclusion is to support the
proposal.

So that's all I have. Thank you.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any then
we will get a summary of public comments from the
Regional Council Coordinator.

MS. H. ARMSTRONG: My apologies, Mr.
Chair, I keep forgetting that I'm acting as the
coordinator. The regional -- the -- I'm not sure that
there were any Federal public comments. There were none
that I can see in the book at this time.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Then we will open the floor for public testimony on the proposal.

MR. PROBASCO: Mr. Chair, we have no one online and I have no one signed up.

CHAIRMAN TOWARAK: Okay. Then we will proceed on to the Regional Council recommendations from the Chair.

Rosemary.

MS. AHTUANGARUAK: We supported this resolution. We've had an increase in the population and notes that we had impacts to one of our muskox herds and that it's prevented us from getting some permits. Throughout the North Slope we've had increase on incidents with the conflicts of bears at camps and in cabins. So we support this proposal.

CHAIRMAN TOWARAK: Go ahead, Pete.

MR. PROBASCO: Thank you, Mr. Chair. Rosemary, would you speak to the modification that you added to the proposal at your Council meeting.

Thank you.

MS. AHTUANGARUAK: We wanted to modify it so that the 26A be year-round.

CHAIRMAN TOWARAK: Are there any questions with regard to the modification proposal from the Regional Council.

(No comments)

CHAIRMAN TOWARAK: From the Staff, no change in the recommendation?

MR. McKEE: No, Mr. Chair.

CHAIRMAN TOWARAK: Any further discussion or questions.

(No comments)
CHAIRMAN TOWARAK: The State.

MS. YUHAS: Welcome, Mr. Chairman. And thank you to yesterday's Chair and Madam RAC Chair for the leeway yesterday to move this down the agenda item.

Mr. Chairman, you weren't here, but we have two meetings going on in tandem and the Board of Game took action on this parallel proposal yesterday which completely changed the State position. So in your proposal books we were supporting this proposal. The reason is because we did not have any other tools available to us until the Board of Game took action yesterday. I understand that we're working in two different systems with different guidelines outlining how they function and that our agencies have different missions. And so if you'll bear with me I know that not all of the agencies at the table have the same mission that Fish and Game does, but we just had approved yesterday a predator control program in this area.

The intent of our support for this proposal when it was liberalizing the bear season was to reduce some of the bears to increase the muskox population. We have an ongoing research project showing muskox mortality that takes into account habitat factors as well as the effect of grizzly bears in the area. You heard from OSM Staff that the population of grizzly bears is not evenly distributed in this area. Yesterday the Board of Game approved a precision effort for us to target what we suspect is the 10 to 12 bears in a concentrated area who are eating most of the muskox. We believe that this tool which we did not have until yesterday helps to increase our confidence in long term sustainability to maintain higher hunter harvest of both bear and muskox. So the Department will not be supporting the liberalized season, we did not support the liberalized season at the Board of Game yesterday in lieu of the predator management program. We understand that's not a tool that's available to all of the agencies here, but this is why it changes our position.

Any questions so far on this, Mr. Chairman?

CHAIRMAN TOWARAK: Not from me, but any Board member questions.

(No comments)
CHAIRMAN TOWARAK: Go ahead.

MS. YUHAS: In lieu of that we are opposed to the proposal and will be following our newly approved predator management program in this area to increase the muskox population. And likely to implement -- this is the portion that I'm not concrete on, likely to implement season dates for residents of August 20th to September 20th and nonresidents of August 20th to September 20th and March 1st to May 31st. That is the best information I can provide this Board at this time.

CHAIRMAN TOWARAK: Thank you. Are there any questions.

MR. CRIBLEY: Yeah, Jennifer, could you restate those dates again so I can keep -- I didn't get them written down.

MS. YUHAS: Well, they are not concrete.

MR. CRIBLEY: Understand.

MS. YUHAS: August -- residents August 20th to September 20th, nonresidents August 20th to September 20th and March 1st to May 31st. And again that is not the year-round season because we are targeting efforts to increase muskox population and have identified the small concentration of bears we believe are responsible for the decrease in the muskox population.

MR. CRIBLEY: Now is that for the entire Unit 26?

MS. YUHAS: B. Thank you.

MR. CRIBLEY: Oh, that's just for Unit B or 26B?

MS. YUHAS: Correct.

MR. CRIBLEY: So the season -- what would the season -- would -- well, then is the recommendation -- is your recommendations for Unit 26A to stay as it was and 26C?

MS. YUHAS: Correct.

PARK SERVICE: Mr. Chair, I'd just like to clarify something for the record, I'm not sure I heard
correct. So there is a season from March 1st to May 31st that's available to nonresidents, but not available to residents passed by the Board?

MS. YUHAS: Not at this time, but likely to be adopted.

PARK SERVICE: Likely to be adopted.

Thank you.

MR. PROBASCO: Is that a March to May season?

MS. YUHAS: March 1st to May 31st.

MR. PROBASCO: Okay.

CHAIRMAN TOWARAK: Any further questions or discussion.

(No comments)

CHAIRMAN TOWARAK: Well, I guess I would have a question for Rosemary. From what -- from the Council's or from your perspective or the RAC's perspective, does this change what you feel the needs are or from the standpoint of what the proposal is or what -- would your position change based on what the State has just stated?

MS. AHTUANGARUAK: During our Council discussions we did not see any conservation concerns in the 26B, we still supported the year-round season. We recognize that there's dual processes that are going that are affecting the way the management processes is being considered and this determination was not something that we could further discuss. We recognize that the efforts to help protect that muskox population is something that the Board of Game is doing, but we also feel that throughout the unit there are other issues that are affecting us and that increasing the harvest throughout the unit year-round would help to -- our community members to control some of these issues that are being presented.

CHAIRMAN TOWARAK: Any further discussion. Mr. Adams.

MR. ADAMS: Just a matter of information here. Due to the fact that, you know, the State has
changed their position on this particular issue, I don't
think Rosemary's position could change either because she
would have to go back to her community and village and
their Council and reconsider this for maybe in the future
sometime, but when we -- when we make a decision in our
RACs, you know, we stick with that until the next go
around.

So I just wanted to bring that out as a
matter of information, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Mr. Adams.

MS. AHTUANGARUAK: Thank you.

MR. LOHSE: Mr. Chairman.

CHAIRMAN TOWARAK: Mr. Lohse.

MR. LOHSE: And I think the other thing
that needs to be kept in mind is that Rosemary's looking
at it from a subsistence standpoint, the Fish and Game is
looking at it from a sport hunting and a muskox
standpoint and there's two different -- two totally
different philosophies and two totally different reasons
for different styles of management there.

CHAIRMAN TOWARAK: Ms. Yuhas.

MS. YUHAS: Thank you, Mr. Chairman.

Speaking on behalf of the State, we understand that our
position is sometimes interpreted as a sport hunting
focus, but under the constitution we do provide for
subsistence for all Alaskans.

CHAIRMAN TOWARAK: That's noted on the
record.

(Laughter)

CHAIRMAN TOWARAK: Any further
discussion.

MR. REAKOFF: Mr. Chairman.

CHAIRMAN TOWARAK: Mr. Reakoff.

MR. REAKOFF: I'll weigh in on this one.
The bear population is high in 26B with subsistence use
and which shows that subsistence use is not affecting the
bear population. So I would -- personally I feel that I
would support North Slope's position of a year-round
season for subsistence opportunities for when people are
out in the field, at camp and so forth and accessing
areas that they may not -- within the State's season.
And so I would be -- personally I would be supportive of
North Slope's use of bears, people in the Anaktuvuk Pass
and central Brooks Range use bears for food and so
subsistence is the highest priority. And so I would --
if the Department has a control project going on possibly
subsistence harvest of some of those bears may occur and
might save the Department some time taking bears under
their predator control project.
So I just want to state that for the
record.
Thank you.

CHAIRMAN TOWARAK: Thank you. If there's
no further discussion, and I appreciate the position that
the State's taking and hopefully as we go along there's
going to be more and more coordination between what we're
doing and what the State is doing. And we appreciate you
bringing your information to this table.
Go ahead.

PARK SERVICE: Mr. Chair, I'd just to ask
one other question. If there are any RAC Chairs present
that think that this is enough of a game changer that
their RAC may change their support to oppose or opposed
to support. I'm sorry. Rosemary, do you think there's
a chance that the.....

MS. AHTUANGARUAK: With our discussions
that have happened this is something that we have seen
progressing over time and that we support having this
extended season. I -- with the State's efforts of
increasing that process, it's a process that needs to
come and we'll have to reassess how the process goes and
we may make changes in the future, but without being able
to do the process at the same time and look at the
changes that came to us today, right now I have to stand
with the position in support. We have many areas in the
unit that have had increased numbers and the efforts to
help protect the muskox will protect that area and
decrease numbers in that area, but it won't take care of
the rest of the unit.
CHAIRMAN TOWARAK: Go ahead, Mr. Lohse.

MR. LOHSE: I think one thing that has to be put in there and Jack referred to it too, is that in an area where other things are closed the fact that you'd have bears open all year. A bear is -- you know, for a lot of us we look at bears, I mean, I think most of the Fish and Game looks at bears as a trophy animal, as a fur animal, but if you're out in the Bush there's nothing nicer than a nice fat grizzly bear for eating. And bears are a food source and I think that needs to be remembered from a subsistence standpoint that, you know, bears are a food source and if they're available all year-round that just means you've got a food source available all year-round and that's a big difference in today's world with the cost of food and everything out in the Bush.

CHAIRMAN TOWARAK: Thank you. Further discussion.

(No comments)

CHAIRMAN TOWARAK: Thank you. Then we will proceed on to InterAgency Staff Committee comments.

DR. JENKINS: Mr. Chair, David Jenkins with OSM. The InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendation and Federal Subsistence Board action on the proposal. This is the standard ISC comment and in future I'll just refer to it as the standard comment rather than reading it into the record each time. When there's deviations then I'll read the entire ISC comment.

Thank you.

CHAIRMAN TOWARAK: Any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you. Board discussion with the Council Chairs and the State liaison. The floor is open for general discussion.

MR. CRIBLEY: Yeah, Mr. Chair, I guess the -- and this is more of a detailed question than the question about the issue itself is, but in the Regional
Council's modified recommendation for Units 26A and 26B, they're recommending it to be opened year-round, but the dates are different, one goes from what, July to June and then the other one goes January to December. And I was wondering is there a reason that they're different or is -- can they be consistent, I mean, is there any rationale to that? And I don't know who I would ask that question, if it would be of the Staff or what, but we -- is that -- or is that just the -- over history that's what has happened.

MR. PROBASCO: I think your last statement, Mr. Cribley, captures that, but as far as a year-round season either date would work.

MR. CRIBLEY: Yes.

MS. AHTUANGARUAK: Yes, and that was the intent, to create a year-round, there was a little confusion using the calendar year, but the intent is to create a year-round season. And putting the terminology to facilitate the standardized would be appropriate.

MR. CRIBLEY: Which way is the best way to -- if there was a way to state that, if it was to be consistent, which of the two would be the preferred. And I don't know what the sideboards or the protocol is for that or is there one.

MR. GOLTZ: Mr. Chairman, my protocol is to defer to the regulation writers. We caught that too and we're over there discussing. I would just allow whoever submits to the Federal Register to make that choice.

MS. AHTUANGARUAK: Yes, we would.....

MR. GOLTZ: And I.....

MS. AHTUANGARUAK: I was going to say yeah, we would support that, following the regulatory language.

MR. CRIBLEY: Okay. I just didn't know if there was a reason for that or it -- just the way things happen sometimes. So, okay. It just seems like it creates some confusion if they're not consistent in the future. Of course, that depends on what we do here too, but -- so, okay. Well, thank you.
CHAIRMAN TOWARAK: Any further discussion or questions about the proposal.

(No comments)

CHAIRMAN TOWARAK: If not then we will proceed on to the Federal Subsistence Board action.

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead, Mr. Cribley.

MR. CRIBLEY: Yeah, I guess I would like to go ahead and make a motion to adopt the proposal with a modification consistent with what is proposed by the North Slope Regional Council.

MR. HASKETT: I'll second that.

CHAIRMAN TOWARAK: The motion has been moved and seconded to approve the amended proposal. Are there any discussions or questions on the motion.

MR. CRIBLEY: Mr. Chairman, I guess a major portion of this area is within -- covers public lands or BLM lands in the National Petroleum Reserve. Based on the information presented here by Staff from the standpoint of the support of the proposal and also because of the support by the Regional Advisory Council, I feel that we or I feel like I support this motion recognizing the position of the State and also recognizing their decision to target a problem area dealing with species management, particularly with muskox. I think that's a good idea, but I think that doesn't from my perspective change the decision that we have in front of us or the motion we have in front of us to support this proposal or this motion.

PARK SERVICE: Mr. Chair, the Park Service will -- well, the proposed changes to the brown bear seasons in 26A and 26B will impact Gates of the Arctic National Park and Preserve and I will vote to oppose the extension of the brown bear seasons to year-round.

I believe there's little to no recent data that supports an extension of the brown bear hunting seasons in either 26A or 26B. And according to the biological background on Page 240 of this book -- of the Board book, the population estimate for 26A is based on
1 studies from the 1980s and '90s which is data that is
2 more than 20 years old and the 26B population estimate is
3 based on 10 year old information.

4 There's information on Page 247 in the
5 Staff analysis for Proposal 62 that gives me further
6 cause for concern. In northern Alaska -- it reads in
7 northern Alaska female brown bears do not successfully
8 reproduce until they are older than five years. The
9 delay in reproduction as well as small litter sizes, long
10 intervals between successful reproductive events and
11 short potential reproductive periods causes -- caused the
12 low rates of successful production in brown bears in
13 northern Alaska. In addition, female brown bears exhibit
14 high fidelity to home ranges and little emigration or
15 immigration, therefore brown bears are often managed
16 conservatively, end quote.

17
18 The uncertainty and currently -- the
19 uncertainty of the currently available population and
20 harvest information along with the potential for
21 increased take of adult female bears leaves me feeling a
22 little bit uncomfortable with year-round seasons.
23 Therefore I base the Park Service opposition to this
24 proposal or amendment on my believe that it opposes or
25 that it violates recognized principles of fish and
26 wildlife conservation.

27
28 CHAIRMAN TOWARAK: Thank you. Any
29 questions on those comments.
30 (No comments)
31
32 CHAIRMAN TOWARAK: Further discussion.
33 (No comments)
34
35 MR. CRIBLEY: Mr. Chairman, can I call
36 for question.
37
38 CHAIRMAN TOWARAK: Okay. It's in order.
39 The question has been called. And we will have a roll
40 call vote, please.
41
42 MR. PROBASCO: Thank you, Mr. Chair. The
43 motion is to adopt Proposal 12-82 as modified by the
44 North Slope Regional Advisory Council.
45
46 And today we start with Mr. Virden.
172

MR. VIRDEN: Yes.

MR. PROBASCO: Ms. Cooper.

MS. COOPER: No.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: And Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Motion carries, five in favor, one against.

CHAIRMAN TOWARAK: Thank you. We will proceed then on to -- I understand that the Proposals 62, 65, all the way to 68 have already been taken care of. Our next agenda topic will be Proposal 12-69 and that's on Page 289.

We were told that this proposal has been moved to the consensus agenda so if there are no objections we -- that will be handled later.

MR. PROBASCO: That's correct, Mr. Chair.

CHAIRMAN TOWARAK: Then the next agenda topic is Proposal 12-71 and 72 on Page 313. Can we have analysis by the lead Staff.

MR. FOX: Yeah, thank you, Mr. Chair. For the record this is Trevor Fox, I'm a wildlife biologist with OSM. The combined analysis for WP12-71, 72, begins on Page 316 of your meeting book.

Proposal WP12-71 was submitted by the Tetlin National Wildlife Refuge and it requests that the fall moose harvest season in a portion of Unit 12 be changed to August 24th through September 20th and that it...
Proposal WP12-72 also submitted by the Tetlin National Wildlife Refuge requests that the winter moose season in a portion of Unit 12 be changed to November 1st through March 31st and that it also be administered through a joint State/Federal registration permit.

In Unit 12 the moose population is considered to be of low density, but relatively stable. Just within Tetlin National Wildlife Refuge, that portion of the unit, the bull to cow ratio has been relatively high with a range of 60 to 90 bulls per 100 cows in all surveys conducted since 1990. So management objectives have consistently been met in the Tetlin National Wildlife portion of Unit 12. Currently Federal and State fall moose seasons on the Tetlin National Wildlife Refuge are under a State harvest ticket. For the winter moose season there's a Federal registration permit being used for Federally-qualified subsistence users as there is no State season for the winter. Reported harvest on the Refuge has averaged 12 moose per year between 1991 and 2010 for the fall season and for the winter season there's been no reported harvest, but there has been an average of 24 permits issued per year and of those an average of seven Federally-qualified subsistence users have attempted harvesting moose with those permits.

If the proposal were -- was to be adopted, the fall seasons would change from a split season of August 24th through the 28th and September 8th through the 17th to a continuous August 24th through September 20th season and the winter season dates would be extended from November 20th to December 10th to an extended season of November 1st through March 31st. These additional changes would provide an additional 14 days of harvest opportunity for the fall season and an additional 130 days in the winter season. All users hunting in the Tetlin National Wildlife Refuge and the northeast corner of the Wrangell-St. Elias Preserve portion of Unit 12 would be required to utilize a joint State and Federal registration permit on Federal lands for the fall season instead of the State green harvest ticket. However if the proposed joint permit were adopted by this Board for the winter season -- well, for both seasons, it would be contingent upon positive action by the Board of Game which is scheduled to meet in March of this year for Unit 12. The proposed changes would
likely result in an increase in the number of moose harvested due to longer fall and winter seasons.

The OSM conclusion is to support WP12-71 and to support WP12-72 with the modification to extend the winter season only until March 28th, not the March 31st in the original proposal and to create a joint State and Federal registration permit only for the fall season. And the justification is that Federally-qualified subsistence users would be provided an additional 113 days, this is with the modification, of harvest opportunity in the affected portion of Unit 12 with more days to hunt without competition from other users. The ratio of bulls per 100 cows in the affected areas is well above the management objective and the population appears healthy enough to allow for a few more bulls to be harvested. The joint permit for the fall season would allow managers to monitor the harvest and address conservation concerns if they arise. There's been no reported harvest in the winter season between 2000 and 2009 and the extended season is not anticipated to increase harvest significantly. A joint State/Federal registration permit for the winter season is unnecessary as the State has no winter season in that portion of Unit 12.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Are there questions to the Staff.

MR. PROBASCO: Trevor, one correction. You said March 28th, you meant February 28th versus March 31st?

MR. FOX: Yes, that would be February 28th.

MR. PROBASCO: Thank you.

CHAIRMAN TOWARAK: Any further questions.

Mr. Adams.

MR. ADAMS: I'm just reading the key points there and it says their population is at low density, but is relatively stable. You know, I'm kind of confused. I don't know, I'd be under the impression that there might be a conservation concern there. But I just wanted to bring that out, it's kind of confusing to read
those two together. And extended winter season not
anticipated to increase harvest significantly. You know,
if we were to go into deliberation in our Council that
would be a really, you know, long discussion about that
because to me it's just kind of confusing, but I just
thought I'd bring that out just for my own satisfaction.

Thank you.

I think if I were to ask a question, you
know, is there a conservation concern there.

MR. FOX: Yes, Mr. Chair. As it's stated
that the population is at a low density, but it has
remained fairly stable at that so the trend is -- appears
to be pretty constant and so that's why we're saying it's
relatively stable, it's stayed at that level with the
harvest that's been taking place.

MR. ADAMS: That still didn't answer my
question. Is there a conservation concern that needs to
be, you know, brought out there.

CHAIRMAN TOWARAK: Go ahead.

MR. HASKETT: So as I understand it the
Refuge actually is in favor of this and it is confusing
how that's written, but there is not a conservation
concern. The population actually is stable and it's
actually what the habitat will actually support and that
the Refuge believes that at the numbers they're talking
about it actually can be sustained, it's just the
population is never going to be bigger than that.

MR. ADAMS: Okay. Thank you.

CHAIRMAN TOWARAK: Further discussion.

(No comments)

CHAIRMAN TOWARAK: Thank you for your
presentation. We will move then to public comments,
summary of public comments.

MS. HERNANDEZ: Mr. Chair, Melinda
Hernandez, acting coordinator for the Eastern Interior
RAC. There were two written public comments submitted
for these proposals. The first was submitted by
Wrangell-St. Elias National Park SRC in support as
modified by OSM. They don't feel there's a conservation
concern for moose in this part of Unit 12 and there's a
benefit to subsistence users by providing the additional
opportunity. The second was submitted by Ahtna
Corporation, they do not -- Ahtna, Incorporated, excuse
me. They do not support any joint State and Federal
regulation hunts if no conservation concerns exist, the
Federal moose hunting season should be more liberal.

That's the end.

CHAIRMAN TOWARAK: Thank you. Any
questions.

Sue.

MS. ENTSINGER: Yeah, I have a question.
I just remembered this. I went to a meeting of the Upper
Tanana Fortymile Advisory Committee and they took up a
lot of these proposals and they sent their comments in
and I'm surprised they're not in the record.

MS. HERNANDEZ: Sue, through the Chair.
Those are the only comments that I was able to find, but
I will find out if the -- if there are some that were
excluded.

CHAIRMAN TOWARAK: Do you have any idea
what their position was?

MS. ENTSINGER: Yes, they -- this was
talked about extensively. In our area the State and
Federal work really closely together and they supported
this proposal as the Eastern Interior did.

CHAIRMAN TOWARAK: Further discussion.

(No comments)

CHAIRMAN TOWARAK: Thank you. And we
will open the floor to public testimony.

Pete.

MR. PROBASCO: Thank you, Mr. Chair. We
have one person signed up and that's Ms. Gloria Stickwan.

MS. STICKWAN: I support Proposal WP12-71
and 72 with OSM's modification to extend the winter
season only to February 28th, not March 31st and to
create a joint State/Federal registration for the fall
season only. A longer moose season in Unit 12 will allow Federally-qualified subsistence users an opportunity to harvest a moose. A joint State/Federal permit would give Federally-qualified subsistence users less cumbersome regulation to comply with by having to file for State and Federal permit at the same time.

Thank you.

CHAIRMAN TOWARAK: Thank you, Gloria. Any questions of Gloria on her statements.

(No comments)

CHAIRMAN TOWARAK: Thank you for your time. Any -- that's it, there are no further public comments. Do we have anybody on the telephone by any chance.

(No comments)

CHAIRMAN TOWARAK: Doesn't sound as it we do. We will move on then to the Regional Council recommendation.

MS. ENTSINGER: I see Southcentral first....

CHAIRMAN TOWARAK: Okay.

MS. ENTSINGER: .....I was going to let Ralph go.....

CHAIRMAN TOWARAK: Yeah.

MS. ENTSINGER: .....but you want me to go first?

CHAIRMAN TOWARAK: Yes.

MS. ENTSINGER: Okay. The Eastern Interior supports the proposal with a modification as suggested by OSM. But in addition they modify to require a single Federal registration permit rather than the joint State/Federal for the fall/winter seasons. And I would like to explain that. At our Eastern Interior meeting we had both the State and the Federal people there and if you pull out the map and look at Unit 12 and adjacent areas, it's on the road system and people would be going in and out of State and Federal land and it's
possible that somebody might be driving with just a green
or have the State/Federal permit and not have a green
harvest ticket so when they were on State land they
didn't think it would be valid. So -- and they -- I said
you guys go figure it out and we come back with this
recommendation. I can't tell you why they thought it
wasn't going to work, but we had to take their
information on it and that's what we went with. And so
their season dates were what you see in that book at 324
was -- would be the February 28th closure. That was the
other modification.

MR. LOHSE: Well, Southcentral always
defers to the region that hunting takes places in and
besides I need to refer to a lady anyhow so -- defer to
a lady anyhow so that's why I let her go first. But we
also support Proposal 71/72 with the modifications that
the OSM suggested.

CHAIRMAN TOWARAK: Okay. Are there any
questions of the Regional Council Chairs from the Board.
(No comments)

CHAIRMAN TOWARAK: Thank you for your
comments. We're going to back up a little here and it
appears that we have public members that are wanting to
make comments. While he's filling out his paperwork I
understand we have people on the line. Elizabeth from
the NANA Regional Corporation, are you online?
(No comments)

CHAIRMAN TOWARAK: Not hearing anything
from Elizabeth, is Jeromy Havenor online?

MR. HAVENOR: (Indiscernible - away from
microphone).....

CHAIRMAN TOWARAK: Go ahead.

MR. HAVENOR: (Indiscernible - away from
microphone).....

CHAIRMAN TOWARAK: Thank you.

ELIZABETH: Hello, can you hear me.

CHAIRMAN TOWARAK: Yes. Elizabeth, go
ahead.
ELIZABETH: (Indiscernible - away from microphone) appreciate it.

CHAIRMAN TOWARAK: Thank you, Elizabeth.

Would you introduce yourself and go ahead and proceed with your comments. You have a button, red button.

MR. HERBERT: My name is Percy Herbert from Fort Yukon area. What I'm concerned about is seem like everything is getting smaller around our area, our king salmon are getting smaller, our moose are getting smaller and I think there's just too much pressure, there's too much hunters in our area that's not from our area. And also we're getting too much pressure on the fish from the out of state fishermen, commercial fishermen. Like there's 1,000 fishermen from Seattle and I don't know how many from Oregon and California so there's just too much pressure that's going on the fish so we end up getting nothing. And last year in Valdez just because of commercial fishermen caught a lot of king salmon, they said there's lots and the person that was the boss in Valdez, Fish and Wildlife boss, I guess he gave them a double quota which I think is pretty wrong, I don't think the guy should have done that.

Thanks.

CHAIRMAN TOWARAK: Thank you. And for your information we are covering wildlife issues at this meeting and fishery issues will be coming up in our future meetings, I think in March. So if you can work with your Regional Advisory Council, if you have any proposals for this Board to consider, that would be the next step that you would take for any proposals that you might have.

MR. HERBERT: So do you want me to make a proposal now?

CHAIRMAN TOWARAK: No, that -- fishery proposals will be coming up in March.

MR. HERBERT: Okay.

CHAIRMAN TOWARAK: Today's proposals are wildlife related. In this case we're talking about moose in Unit 12 which is around the Tanacross area.
MR. HERBERT: Okay.

CHAIRMAN TOWARAK: Sir, and I'll have one of my Staff, they will help you with the meeting times and as well as give you the forms to submit a proposal. And they'll do that.

MR. HERBERT: Okay.

CHAIRMAN TOWARAK: Okay.

MR. HERBERT: Thanks.

CHAIRMAN TOWARAK: Thank you for your comments. We will then continue on with Department of Fish and Game comments.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas for the Alaska Department of Fish and Game.

The Department is opposed to Proposal 71 because it creates divergent Federal and State moose hunting seasons. And if the Board intends to move forward with this proposal above our opposition, we highly suggest that detailed maps be issued to the folks that have to go out in this area and find their way around.

Proposal 72, the State recommends retaining the current fall season dates to align the regulations and reduce user confusion. And as the Eastern Interior RAC Chair stated supports leaving the Federal permit in place. If the dates are divergent and the State does not have an opportunity, we would not like to be issuing a joint permit.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the Board -- from the Board to the State or the RACs.

(No comments)

CHAIRMAN TOWARAK: Thank you. The next analysis will be from the ISC Committee.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on
the proposal. The ISC notes that the Eastern Interior
Regional Council recommendation further modifies the
proposal to proceed using a Federal registration permit
only rather than await future Alaska Board of Game action
to potentially endorse a joint State/Federal permit. The
ISC agrees that if the Eastern Interior RAC
recommendation is supported subsistence users could use
on Federal registration permit for both the fall and
winter hunts rather than needing a joint State/Federal
permit for the fall hunt and a separate Federal
registration permit for the winter hunt.

Thank you.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, thank
you for your analysis. Board discussion with Council
Chairs and State liaison, the floor is open.

Go ahead, Sue.

MS. ENTSMINGER: I -- just on the note
that the State had mentioned about, there are places in
the State that a joint State/Federal registration works
well and one is in 20E. And a lot of that is really the
land status, you know, and the access. So I can see
where in this case it would be much better to have just
the Federal for -- and make it easier for the user and
I'm all for that.

CHAIRMAN TOWARAK: Thank you. Any other
discussion.

(No comments)

CHAIRMAN TOWARAK: If not, then the
floor's open for Board action on Proposal WP12-71 and 72.

Go ahead, Geoff.

MR. HASKETT: Yes, I'd like to move to
adopt Proposal 71 and 72 with the modifications
recommended by the Eastern Interior Regional Council.
And I'll provide my rationale if I get a second.

PARK SERVICE: Second.
CHAIRMAN TOWARAK: Hearing a motion and a second, go ahead with your rationale.

MR. HASKETT: Okay. So this was proposed out of the Tetlin Refuge and our folks, our biologists, believe that the moose population there can sustain some additional harvests as we talked about, that certainly there's no problem there. And as a result of the increased opportunities from these season changes we're not going to have -- cause any additional conservation concerns.

I guess I want to talk a little bit about the State's concerns and I would as much as possible whenever we can try and be -- coordinate with the State and have essentially the public dealing with the same set of regulations. This one's a little different in that this is a proposal for local subsistence, the State regs, of course, are for a larger group. I think sometimes you're going to have situations where if you want to go ahead and meet the subsistence needs you're just going to end up with -- where we have some differences. Again as much as possible I like to keep from doing that, but on this one I don't see much other choice. So since this will result in differing season dates between the State and Federal regulations I think it also makes sense for these hunts to be administered under a single Federal permit and my Refuge Staff is prepared to do that. So I intend to vote in favor of this motion when we call for the question.

CHAIRMAN TOWARAK: The question's been called for. All those in favor or -- go ahead, Mr. Cribley.

MR. CRIBLEY: No, I was going to call for the question.

CHAIRMAN TOWARAK: Okay. The question's been called for. Let's -- we'll have a roll call vote, please.

MR. PROBASCO: Thank you, Mr. Chair.

And we will start with Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Ms. Cooper.
MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: And, Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Motion carries, 6/0.

CHAIRMAN TOWARAK: Thank you.

Pete.

MR. PROBASCO: Mr. Chair, I have a request to take a short break before we get into 12-75 and 12-76. Apparently there's some additional materials. So we will take a break.

CHAIRMAN TOWARAK: Okay. We will take what, a 10 minute break.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'd like to reconvene if we could.

(Pause)

CHAIRMAN TOWARAK: I would call the meeting back to order. We were on Proposal 12-75 on Page 331. I'd like to ask for a Staff analysis, please.

MR. FOX: Yeah, thank you, Mr. Chair. Again this is Trevor Fox with OSM. As you mentioned the analysis for WP12-75 begins on Page 331 of your meeting book. The proposal was submitted by the Upper Tanana Fortymile Fish and Game Committee.
The proponent is requesting that the dates for the Federal fall moose season for Bureau of Land Management administered lands in Unit 20E drained by the middle fork of the Fortymile River upstream from and including the Joseph Creek drainage, be changed to August 20th through September 30th to match the season dates in a portion of Unit 20E within the Yukon-Charley Rivers National Preserve. The proponent states that the adoption of this proposal would benefit Federally-qualified subsistence users by providing an additional nine days to hunt moose in the affected area. It would also align season dates in the portions of Unit 20E off the road system on Federal lands. They're also asking for the end date of the season in Unit 20E remainder be extended to September 30th.

The population has remained at or above management objectives of 40 bulls per 100 cows, but varies across the unit. The most popular hunting areas have had lower bull numbers, but these still have remained about the management objective. Twinning rates have been moderate to indicate the nutritional status of the population is being met. And the mean harvest rate has averaged 144 moose per year between 1998 and 2008, ranging from '95 to 74 moose per year.

If the proposal were adopted the fall seasons in portions of Unit 20E would be aligned with Federal regulations in those portions of Unit 20E off the road system. Federally-qualified subsistence users would be provided that additional nine days of harvest opportunity in the portion affected of Unit 20E outside of the Preserve and in the Unit 20E remainder they'd be given an additional five days of opportunity. There would likely be an increase in the number of moose harvested due to extending the season into the rut when moose are more vulnerable to harvest.

The OSM conclusion is to support WP12-75. The fall season dates would become more uniform off the road system and it would provide additional opportunity and the moose population appears healthy enough to allow for a few more bulls to be harvested.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions of the Staff. (No comments)
CHAIRMAN TOWARAK: I'm not hearing any. Thank you for your report. We'll have a summary of the public comments from the Regional coordinator.

MS. HERNANDEZ: Mr. Chair, there is one written public comment in support of the proposal from the Upper Tanana Fortymile Advisory Committee. I'd like to thank Sue for bringing it to my attention that I didn't have this in front of me.

They're in support of lengthening the winter season and support the September 25th closing date.

CHAIRMAN TOWARAK: Thank you.

MR. PROBASCO: Mr. Chair, I have no one signed up for this proposal.

CHAIRMAN TOWARAK: I want to make sure that there's -- are no public comments, public testimony from those present.

(No comments)

CHAIRMAN TOWARAK: If not then we will get recommendations from the Regional Chairs. Sue.

MS. ENTSMINGER: Thank you, Mr. Chair. The Eastern Interior supported the proposal with modification to leave that Unit 20E remainder season dates unchanged. Council sees no conservation concerns and feels that the proposal provides consistency among multiple hunts. So on Page 337 they will -- propose to leave 20E remainder as it is with the September 25th closure. And I think the Advisory Committee, what you read in the record, did the same thing.

CHAIRMAN TOWARAK: What you're proposing then is to leave Unit 20E, middle fork of the Fortymile, to August 24 to September 25?

MS. ENTSMINGER: Yeah, 20E remainder.

CHAIRMAN TOWARAK: Any questions from the Board or Staff.

(No comments)

CHAIRMAN TOWARAK: Mr. Lohse.
MR. LOHSE: Southcentral supported this proposal even if it isn't -- out of our area. We feel there is no conservation concerns and it does -- it will benefit the residents of that region and so we supported this proposal.

CHAIRMAN TOWARAK: Thank you. Any further comments.

(No comments)

CHAIRMAN TOWARAK: Thank you, Sue. And we will -- Fish and Game.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas, Alaska Department of Fish and Game.

CHAIRMAN TOWARAK: The Department supports this proposal with the modification that you just heard from the Eastern Interior RAC Chair. The Department gave testimony at the Eastern Interior RAC meeting and the Advisory meeting which was not available at the Southcentral RAC meeting. We had a concern with that area that -- in 20E remainder because it is road accessible and you can find this on Page 339 in your book. We had a significant increase in application for permits from 20 to 30 a year to 200 last year. While not all hunters were successful and while there hasn't been an impact yet, we only want to leave that 20E remainder to September 25th because of this increased interest.

CHAIRMAN TOWARAK: Any questions of the State from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for your comments. InterAgency Staff Committee comments.

DR. JENKINS: Mr. Chair, the Interagency Staff Committee submitted their standard comments on the Staff analysis for this proposal.

CHAIRMAN TOWARAK: Thank you. The floor is open for discussions with the Chairs and State liaison.

(No comments)

CHAIRMAN TOWARAK: Not seeing any, we are
ready then for Board action.

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead, Mr. Cribley.

MR. CRIBLEY: I guess I'd like to make a proposal to support the -- well, to support the proposal as modified by the Eastern Interior Council recommendation.

CHAIRMAN TOWARAK: Hear the motion, is there a second.

MR. VIRDEN: Second.

MS. PENDLETON: Second.

CHAIRMAN TOWARAK: Seconded by Gene, Mr. Virden. Discussion.

(No comments)

CHAIRMAN TOWARAK: To me it's just a matter of changing dates and coordinating dates and I think it makes it more efficient.

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Yes.

MR. CRIBLEY: I guess I'd call for a question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair.

Final action on WP 12-75 as modified by the Eastern Interior Subsistence Regional Advisory Council.

Ms. Cooper.

MS. COOPER: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.
CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: And, Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Motion carries, 6/0.

CHAIRMAN TOWARAK: Thank you. We will continue on then with WP12-76. Staff analysis, please.

Mr. McKee: Thank you. This is -- again this is Chris McKee with the OSM. Mr. Chair, members of the Federal Subsistence Board and Regional Council Chairs, the analysis for WP12-76 begins on Page 340 of your meeting materials booklet.

It was submitted by the Eastern Interior Alaska Subsistence Regional Advisory Council and requests that the Red Sheep and Cane Creek opening to Federally-qualified users within the Arctic Village Sheep Management Area, the AVSMA, be closed. The proponent states that the Red Sheep and Cane Creek drainages are important subsistence and cultural areas for residents of Arctic Village and that the influx of non-Federally-qualified hunters and other users into these drainages has interfered with the traditional uses and practices of local residents.

The establishment of the AVSMA and the opening and closing of the Red Sheep and Cane Creek drainages to non-Federally-qualified users have been before the Federal Subsistence Board some nine times since 1991. In July of 2006 the U.S. Fish and Wildlife Service submitted Special Action WSA06-03 which requested that the closure to non-Federally-qualified users for harvesting sheep in these two drainages be lifted during the August 10th through September 20th portion of the season. This request followed a commitment by the Board to address the closure to all but Federally-qualified users in the area following completion of a sheep population survey. Results of this survey found that the
sheep population in these drainages was healthy so the Board adopted the special action effective for the 2006 season. Subsequent to Special Action 06-03, the Alaska Department of Fish and Game submitted Proposal WP-07-56 which requested lifting the Federal closure within the Red Sheep and Cane Creek drainages. The Board adopted this proposal in May, 2007 because sheep populations in these drainages were determined to be healthy.

As mentioned surveys were conducted in these areas in 2006, 2007 and 2008. Densities of sheep varied from 1.7 sheep per square mile in 2006 to 0.8 sheep per square mile in 2007. In 2008 during a sheep population composition survey 130 sheep in 20 groups were observed with a ratio of 59 lambs to 100 ewes suggesting good productivity. There are significant differences in sheep abundance and distribution within the AVSMA, specifically the region north of Cane Creek has supported a sheep density approximately eight times greater than the region between Crow Nest and Cane Creeks. This probably related to differences in geology and vegetation, shell formations that occur more commonly north of Cane Creek support more vegetation and therefore this area supports more sheep.

The data on reported use of the AVSMA by Federally-qualified users is sparse and just how many sheep are harvested by Federally-qualified users in the area is not known. Compliance with the harvest permit system is generally low for residents of Arctic Village, a not uncommon phenomenon for parts of rural Alaska. A total of six Federal permits to harvest sheep in the AVSMA were issued between 1991 and 2004, none were returned. And between 2005 and 2007, 27 Federal registration permits were issued for the area, four sheep were reported harvested and 23 harvest reports were not returned. No permits were issued in 2008 and 2009 and four permits were issued in 2010 and of these one sheep was reported harvested.

Before I go on to the OSM's conclusion to this proposal I'm going to hand over some discussion about the cultural issues over to Dr. David Jenkins.

DR. JENKINS: Mr. Chair, David Jenkins with OSM. In your blue folders you have maps of this area, the sheep management area, so if you wanted to refer to those that would be helpful as I speak. I'm going to talk a little about some of the cultural considerations in the analysis.
Of the five communities with recognized customary and traditional use of Dall Sheep in Unit 25A
the residents of Arctic Village have the strongest ties to the Red Sheep and Cane Creek drainages. Sheep hunting
is a longstanding tradition for Arctic Village residents, most of whom are Gwitch'in Athabascan. Sheep are a
prestigious subsistence resource and providing sheep meat to the community is highly respected. Sheep are also
known to be an important -- what in anthropology we call a hunger food, that is a source -- a food source that is
critical when in this instance caribou are unavailable. And the public record supports the fact that Arctic
Village residents have a long history of using Red Sheep and Cane Creek drainages and that it continues to be a
culturally significant area and there's public testimony and previous analyses which attest to the significance
and the continued use of Red Sheep Creek area for sheep hunting. Because of the importance to this area
residents of Arctic Village have repeatedly argued that it should remain closed to non-Federally qualified users.
And in the Eastern Regional Advisory Council meeting in October there were 14 people who testified in behalf of
this -- about this proposal, six of them called in by phone and eight testified in person. And the testimony
was in support of this proposal, that is of the closure. And a summary of those comments can be found starting on
Page 349 through 350 of your Board books if you'd like to refer to a summary of those comments.

And I understand we have a number of Arctic Villagers here who will testify later on, but -- so that's -- I'll end those comments there and hand back to Chris.

MR. McKEE: Thank you. Chris McKee again. The OSM conclusion is to oppose this proposal. Reinstating the Federal closure in Red Sheep and Cane Creek is not supported by the available biological data, although sheep populations in the area are lower than in other areas of Alaska the most recent data we have available does indicate good production. In addition information on sheep harvest by Federally-qualified users is lacking for the two drainages and there's been very little reported hunting by local users since 1991. Finally Federally-qualified users have a much larger segment of the population available for harvest than do non-Federally-qualified users and the opportunity to harvest under Federal regulations extends until April 30th, providing these users with more than seven months of harvest opportunity beyond the State's fall hunting
That's the end of my analysis.

Thank you.

CHAIRMAN TOWARAK: Thank you. Are there questions of the Staff.

Sue.

MS. ENTSINGER: Thank you, Mr. Chair. I just wanted to mention that I took the time to go through the record and, David, I'm not picking on you honestly, but I think there was 18 people that testified at our meeting and I believe it was like, I don't know, eight and something like that. There was more people testified from online than that were present, something like half and half or just a little over.

CHAIRMAN TOWARAK: Further questions.

(No comments)

CHAIRMAN TOWARAK: If there aren't any then we will continue with the summary of public comments from the Regional Council coordinator.

MS. HERNANDEZ: Mr. Chair, there was one written public comment submitted in support of the proposal from the Yukon Flats Fish and Game Advisory Committee.

CHAIRMAN TOWARAK: Thank you. We'll open the floor to public comments or anyone online that would like to testify.

MR. PROBASCO: Our first person that has signed up is Mr. Bob Childers. Mr. Bob Childers.

MR. CHILDERS: Thank you, Mr. Chairman. My name is Bob Childers and I am the Executive Director of the Gwitch'in Steering Committee. This issue's been going on for a long time as has been mentioned. I've been asked first to read a resolution, I didn't hear it described, that was passed January 9th by the Native Village of Venetie Tribal Government.

Whereas the Native Village of Venetie Tribal Government IRA is the Federally recognized tribe

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Whereas the Native Village of Venetie Tribal Government IRA is the Federally recognized tribe
representing the Villages of Venetie and Arctic Village, Alaska; and whereas Red Sheep Creek and Cane Creek is the most important traditional sheep hunting of the (in Native); and whereas the remaining areas of the Arctic Village Sheep Management Area are less time -- eight times less productive sheep habitat than Red Sheep and Cane Creek areas making successful sheep hunts now especially difficult; and whereas this Board reopened the Red Sheep Creek and Cane Creek to sports hunting in recent years; and whereas sports hunters and the aircraft traffic this hunting area attracts has interfered with subsistence hunting of several species by the Gwitch'in in that area and driven sheep beyond the reach of subsistence hunters; and whereas ANILCA clearly anticipates closure of sport hunting where that would serve to continue subsistence uses; and whereas Red Creek and Cane Creek is one of the clearest situations anywhere in Alaska where sports hunting and associated airplane traffic has had a continuing and destructive affect on subsistence hunting and has been the subject of repeated testimony before this Board at great cost and inconvenience to our people; now therefore be it resolved that the Federal Subsistence Board should reinstate the sports hunting closure for sheep in the Red Sheep Creek and Cane Creek drainages and be it further resolved that the Board institute a community harvest program for the Arctic Village Sheep Management Area as they have done for Anaktuvuk Pass. And it was signed by Julian Roberts, the tribal chief.

And I don't know if you have this or whether I should leave a copy, but I'll be happy to do so.

The -- as the resolution states, ANILCA clearly anticipates closures when they serve to continue subsistence uses and residents have testified how hunting and especially aircraft have effectively limited their use of that area.

If you're familiar with the geography it's a problem of both geography, I guess, and human nature. The geography part of it is simply that, and it's been mentioned a couple times here, that the -- these are the first two drainages where the density of sheep is really very significant. Beyond that, south of that, they fall off quite a lot and north of there the populations pick up a little bit in terms of density. As a consequence, I assume, I'm reading into this now, but hunters coming up there from anecdotal reports and it
would make sense, this is the first area you begin to see sheep and all or many of the hunters going up in the various places in the Arctic Refuge, either the Kongakut or on the north side of the Hula-Hula, all fly through that area and they tend to drop down and take a look, it's the closest open hunting area and it's a lot cheaper to hunt there if you see something than going further north. Regardless there has been quite a lot of air traffic in the area and it's become an very important issue to the people in Arctic Village.

The area's also incredibly important not just for sheep hunting, but for all sorts of other cultural and family reasons. Several people in Arctic Village were raised up in Red Sheep Creek, there's allotments up there. It's become more difficult to go up there in recent years both because of the cost of aircraft and the time it takes to get up there and sheep hunting's typically done in the fall when there's school starting up and so forth. So the people who are available to go sheep hunting at any particular time is often not predictable at least when I've been up there and I've been on a couple different sheep hunts, subsistence hunts, with people there. Typically people don't know who's going or if they're going until a few hours before they leave.

As has been mentioned the permit system that currently exists has not been effective in keeping track of population. I -- the implication in the report you have could even be that there hasn't been much sheep hunting up there, but that's clearly not the case. I know of several folks -- I haven't been up there a lot the last five or six years until this last summer, but I know there was several people who went out this year, I don't know how successful they were. In previous hunts though we've typically brought back between two or three and five sheep. And I'm sure sometimes it's more than that. The other thing is as well, there's a strong preference for adults rams, the meat tastes stronger and just people prefer it. For elders sometimes they'll want a ewe or a younger animal that'll have -- just be easier to eat frankly. And I believe the last reference they had to the community harvest quota over time, I think, might get us to a point where we could see some reliable reporting, but right now both the requirement to get a permit ahead of time which is viewed very suspiciously as I'm sure you appreciate and the restriction on rams only really don't perfectly match the practices that have been in place there long before any of us were around.
I have one other comment I'd like to make and that is that there's a -- this Board, I believe, several years ago passed a closure policy that would make any closures like this relatively temporary and have to be revisited every three years. And while I guess we're willing to come down however often we need to, it's -- from Arctic Village it's a very big expense and effort to meet. You know, that looks pretty onerous going forward to have to go through this every three years.

So I'd encourage, I think, a close reading of the Staff report, actually suggests that closing this to sports hunting, to making this a subsistence only hunting area is well supported in that report and I hope the Board will see fit to support this proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. Are there any questions of Mr. Childers.

Go ahead.

MR. VIRDEN: I had a question, you said you went hunting up there or you went along subsistence hunting in that area?

MR. CHILDER: Pardon. Couple times,

yes, sir.

MR. VIRDEN: Did you fly or did you go by boat?

MR. CHILDER: We -- both times I went we -- I flew in, not everyone did, but I flew in. And the one time I brought a raft in and we floated the meat and everything out.

MR. VIRDEN: Is it -- would you say that the local subsistence hunters generally fly or would they take a boat up there?

MR. CHILDER: You can only boat to within about -- a little south of Cane Creek, I know this last year everyone went by boat, but in some years there's been -- some of the pilots in the area are friendly and sometimes take people in, you know, if they've got an empty load they'll take folks up to Red Sheep Creek or Cane Creek and drop them off. So it's
done either way, but in my own case I flew in both times.
And like I said this summer I know everyone that I heard
of that went hunting went by boat. So it varies. Most
people can't fly, you know, unless there's some other
reason for an airplane to go there where they can get up
there in the plane it's really pretty prohibitive.

MR. VIRDEN: Could you estimate how -- I
mean, the air traffic is up because of the sports hunters
in there, is it up.....

MR. CHILDERS: People -- I haven't been
on the ground up there very much in the last eight or
nine years so I can only report secondhand, but people's
impression is that it's up. There are some people who
have been there more recently who'll be testifying, I
think they'll be in a better position to.

MR. VIRDEN: Thank you.

MR. CHILDERS: The only other thing I'd
like to add to my testimony if I may is that the
gentleman who is summarizing the OSM report, mentioned
that the populations and the population data showed that
the population was healthy and that there was good
recruitment, but it also shows the overall population
hasn't really gone up in the period between when the area
was closed and when it was reopened, it's not, you know,
like it recovered or anything like that, that's really
become a conflict of uses, I think, and not really
biology.

CHAIRMAN TOWARAK: Thank you. Go ahead.

MR. HASKETT: So just maybe expand on
that to help me a little bit. I was at the RAC meeting
where this was covered and I heard a lot of testimony, it
was very moving testimony and it was kind of two major
areas I heard and one is very serious cultural concerns,
but also just kind of what you referred to just now is
the concerns about just the -- I mean, not the biological
part as much as -- well, I don't want to put it that way,
the concern that all the use up there was actually
keeping people from being able to successfully do their
subsistence harvest. So I just want to make sure I
understood that correctly, it seemed like they were both
kind of equal to me, what I was hearing from people.

MR. CHILDERS: Uh-huh. If I understood
your question correctly, when we first started addressing
this issue some years ago I went around and interviewed
everyone I could find in Arctic Village that happened to
be there that weekend who hunted up in Red Sheep Creek
and Cane Creek area and asked them just that question,
you know, just what -- what's the edge of the difficulty
here. And there was a lot of -- there was a lot of
things, but people felt they -- I don't know how to put
it, they didn't feel comfortable being there anymore.
There was folks in -- there was an airplane camp right
there at Red Sheep Creek, there's hunters in there, they
just felt really uncomfortable, not that there'd been --
there'd been a couple incidents, but nothing that was
very serious, but they just felt like it wasn't that big
a place, that they couldn't go there. They talked about
-- one of the things that was repeated again and again in
those interviews was something like, you know, we don't
know who those people are, we don't know who their
parents were, we don't know where they came from and we
don't know what they're going to do. And people -- you
know, there was a couple incidents where people may have
felt threatened, those incidents get passed around. When
we started doing that -- those interviews people hadn't
-- several of the people I talked with hadn't hunted in
Red Sheep Creek in several years. And when I asked them
why it was always the same reason, they just didn't feel
like there was enough room for them there anymore.
There's also a number of cultural sites in the valley,
only some of them have been shared with me, most of them
apparently are not shared with non-Gwitch'in at all, but
there was also an expression of concerns about, you know,
people disturbing areas that were really important to
them without being too specific if I may.

The other kinds of conflicts that are
more kind of biologically responses really had to do with
activity and planes, it's hard to say which contributes
more, we suspect planes, but essentially keeping the
animals higher up in the mountains. Most of the folks I
hunted with at least at that time were still, you know,
went out in tennis shoes and just didn't go up into the
-- as high a place and as rugged an area as some of the
sports hunters would. And there was -- they just
couldn't play on the same ground if you will. And when
we went up there we were lectured about the importance of
moving carefully in the mountains and not being hurt and
they mentioned that Cane Creek was named or at least at
that time people thought of it as an area because of its
steepness that you should always carry a walking stick,
a cane, when you're walking just for safety. And so --
but anyway they instructed us not to go into the high
areas that sports hunters may well go because they didn't feel like that's the, you know, proper way to move in the mountains and the proper way to be.

The thing with airplanes -- another thing that seems to happen with airplanes and it may just be weather related, but there was a lot of comments in past testimony about planes coming down and flying in that area really very low and making it hard if you're hunting for moose or even other animals even at the main fork or the east fork of Chandalar rather than actually being in the smaller side valleys.

And I hope that was responsive to your question, Mr. Haskett, I kind of meandered around there a bit.

MR. HASKETT: No, that was helpful. Thank you.

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. LOHSE: Could I ask a couple questions. You know, they -- we're talking about the population of the sheep, you know, adequate lamb production and everything else, but would you -- from what you've heard has the age of the sheep gone down, I mean, are there -- within the increase in hunting and everything are there less adult rams or should we say full curl rams, seven-eighths rams, something like that?

MR. CHILDERS: I don't know.

MR. LOHSE: You don't know.

MR. CHILDERS: I know that this year they saw -- one of the parties saw four or five nice rams altogether and took one of them, but it was so far back they -- they had about a 12 or 14 mile walk so they only took one. But I don't know for.....

MR. LOHSE: And I'd just make a comment on your -- what you were saying about the uncomfortableness. I know from being around I'll say long term residents of Cordova who are used to hunting, if there's somebody else's boat there or somebody else is in the valley, they don't go hunting there, you know, you don't -- the average subsistence user is not into combat
hunting or combat fishing, if there's somebody else there
you go someplace else and if there's no place else to go
you go home. And I could understand that very fully for
-- from a village standpoint out there, this is a place
that you've been used to going and there's somebody else
going, you don't go hunt on top of them, you.....

MR. CHILDERS: Uh-huh.

MR. LOHSE: .....you know, you wait until
there's nobody else there. And that would be very
understandable to me.

CHAIRMAN TOWARAK: Thank you. Are there
any other questions.

(No comments)

CHAIRMAN TOWARAK: Thank you for your
testimony, Mr. Childers.

MR. CHILDERS: Thank you, Mr. Chairman.

MR. PROBASCO: Next, Mr. Chair, we have
Mr. Gideon James. Mr. Gideon James.

MR. JAMES: Thank you. My name is
Gideon James, I'm from Arctic Village. I lived in
Arctic Village most of my life. I have many years of
experience in working with the tribe in Native Village of
Venetie, something like 30 years. And I'm also today --
next month I'll be 73 years old.

I want to bring the exposure to you
people that are here that -- to talk about sheep
management, but what I wanted to focus on is true, for
you to understand the community of Arctic Village and
what do they do and also the history and also the
activity of the -- related to the lifestyle up there, the
trad -- the way we live. And also other important issue
that address in this transcript that they hold a hearing
in Fairbanks and each of you need to review these things
on trespassing on allotments. And so the allotment's
owner came forward and testify. So that's a other issue
that I wanted to address.

And other thing is that we live in Arctic
Village, it's pretty closeup to Brooks Range and the cost
of living is one of the things that I wanted to hear --
I wanted you to hear. Arctic Village is located like I
said up on Brooks Range on the east -- east fork of the Chandalar River, it kind of extend over to the east and then go directly north. That's where Arctic Village is located, pretty close to the Brooks Range. It's -- we have a school, we just built a new school not too long ago because we have -- we have up to 50 to almost 70 students at one time. So we are lucky to get new school. And it's -- Arctic Village is really a peaceful environment, peaceful place to live, you know, our kids treasure the land that we have. And our elders sort of encourage them in carry out the activity that our forefather did in the past, you know. And like me in my boyhood days, you know, my grandfather took me a lot of places, you know, Native people all over are like that. So Arctic Village is another one of the villages that really treasure their history, their setting and they respect that. Like I said our kids behave themself, our kids very seldom they get into trouble. And what I'm saying is that I think understanding the land value has large things to do with it because they do -- we do have really good behaved kids. And Arctic Village have a store, have a Native store that have basic necessity that we -- that we buy.

Going into the issue of Red Sheep Creek is -- Cane Creek when you look at the map -- when you look at the map and look and see how the valley is situated, it's very narrow, it's narrow on the east fork and when the -- when the east fork and Cane Creek comes out it's less than a mile across someplaces. And the people that are -- that goes there actually they got trails (ph) for trespass on those allotment, you know, they have no other way. So I know for a fact that I spent a lot of my time out in the woods in my younger days and my adult life and every time you walk on the ground two or three times over you develop a trail. That's what hap -- that's what's happening up there. And you need to understand that. You need to understand what the traffic that we're talking about, it's not -- it's not that we are greedy people, we have -- like I said we are -- we live in peace and we don't allow several things in our village like alcohol and drug, but, you know, like I said we are a really peaceful people, we take care of our household, we -- they raise their family in a real healthy environment. So I'm really fortunate to be able to live my life in that area because it is a really good place to live.

Cane Creek and Red Sheep Creek is a historical place for my people. Like I said in my
boyhood days my grandfather actually didn't take me over
there, but they have success on the ground -- on the land
further down, that's where I spent my really early
boyhood days and I -- we still go there. Our younger
people -- we take our younger people there and explain to
them that this has been carried on for generations,
generations. And Cane Creek and Red Sheep Creek is one
of our historical places that our people have traveled
to, you know, they don't actually go there every year
but, you know, they know that the sheep is there to --
for them when they need it. And the testimony that --
that happened in the transcript that sheep meat is
delicacy to Gwitch'in people, it's -- there's several
species that are like that to Gwitch'in people, they're
sort of like a medicine, you know, for elders, especially
elders, it's just like a medicine to them. It -- some
like their spirit lift up when they, you know, we know,
you know. I mean, most of our Native in Alaska are like
that, you know, every time they get their special food,
their spirit lift up especially the older people. You
got -- you have to understand, you know, they live in a
age where technology is upon us, but, you know, but it
also sometime hurt our health and usually it happens to
our younger people. So I encourage you to think
seriously about, you know, the way these people live and
depend on.

So we're talking about traffic that are
disturbing the subsistence way of life, that's true.
That's true. When you look at the map and the -- one of
the allotments has a airport on it and I don't know how
many years they had the airport on it. And noticing too
that these allotment owners they came forward and in this
transcript and testify that those are their land, those
are the land that they were given to by their ancestor,
you know. We're not asking much, we're just -- we like
to keep our family in the peaceful manner and be able to
provide them with good food from the land and continue to
do that. But when these aircraft, when they go up there,
they don't actually only fly to Red Sheep Creek, they
don't do that, they fly somewhere else and our hunters
spot them, it's about three -- five or six miles out of
-- out of the course and those things happen. Those
things happen and it happened to me a couple times. I
was up on the mountain one day early in the morning to
pick up that meat, pick up -- I shot a caribou so I went
up there with a four-wheeler to pick it up and here comes
a Supercub, you know, a Supercub. Soon as he saw me he
just make a circle and took off, that's what they do.
They land on a -- they land on the river, on the lakes
with -- with the floats and they land on the mountain,
you know, they got big wheels, they can -- they can land
just about anywhere. We're talking about traffic that's
out of control, you know. And the valley that I'm
talking to you about, the valley that we go hunting, is
very narrow, it's only like at the most about three miles
across. But Red Sheep Creek is really narrow, Cane Creek
is really narrow. They have to come down in the valley
to approach their airport. And they do disturb the
animals, they do. And I'm telling you that I would --
no, we go hunting part of the way up, you know, it's
shallow water and to -- you know, for that it's too
shallow. And back in '97 -- '97 I shot two moose, you
know, there's more. You know, there's more walking
around, but we only need two, you know, and I had some
little -- teenager boys with me. So we turned around and
went home with the two moose. That was in '97. And then
back in 2003 we went up there further and we noticed
that, you know, there's more -- there are animals up
there. But after that, after that reopen the place
everything went down, you know. People notice that, you
notice, when they send tracks they know how old it is,
they see tracks they know how old it is. And there's
none. Just like elders that testified from Mountain
Village, he is right, it's happening all over. The one
from Fort Yukon, it's happening all over. It's happening
all over. In the State of Alaska we have the resource
that we don't take care of, we don't manage, we need to
start doing that. I'm sorry, but we need to be
responsible and we live in Alaska, we have family in
Alaska and our kids go to school in Alaska and
everything, you know, that's where we should approach it.

So cost of living -- cost of living
again, I'm going to tell you that it costs lots, it costs
-- everything is flown in into Arctic Village, we don't
have no barge service. The gallon of gas costs $10 for
about three, four years now. And it's not only in Arctic
Village, there are some places in Alaska it's like that
too. So like quart of oil, quart of oil will cost you
$10 in Arctic Village. So that means every time you go
out and make a plan to go hunt and you don't get nothing,
you don't get anything then it sets you back. That
budget that you have is all, it's -- you're going to have
to modify it somehow. So lot of things, lot of family is
-- their budget is mostly going towards the energy costs.

So what I mean is that if -- if we
continue to this type of activity going on, you know,
there's -- I mention school, I mentioned the store and I mentioned, you know, in the setting. Lot of things will not be the same anymore and tell you the truth, there's some community in Alaska that in that situation. We have wheelchair (ph) people out there, you know, not everybody hunts, some people they get interested in the working, some people get interested in the raising of family and some people get interested in hunting. So in Arctic Village we have about two or four good hunters, they're very good hunters, that's what we have. So we share and we share with other village, we share with Fort Yukon, we share with Venetie and things like that we do. And I'm telling you that we're not greedy people. And another thing I wanted to mention is that even hunter like in Fairbanks or somebody that lives in Fairbanks has opportunity to hunt and what they do is that they always say they fill up the freezer, you know, and that's good. Their budget will be really -- will be secured, you know, but out in the village is different story.

CHAIRMAN TOWARAK: Are you close to wrapping up?

MR. JAMES: Am I talking too long?

CHAIRMAN TOWARAK: We'll listen to what you have to say but we also have other business to take care of.

MR. JAMES: Okay. I just come to you to say that, you know, how important my community is, that's -- so I conclude with that. Thank you very much.

CHAIRMAN TOWARAK: Thank you very much, Mr. James, for your -- the information that you gave to us. Are there any questions for Mr. James.

(No comments)

CHAIRMAN TOWARAK: Thank you very much for your testimony.

MR. JAMES: Thank you again.

MR. PROBASCO: Mr. Chairman, we have two more individuals that would like to testify. The next is Mr. Percy Herbert. Mr. Percy Herbert.

MR. HERBERT: We're talking about sheep not, right. Well, there used to be sheep in between Fort
Yukon and Fairbanks on the mountains when I was a kid and now when I travel back and forth with a plane between Fairbanks and Fort Yukon I don't see sheep there no more, they wiped them out. They used planes to do that. So I'm against people hunting with planes. And nowadays they got planes that they got these big balloon tires where they could land anywhere. So them animals don't have no chance against these hunters anymore. It's not even a sport when you land by a sheep and it's just right there. So they got no chance no more. So I'm against hunting with planes.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Herbert. Any questions.

(No comments)

CHAIRMAN TOWARAK: Go ahead.

MR. PROBASCO: Thank you, Mr. Chair. Our last person to testify on Proposal 76 is Mr. Aaron Tritt.

Mr. Aaron Tritt.

MR. TRITT: Thank you. Good morning, Mr. Chairman and your fellow Federal and State panels and ladies and gentlemen. My name is Aaron Tritt, I was the -- born in Arctic Village, I grew up in the '60s, 1960s. At that time we were dependent on traditional hunting -- Native hunting and fishing values even in those days. And that wasn't very long ago.

My Gwitch'in founding fathers has been living off that land with respect since Adam and Eve, since the beginning. I think the Alaska Native people are the chosen people to be a keeper of the land. And I think you should consider them to manage their traditional hunting and fishing and their respected areas. So I -- therefore I submit my recommendation and I agree to shut down the sheep management area north of Arctic Village known as Red Sheep and Cane Creek area.

I'm trying to summarize some of the things that are said here and some of it doesn't relate to sheep hunting. For instance my vision for the twenty-second century is that the Alaskan rural villages to be even stronger and more powerful in their effort to secure Alaska Native hunting and fishing policies to enforce our traditional fishing and hunting regulations. Those I
believe will ultimately benefit everybody including the sheep hunting areas. I believe that we as a people today sitting here facing each other that we're at a crossroad and that there's definitely no room right now in this State or even across this country for discrimination or to be divided on issues that will affect us and our next Native generation. To create some kind of alliance between the Federal, the State and the Native people of Alaska, to prevent us from going backwards, you know, 50 years backwards, but to go forward as civilized Americans and to be reasonable and to be honest about our effort, you know, as Americans, not only Natives and non-Natives, but Americans.

I believe or I guess I know that the land claim is unsettled, there are some sections that needs to be talked about and finalized and bring before congress. There are traditional laws, State and Federal laws, that are complicated, complex and we haven't even started yet. The -- I believe the Federal, State and Alaska Native should speak with one voice, as one people to make sure that the Alaska Natives are in control of managing their own land and regulations.

And the last thing that I think is really stressful up in our area, the (in Native) area, is airplane traffic in the summertime, even in -- sometimes in the winter, I guess, and sport hunting and wolves and climate change, all that puts a lot of pressure on animals, especially the sheep, it's surrounded, it has nowhere to go. There's competition over the sheep through traditional and, I believe the traditional usage is important. And like Giddeon said that there's planes flying all over the place, not only in Red Sheep area and including on the allotments. So I can only stress the Committee here that we need to take control of the wildlife management and prevent over harvest in everything we do, take control of air space to ensure healthy populations for the next -- population of animals for the next generation of Alaska Natives.

With that I'll be happy to answer any questions.

Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Tritt. Are there any questions of Mr. Tritt.

Go ahead.
MR. REAKOFF: Well, Mr. Chairman, Mr. Tritt. You've hunted up there at Red Sheep and Cane Creek and I'm wondering is there mineral licks there or why are there so many sheep right around there, is it just better country, is that where people go where sheep are concentrated because of minerals or why is that?

MR. TRITT: It's -- throughout Gwitch'in history that there's been enormous respect for animals and their respected areas and respect for their population. And there's also -- they go down to the Red Sheep Creek area and there's some salt with minerals that they enjoy down there. And that's where the wolves and all the other animals that come and that puts pressure on them also. And it's safe to say that the Gwitch'in people that's related their effort to minimize and stabilize the population of the sheep in that area.

CHAIRMAN TOWARAK: Thank you.

MR. TRITT: Thank you.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you, Mr. Tritt. Do we have anyone online.

OPERATOR: No one online.

CHAIRMAN TOWARAK: That concludes the public testimony. We will move to the Regional Council's recommendation.

Sue and....

MS. ENTSMINGER: Yeah, thank you, Mr. Chair. This is a -- there was a lot of people at our meeting that testified and on teleconference. We gained a lot of information. This was brought forth by our Council. I will say we -- this -- we were in Arctic Village in 2006 when it was considered to be open and we heard a lot of testimony then, you see a lot of the same faces here. The Council supported the proposal, the Council sees -- we have the standard word here, sees no conservation concerns, but I guess we did, finds that the proposal enhances the ability of the residents of Arctic Village to pursue subsistence opportunities and may reduce incidents of trespass and resource damage. The
Council appreciated the extensive information provided during our public testimony and recognized the powerful connections between residents of Arctic Village and the subject area as one that is deeply culture rooted. The Council was compelled by extensive and detailed public testimony.

And I wanted to add a few things. In looking back on the transcripts several people talked about low flying aircraft disturbing the animals and then there was concern about data. CATG works surveys and tries to work with the Fish and Game in conjunction with the surveys. It was stated that maybe the data that is provided is inaccurate for the amount of people that may have hunted there that's not reported. There was some discussion about the people being a paperless society, that maybe they're not even getting hunting licenses so it's not reported. And we did have some testimony from Sara Jane, she gave a great history which is in our packet here about sheep and their -- the different -- their respect for the animal and she said something about there's a red rock there, that's how they got the name of Red Sheep. It was very interesting information.

I'm seeing if I forgot anything. I think I covered it.

Thank you.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the Chair.

(No comments)

CHAIRMAN TOWARAK: Thank you, Sue.

Rosemary.

MS. AHTUANGARUAK: The North Slope Regional Advisory Council supports the closure to non-Federally-qualified users. The amount of time travel by rural residents is a concern due to the distance required to travel and the cost of fuel. Subsistence users are concerned that non-Federally-qualified users are interfering with subsistence uses, particularly the people of Arctic Village. We had some good testimony yesterday related to this from people on the North Slope. I provided testimony myself related to this. I noted on the sheep that my uncle had caught the red on the fur from their consuming the licks and I asked those
questions and then he shared me that information of that area and how they go into that area. Some of the information that's brought into the packet shows their importance of the medicinal usage and how it helps our elders. For me I'd like others that are looking at this thing, if you were to go to the store and you had to have a plane landing on the side of your vehicle before you walked into the store, would that impact you. If you had to go out and try to think about trying to go to the store and you had a plane between you and the store and you had to bring all the food back to your village how does that feel to you in your thoughts of assessments. In Nuiqsut we commented tremendously about how some of these activities were impacting our traditional and culture usage of areas and our ability to harvest. When you have increased flight activities, in Nuiqsut it was over 1,900 flights, it changes the way the animals use the area. And just as people testified how planes can affect the animals in that area, it affects us.

But it's a greater issue that's in there beyond just the biological numbers of these animals. The importance for our traditional and cultural use is the medicinal values of support for the elders and there are important foods that give them the vitality of nourishments that's important for them to remain healthy and to get that extra boost in the wintertime is really important. And these kinds of things cannot be expressed strongly enough in words when you're carrying these burdens in our efforts to feed our families and in our villages. So we hope that the consideration looks at the impacts to the people that are trying to continue activities as their elders have taught them through the generations, to continue a lifestyle that's important with a variety of resources that are needed to keep our families healthy and the foods that we need to continue to consume, that we look at the issues that are before us and how it is more than just a number issue, it's the reality of our actual ability to harvest and feed our families.

CHAIRMAN TOWARAK: Thank you. Are there any questions of Rosemary.

(No comments)

CHAIRMAN TOWARAK: I've got a question not necessarily for Rosemary, but maybe they might want -- both her and Sue might want to comment on. I don't recall us looking at the other alternatives considered.
Would the Staff please comment on that section.

MR. McKEE: Would you like me to describe those alternatives or....

CHAIRMAN TOWARAK: Yes.

MR. McKEE: Okay. We looked at three alternatives to the closure to non-Federally-qualified users, a 10 day season extension for Federally-qualified subsistence users, removing the ram restriction to allow for the harvest of any sheep by Federally-qualified subsistence users and establishing a community harvest system.

The -- one alternative to closure, the season opening, would be to move the season opening from August 10th to July 31st. Arctic Village residents have stated that the influx of non-Federally-qualified users is displacing sheep to higher elevations, making it more difficult to get at the animals for harvest however the timing of the season extension may not be preferred by Arctic Village residents as they generally harvest sheep in the early fall or early winter. Concerns have also been raised by Arctic Village residents in the past that opening the season too early makes it too hot to care for sheep meat adequately. The removal of the ram restriction for Federally-qualified subsistence users would increase harvest opportunity by providing a less selective harvest. Federal regulation currently allows for the harvest of two rams within the Unit 25A Arctic Village Sheep Management Area, there's a lack of population and harvest information for sheep in the drainages in question which affects the ability of managers to monitor the impacts of harvesting ewes. In 2008 as I mentioned earlier the population showed good productivity with a ratio of 59 rams to 100 ewes. However this is -- we're going on three year old data now, it would not be advisable to liberalize a harvest that includes the harvest of ewes which have a reproductive value than rams. In addition Federally-qualified subsistence users have more harvest opportunity than non-Federally-qualified users while State regulations have a harvest limit of one ram with a full curl horn or larger.

The establishment of a community harvest system was the third alternative we looked at. It would allow Federally-qualified users to harvest sheep in a manner more consistent with customary and traditional
practices of village residents. Members of the community with a community harvest system do not have individual harvest limits. All harvest, both State and Federal, are combined for the community. A community harvest system can create a more efficient and less costly hunt as multiple sheep could be harvested in one trip. A community harvest might also help to address low compliance with harvest reporting as typically a hunt administrator will be responsible for ensuring that all harvests are reported. This alternative was not further considered because the community harvest system, we feel it should not be implemented without more information on harvests and discussions with members of the community to establish such a harvest limit. If the Eastern Interior Regional Advisory Council, Arctic Village residents and the Arctic Refuge support this alternative then a community harvest limit should be proposed for consideration by the Board.

That's a full description of the alternatives.

CHAIRMAN TOWARAK: Are there any questions. Sue.

MS. ENTSINGER: Well, I might add that at the Eastern Interior meeting in 2006 we were challenged, you know, on this opening and it was recommended to the State that they put that area on a permanent draw and limit the amount of hunters that could go in there, but that didn't happen within the State. That was one of the things they talked about and I -- and I'm noticing -- well, let's -- I remember at our meeting, it's you're, you know, the Chair, you try to do a good job, keep things in order and have your public testimony and then go to the Staff reports and evidently a Refuge person didn't raise his hand and didn't bring the data forward on this report that he wanted to bring forward. And then we allowed him to bring it forward after we voted on it. But it was just a lot of information and stuff that came up and I was just highlighting some of this stuff here. There was -- I mean, maybe I'm getting out of line here, but I just -- is it okay to just report this, I failed to do that earlier. But I guess there were some incidences where in the Refuge or in that area south of Cane and Red Sheep Creek where people thought they were in the -- those two drainages, but they were down south and they were -- they had actually sheep hunted. This would be non-locals, there's two incidences in 2010 where residents had gone up there with their
airplanes and shot sheep and were busted with that. And then -- and he talked heavily about that trespass in his report and he thought it was important that we bring it to the record and that's why we listened to it.

So I just wanted to add that too.

CHAIRMAN TOWARAK: Any comments.

Rosemary.

MS. AHTUANGARUAK: I know that this is a difficult one to consider when you're not at the table where you're having the impacts to the harvest. We know that there's a lot of pros and cons to this discussion and it's a heavy discussion for you guys to weigh upon your shoulders when you've got your Staff recommending that things are just fine, but you've heard the tremendous amount of testimony that things are not just fine. Changing the dates are not going to affect the problem if we're not affecting the land conflicts that are occurring. You note on the calendaring that there's a lot of time available for them, but because we're not protecting their activities that they're trying to do within these area and their traditional and cultural uses they're not successful in the process. So we hope you take that into strong consideration.

CHAIRMAN TOWARAK: Thank you. Any questions from Board members.

(No comments)

CHAIRMAN TOWARAK: I've got a question that -- I don't know, it might be out of place, but have we ever considered disallowing airplane hunting in that area?

MR. McKEE: Mr. Chair, I'm -- I don't recall that coming up. I don't think I found anything about that when I was looking through the regulatory history. I don't believe that's been a consideration up to this point.

CHAIRMAN TOWARAK: I know you wouldn't be able to answer it just as an individual, but maybe you could, but is that an option?

MR. McKEE: I don't know if I'm qualified to ask that -- answer that question so I can't -- I don't want to say or yes or no when I don't really know.
CHAIRMAN TOWARAK: Thank you. Any other comments from others.

MR. REAKOFF: Mr. Chairman.

CHAIRMAN TOWARAK: Jack.

MR. REAKOFF: I live in the Brooks Range also. I'm in the adjacent Game Management Unit 25A and I feel that I have to comment and bring to the attention of the Board some of the other issues that I did not hear displayed. Because of the closures in southern Alaska there's been a vastly expanding pressure against the Brooks Range sheep populations and will continue this next year to exacerbate. The Happy Valley runway was covered in Supercubs and guides that hunted over there on the North Slope had never seen that kind of hunting pressure. This Red Sheep area, all of those drainages on the eastern Brooks Range are going to be continuing to build and there was a 45 and something inch sheep killed in the Arctic Refuge to the north of this area, that's -- there's all kinds of discussion in the Fairbanks' newspaper about going to the Brooks Range to hunt sheep. So the bottom line is the sheep hunters can fly fuel into Arctic Village and stage from there and aircraft hunters can locate the sheep. And they have the huge advantage of knowing where the sheep are at on the opening day of sheep season. The displacement of subsistence hunters is that those -- all those planes there, it's ingrained in people you don't go where someone else is hunting. And so you don't -- you're not going to compete with these people. That's why I asked that pointed question of what's the thing about this Red Sheep. There's mineral licks there and the sheep concentrate. Rams stay in ram groups and so it just takes one hunting party to displace all the rams. They start shooting up a bunch of sheep, all the other rams are with that group and especially in the season, they really -- a lot of rams will be staying in the same area together. And so there's some real problems on the horizon for this area whether you address it now or next round, it's going to keep coming back again because the sheep hunting pressure on the Dalton Highway is a lot worse than this, but I can see that this is going to continue to build.

Some of the options that were not presented may be closure of those areas until September 1 or a later date than the opening. That doesn't allow the hunters to hunt -- there's this opening day syndrome, everybody's got to get there on the opening day. And so
if you don't allow hunters, non-subsistence hunters to
hunt on the opening day, that's the main stress period.
They'll be hunting somewhere else. If you displace them
for a 10 day period or a 20 day period until the end of
August you would have -- basically alleviate a lot of the
local people's stresses. I don't know that you can close
it to aircraft hunters because some people are using
aircraft, local people are using aircraft. You could
open the season earlier, but it is hot and water levels
in late July can be low to access that area. But I do
want the Board to be aware that there's a building
problem with Dall sheep in the Brooks Range and you're
going to hear more and more. We will be submitting
proposals for regulatory change for the Dalton Highway
Corridor Management Area in this next upcoming wildlife
round.

And so I wanted to bring those before the
Board's attention about Dall sheep that they're not like
moose, they're not scattered randomly around, Dall sheep
run around in herds and they look -- and the younger
sheep look to the older rams for leadership. Older rams
have more meat, they have about 20 percent more meat than
even a seven-eighths or three-quarter curl ram so they're
-- the older rams are actually sought because they have
more meat, you get more bang for your buck or meat for
your bang rather.

(Laughter)

MR. REAKOFF: Thank you, Mr. Chair.

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Mr. Lohse.

MR. LOHSE: I think Jack hit on something
that's very apprapo to subsistence hunting in general and
something that you hear from subsistence hunters and from
people that are actually looking at game as meat. And it
really shows up even, I was looking on Page 350, when it
was talking about the Gwitch'in names for the months and,
you know, they have the Gwitch'in name for November means
sheep, the name for September means moose, the name for
October means caribou. And the idea of opening a season
earlier for subsistence hunters just doesn't make any
sense to me at all because the idea is you're trying to
get good meat, you're trying to take care of the meat.
And Jack's idea of delaying the season, if you stop and
think about it, if you're coming from someplace else,
there's a lot of times I know in the Wrangells we have snow on the 10th of August up on the mountains and by the end of August you can pretty well count on it. This makes it a little bit harder for somebody flying in to hunt if you delay the season. The subsistence hunter's probably wanting to hunt as late as they can, not as early as they can. And one of the reasons that you'd have November meaning sheep is in November sheep are down at the bottom of the mountain, they're not up on top of the mountain which makes them much more accessible to a subsistence hunter and if you delayed it the average non-resident or resident hunter that's going to be flying in is going to think twice about coming in the 10th of September than they would the 10th of August because -- just because of weather factors. The locals can -- the locals can count their days, they can look for a break in the weather or something like that, but if you're planning a two week trip or a 10 day trip to go sheep hunting you really don't want to plan that 10 day trip on the 10th of September because you might come out to the mountains and find that they're covered in snow or you might get out in the mountains and find you stay there all winter. And I really think Jack hit something that I never thought of before, but for the average subsistence hunter delaying the season makes it more -- I'll say more advantageous for the subsistence hunter, more in like what they would like to do and less conducive to people coming from long distances and impacting the -- impacting the game.

And I thank you for that, I'm going to have to remember that in the future, Jack.

CHAIRMAN TOWARAK: Thank you.

Sue.

MS. ENTSMINGER: Yeah, Mr. Chair. The -- one of our RAC members asked the people that were testifying at the meeting that very question and they asked if it would make a difference and they thought it wouldn't. So for -- they just didn't -- they didn't like it all. So I'm just letting you know that that was asked at the meeting.

CHAIRMAN TOWARAK: Well, I think we will proceed on then with the rest of the process that we have and then come back to the general discussion a little bit later.
At this point I'd like to defer to the Department of Fish and Game for your comments.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas, Alaska Department of Fish and Game. I know that we are approaching the lunch hour, but this is one of those proposals I just can't be concise on and I think it requires a little bit more testimony and a little bit more debate for the Board.

We receive these proposals and we go through a process internally, we conduct an analysis and we find out the reasons we can support something or not support something. We go to a series of meetings with the Federal Staff and then we go to the RAC meeting and that's where we hear the local testimony. And the Department has not changed our position on this proposal, we're opposed to it because under our guiding documents we can't support a closure that isn't meant for conservation concerns under 815. We find the sheep population's healthy. If you're using all of your permits it looks like you could get five sheep a year here. We find that our data supports that there's not a conservation concern. But as a human being I sat through 18 people at the allotted time for the Chairwoman's public testimony and two people outside that allotted time for a total of 20 and I had listened to a lot of real people that are really affected by things going on in that area. And the things that are going on are not okay. There's trespass and littering and disrespect issues and I think you're a terrific guy, Mr. Chairman, but I don't want to come home and find you camped in my backyard, I don't want to find the remnants of your camp and find that you haven't even knocked on my front door to see if you can camp back there. It's really not okay and we do have laws against that.

The body that's seated here governs different laws, we -- animal usage, we don't govern trespass issues, those are for the land managers. And I found myself in quite a quandary listening to the public testimony, isn't there something we can do. Well, something needs to be done, is the appropriate body either the Board of Game or the Federal Subsistence Board, the bodies that keep having to listen to these proposals and is the solution to their problem closing hunting on a population we don't have a conservation concern for. But I had my standard comments and I could really only read those before the RAC and come back to my home organization and ask around and see what we could
do. Trespass and littering and land disrespect fall under different governing bodies, land management agencies and for the State it falls under DNR. We don't have adjacent State land here, it's Federal land that's adjacent. We listened to efforts from enforcement to find people who are trespassing and we listened to the idea that Avgas is expensive, that when they do land and confront someone that oftentimes they might be lied to about why the person's there and the only thing they have at their disposal is to issue a warning that they need to leave, they can't cite someone who might not know where they are or might blame their pilot or not know where they have walked, whether they're telling the truth or not. There's just -- that tool is just not there for enforcement. We looked at what we've done in the past at Fish and Game and we have had precedent for Department introduced proposals for special areas of concern with increased, escalated user conflicts that were longstanding and not resolved, that did not have to do with conservation concerns for the population. And in some of these areas we've implemented special mandated ethics and orientation classes. In some of these areas including the Juneau wetlands those classes have included land status education and cultural sensitivity applications. We don't know who these people are who are trespassing and being disrespectful, we don't know if they're neighbors or they're out of state or we -- because we haven't confronted them and cited them, we don't know who they are.

The Department approved an idea that I had right after the Eastern Interior RAC meeting and I have two supplements in front of you, one is a justification for why we came up with another alternative that was not before the RACs who discussed this issue. Mr. Lohse was talking about other alternatives and I'm introducing a new one right here. Within two weeks of the Eastern Interior RAC meeting the Department approved moving forward with a new Board of Game proposal, we submitted an agenda change request. We are asking that this Board and the Board of Game deny both of the proposals before you to close hunting in Red Sheep Creek in lieu of our new proposal to adopt a mandated ethics and orientation class for those who wish to hunt in this area. And the class has not been developed. If the Board of Game mandates this we will develop the class. Our intent is to include as many stakeholders as possible, the land management agencies, the enforcement personnel, the users from Arctic Village to come up with a class that would be acceptable. Our idea will be
modeled off of the Game Management Unit 23 caribou mandated class which is only mandated for pilots. We're suggesting this be mandated who wishes to hunt in the area. We're envisioning a one time online class for ethics and orientation to this area and its special needs.

A couple of the tools this provides is education to where someone is hunting. Enforcement tools that it provides are that people will be aware of the land status. When they're confronted by enforcement and they have taken their ethics and orientation class then they know what the status is, they can be charged with trespass because they received previous notification where previously they couldn't do that. Without adoption of this there's no previous notification and so enforcement's left with simply a warning and they don't want to spend the Avgas to go confront that. On the State side we're looking at seven permits last year so that can impact an area, seven hunters can impact an area obviously, but I wanted to put that in perspective that we're not talking about 40 or 50 or 100, we're talking about seven. But while we haven't changed our position and we do want you to oppose this, we want you to know that we have a plan in place, that we took very swift action to put something in place and we've been working with folks to garner support for this. We expect this to probably move forward with the Board of Game. We expect them to probably deny the proposal for closure and hopefully out ethics and orientation mandated class to hunt in this area.

CHAIRMAN TOWARAK: Thank you. Are there questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Or the RACs, the two RACs.

MS. AHTUANGARUAK: Not so much questions, but my concern is that the reality is there is a large unknown population that come into this area and seven known permits is not that many numbers, but it's the unknown issue that's bringing us so much problems. I understand giving some education into the process to the individuals that want to come into this area will benefit the process, but you're asking us to continue to bear the burden of these conflicts in the process in hopes that the right people that are increasing these conflicts are
to become educated. We can't confirm that that's going
to be happening. There's a large number of people that
are internationally coming up to Alaska these days and
it's a reality of what's happening. We don't have a good
process of tracking all of these other outfitters that
are interested in bringing these things up here and we've
proven that with some of these concerns. But this
doesn't give me the answer that will meet the needs, it
allows us to work on improving the process in hopes that
things will get better, but it doesn't give me the
confirmation that we'll reach the people that are causing
the greatest concerns.

CHAIRMAN TOWARAK: Sue.

MS. ENSTMINGER: Yeah, thank you, Mr.
Chair. Jennifer, I do have a question. First of all I
think you did talk to some people, did you talk to Andrew
Firmin?

MS. YUHAS: Thank you, through the Chair.
Yes, I did.

MS. ENSTMINGER: And he seemed to think
that this is something that maybe they could support?

MS. YUHAS: Through the Chair. I spoke
several times with Mr. Firmin in his various capacities
with CATG, with the Fort Yukon AC, with the Eastern
Interior RAC. I want to be clear when I say support
because I don't see Mr. Firmin here to speak for himself.
Support was in the form of the Fort Yukon AC passing a
resolution at their meeting that if the Board did not
adopt the closure they could support the Department's
idea for ethics and orientation. So it's not a transfer
of support, first choice for them would be to see the
closure, but that this would be an acceptable
alternative should the Board fail to act on a closure.
The Department doesn't have any grandiose ideas that this
is going to solve everyone's problems or make everyone
happy, but we hope that you can see that we're trying to
take a step to do what we can within the parameters that
we're given that we are sensitive to the issue.

MS. ENSTMINGER: And I commend you for
the work that you did here, but I have another question.
Do -- would this just be for that Red Sheep and Cane
Creek and did you consider expanding it, I mean, I'm sure
there's lots of other places that there could be problems
like this because I too -- I've got friends in the
Fairbanks area and they have friends in Anchorage area and they go oh, we went to the Brooks Range, we went sheep hunting and we flew in there and all we saw was tents. And they said what are all them people doing up there and they were like well, what do you think they were doing up there, they were sheep hunting like you were. So it's -- you know, and then I agree with Jack that there's been a domino affect because of what's -- 13D and these areas down here that were put on permit. So but I'm curious if the Department has thought about that you might be doing this through the whole Brooks Range?

MS. YUHAS: Through the Chair. We have user conflicts all over the State and when we drafted this proposal it was for just this area. Based on the testimony, based on the escalated user conflict, based on several years of offense with no relief and no other alternatives facing the threat of possible closure for an area we had no biological concerns for. So this was proposed simply for this area. Have there been mumblings that if you're going to do it here, do it in the entire Brooks Range, sure, but that's part of the process. When we throw something before either Board they may adopt what we propose, they may adopt something else and we know that it's out of your control once it goes to that point. The Department is not supporting an entire Brooks Range panacea here, we've put in the proposal for the specific area based on the specific testimony for the escalated reasons that I testified for because this is a greater conflict than in other areas and there's a threat of a closure.

MS. ENTSMINGER: Thank you, Jennifer.

CHAIRMAN TOWARAK: Thank you. We do have Andrew Firmin on the line if -- Mr. Firmin, have you been listening to the conversation and do you have any comments.

MR. FIRMIN: Oh, yes, this is Andrew.

MR. FIRMIN: I've been trying to, it's kind of hard, the phone lines are getting a lot of feed-over from other conversations, but yes, I've been
following as well as I could.

CHAIRMAN TOWARAK: I know exactly what you mean, I did that yesterday. But do you have any comments on this proposal?

MR. FIRMIN: Well, for the most part I do believe that area is a small area and the people that are flying from Anchorage with airplanes have -- basically if they can fly that far they can fly anywhere in the State. So why they would have to encroach in this area that's right next to a village that's been their traditional hunting grounds for, you know, centuries, I believe that has a lot of cultural significance to it and there's just lots of old campsites that have been there for centuries and lots of other little things that have enormous historical significance to the people of that area. And that's one of their biggest complaints, I mean, it's like some -- it's like some of the people are -- you know, they're like hunting on an ancient burial ground. It's -- you know, that's why a lot of people take offense to it. And I don't know, I believe Jennifer might have said it earlier, but it's -- also all the testimony that we heard at the RAC meeting in October is -- was quite -- you know, there was a lot of it and it was -- everybody that came there had basically the same thing to say and that's -- you know, some of the sheep are inaccessible and hard to get to a lot of places for a person on foot or by boat. And I think it just burns them up when they go that far and then they -- somebody flies over them and there's nothing left in the area.

Over the biological data when the place was opened originally, I believe it was opened on a technicality and the data from years ago, the -- why it was closed originally virtually looks the same as what it was when it was reopened or even looks a little worse. So I don't see the -- I -- that's why I'm saying it was probably opened on a technicality, I wasn't involved in the process back then.

But the other thing to realize is that the area is almost like a paperless society and I asked a few of them at the RAC meeting that have -- have you ever had a hunting license and they're, you know, like no, what's that. And these people are 30, 40 years old and they've never had a -- never had a hunting license in their life before or maybe one time. And it's -- so, you know, why would they even know or need to know where to go get a permit or, you know, to go back to their -- one
lady's Native allotment in the family there. I mean, it's highly -- it's like a paperless society and I think like the permitting and the reporting process for some of the sheep that they take is not there. And then I do harvest data surveys for the Council of Athabascan Tribal Governments and I believe, you know, that we did them this year and a lot of them -- a lot of them weren't even -- you know, they didn't even want to respond there, they didn't want to sit there and listen to all of them. They -- you know, there was a general -- there was a lot of people that just didn't want to even fill out a harvest data survey that was, you know, for our personal use to prove that they use, you know, certain areas for certain types of game. And so I think there's also a big like a learning curve, education there that they need to go through, but a lot of it is -- personally I feel that -- I mean, the place needs to be closed, but I also have -- I also feel that a good -- the ADF&G proposals to the Board of Game are -- and that's a good next step, I guess, if nothing else, a contingency plan that you have. And that's all I really have to say, Mr. Chairman.

Thank you.

CHAIRMAN TOWARAK: Sue.

MS. ENTSMINGER: Could I ask Andrew a question?

CHAIRMAN TOWARAK: Sure.

MS. ENTSMINGER: Yeah. Andrew, this is Sue Entsminger. It's been talked about here at this meeting of maybe making -- if this proposal were not to pass, of amending and making the season for the non-subsistence user not open on August 10th like the normal openings and it discourages people from coming there because the Brooks Range gets cold and they might get stuck up there. Can you tell me did anything like this get discussed and what you might be thinking on that?

MR. FIRMIN: Yes, this is Andrew Firmin again. And I'm not sure of the dates that they had, I believe they were earlier in the season and a lot of the local people didn't want that because they're busy doing other things like fishing and caribou are just starting to come in and a lot of times it's a little later in the season when they do go and go sheep hunting. And that
was why I think some of them were against it. And also I thought that there was some discussion that might be another -- like a fallback plan would be to move the State season for everybody to -- you know, to move it back farther so like you said they're encroached upon more with the weather. And they would be less likely to hunt there to keep the outside user group hunter numbers down. And I think that was kind of -- the goal of it was to move -- move the State season later on into September, I believe. There was some discussion on it, but I don't have that -- those dates in front of me right now.

CHAIRMAN TOWARAK: Thank you, Mr. Firmin.

Where do we go from here?

MR. PROBASCO: Staff Committee comments.

CHAIRMAN TOWARAK: Yeah, we extended the Fish and Game comments. We'll move on to the InterAgency Staff Committee, please.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee submitted its standard comments on the Staff analysis for this proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any questions.

MR. CRIBLEY: Mr. Chair, I have a question, I'm not sure who has the answer for it, maybe somebody on Staff. I'm just wondering do we have guidelines or does the Board have guidelines as far as what its authorities or procedures are on closures of areas to non-Federal hunters for non-Federal users?

MR. GOLTZ: Yes, we do have a complete set of guidelines.

MR. CRIBLEY: I mean, is that something concise that we can talk about here or just remind us of what those guidelines are or is that something lengthy that's too big to talk about here?

MR. GOLTZ: No, it's not too big to talk about. I think we can get you a copy.

MR. CRIBLEY: Okay. Okay. I've got it
here. Thank you.

CHAIRMAN TOWARAK: While we're waiting for other comments I'd like to ask what should -- should we take a lunch break, what's the wishes of the Board, six of one, half a dozen of the other?

MR. PROBASCO: Mr. Chair, consideration and I was just looking at Ms. Cooper, is that Ms. Masica will be back after lunch and she would not have the opportunity to hear all this discussion. So that's a consideration. I'm not sure how long this will take to go through this process, but we do need to establish a good record on this one.

Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Geoff.

MR. HASKETT: And I would suggest because we're to the -- our discussion point here now and action, so I think we've heard a lot of discussion here and unless there's a lot of discussion here I think I'm to the point where I can make a proposal and maybe cover a lot of this. So I'd be willing to keep going.

CHAIRMAN TOWARAK: Okay. Let's continue on then. And we do have one step, we're at the Board discussion with Council Chairs and State liaison in total. The floor is open for any comments and then we'll go on to Board action.

Mr. Virden.

MR. VIRDEN: I've got a question about to the -- wondering in Unit 25, where is it open in there for State -- on the State regulations, State hunting.

MR. PROBASCO: Mr. Chair, Mr. Virden. As it pertains to this proposal if you were to pull this map out, that area currently in yellow is the area that's open to all hunters. The area below that is closed and only open to Federally-qualified hunters.

CHAIRMAN TOWARAK: Any further questions or discussions.

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.
MR. LOHSE: If I understand the question he was asking, that is just the Arctic Village Sheep Management Area that's on that map there. If you turn to Page 115 in your Alaska handy-dandy right there, you'll see that Unit 25 comprises a fairly large area, most of which is open to State sheep hunting. But in the Arctic Village Sheep Management Area the part in yellow is the only part that's open to State hunters. But there's a large area in Unit 25 that's open.

CHAIRMAN TOWARAK: Further discussion. Sue.

MS. ENTSMINGER: Well, just a question. If I was understanding his question, I think he was looking at if you were a State hunter how would you know it was closed or am I wrong in your question. And then I would ask Jennifer, that's in the -- it's -- that area is in the State regs that it's closed?

MS. YUHAS: Through the Chair. Correct.

MR. VIRDEN: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. VIRDEN: No, just are there -- if this area was closed up here that we're discussing right now, are there opportunities for hunters under the State regulations to continue hunting in different areas up there?

CHAIRMAN TOWARAK: My understanding you'd go to Jack's region.

(Laughter)

MR. REAKOFF: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MR. REAKOFF: State regulations open on August 10th through September 20th in Unit 26A, B, C, 25A, 24A, 24B. So there's lot of other hunting opportunities, this is just a little micro area that would be closed. So there's lots of other area that hunters can go to.

CHAIRMAN TOWARAK: Thank you. Any further discussion or questions.
(No comments)

CHAIRMAN TOWARAK: If not, then we will go to our last step in the process, the Federal Subsistence Board action.

Geoff.

MR. HASKETT: Mr. Chair, I'm prepared to make a motion to adopt Proposal 12-76 as recommended by the Eastern Interior Regional Council and I'll provide my rationale if I get a second.

MS. COOPER: Second.

MR. CRIBLEY: I'll second.

CHAIRMAN TOWARAK: The motion has been set and seconded. Discussion and rationale.

MR. HASKETT: Okay. So we've heard a lot of discussion here and there's obviously just a lot of history to this action and what's led us up to today. And so I'm going to try and be as concise and brief as possible, I'll be a little longer in my justification than I normally am.

I think there's two items that are important to kind of start out with, is to point out that this hunt is entirely within the Arctic National Wildlife Refuge and that the only ownership there is Refuge Federal lands and some Native allotments, there's no private lands there anywhere. I hadn't thought too much about this, but I think it's helpful to me when Jack made the point that there are many other areas open to sheep hunting and this is a very small area, it's not -- in terms of the entire area that's open and available. I think it bears repeating that kind of our rules that we work with and I'm going to kind of turn this around a little bit, that unless there's a biological, conservation issue we're pretty much supposed to not go against what's proposed by the RAC. And kind of the reverse to that is that what the RAC is proposing does not cause any conservation, biological issues. Another rule we have is that we're not going to go against what the RAC proposes unless it's detrimental to the satisfaction of subsistence need. And what I've heard, a lot of the testimony is very specific to the need for closing because of detrimental use to subsistence needs. I had the opportunity to go to the RAC meeting where this
was covered and I'll tell you there was just lots and
lots of impassioned testimony.

I think the State -- Jennifer did a very
eloquent job of kind of talking about that, how -- it was
very difficult actually to listen to it without walking
away without having some very major concerns. I think
the State -- I appreciate very much that you all went
back and made the effort to come back with I think
another proposal. What I think heard another RAC member,
Rosemary, was that, you know, okay, that's good, but it
doesn't really go far enough right now. So I appreciate
what the State did, but I also don't think it actually
goes far enough to actually answer the specific question
that we have before us right now. So we heard lots of
testimony today, there's also the transcript provided in
the Board materials. I wasn't at the 2006 meeting which
we've talked a lot about too, but I was again at the RAC
meeting here and again there was just lots and lots of
material there and I think a lot of it's part of the
record, it's very revealing.

It was at this Eastern Interior Council
meeting that I first heard how important this area is
culturally and how important it is for subsistence
harvest of sheep for residents of the Arctic Village and
Venetie. The importance of the area is also shown by the
number and locations of Native allotments, cultural cites
and ethnographic studies documenting the long history of
use in the area. A lot of discussion and testimony about
trespass, actually I think it was very important to
listen to. You know, it is troubling to hear about, you
know, the Native holdings there, the allotments and the
fact, you know, that there's an airstrip there, that
there's lots of trespass. Lots of discussion about he
concerns about, you know, when these over flights are
going in, you know, just how disruptive it is to some of
the ongoing hunts by subsistence users there.

So we've heard a lot of various
alternatives considered. You know, the Staff analysis I
think gave us some interesting options, you know, that
would be short of closure. I think that was very
helpful. These alternatives included an opening season
earlier prior to the State season, allowing for the
harvest of any sheep instead of rams only and a community
harvest permit that can include one or both of these
provisions and may lead to better harvest reporting.
Some of these were also discussed at the RAC meeting and
again I'd heard very little support for that, you know,
just lots of concerns.

So at the Eastern Interior Council meeting I also heard that subsistence users' attempts to harvest sheep in the area were substantially interfered with by aircraft and other non-Federally-qualified hunters' activities. This was very clear, I mean, to me and I think most of the people that were there and I was -- actually walked away convinced that the activities in the area by non-Federally-qualified users have resulted in displacement of sheep, pushing them out of range which has then prevented Federal subsistence hunters from being able to harvest sheep.

In addition, my folks at the Arctic National Wildlife Refuge, and again this proposal is entirely within the Refuge, they gave me a fair amount of information. They're also very impassioned about how they think this ought to go and forgive me, I'm going to read some comments to make them part of the record. The Arctic National Wildlife Refuge supports the closure of Red Sheep and Cane Creek drainages in the Arctic Village Sheep Management Area of Unit 25A to non-Federally-qualified users during the August 10th, September 20th season to ensure the continuation of traditional subsistence uses of sheep by Arctic Village hunters. Pressure from non-local hunting is affecting the use of and access to traditional prime sheep hunting areas and camp area. These areas have a long history of cultural and subsistence use and are important to residents of Arctic Village. This is clearly evidenced by the number and location of Native allotments, cultural sites and ethnographic studies documenting a long, rich history in this area. They go on to say the user conflict in these drainages is both perceived and real. Arctic Village sheep hunting is carried out in these drainages when other resources, caribou, moose and sheep, are not readily available closer to the community. The hunt is very costly and difficult logistically, therefore the village generally pools its resources to support only their best hunters. To return unsuccessful posed financial hardship on families and the communities. Hunters have stated they've turned around because non-local hunters were present on or near the prime area for camping and sheep hunting and the low flying aircraft activity in the drainages has resulted in displacement of sheep to higher elevations and to more distant locations. Complaints of displacement of Arctic Village hunters in this area have been recurring and are a major topic of discussion at annual Refuge/village informational
meetings since these drainages were reopened to local -- non-local hunters in 2006 and my Refuge folks are telling me this has been a major point of discussion and just a major concern for the, you know, five years since then, and also during the recent Arctic Refuge Draft Comprehensive Conservation Plan meetings in Arctic Village and Venetie and at the recent Eastern Interior Alaska Subsistence Regional Advisory Council meetings in 2010 and again in 2011.

So having said that my motion I think covered that. Sorry, I've lost -- had so much stuff here I've lost my place here. Those are pretty much the reasons why I believe that we should go forward with a closure. I think that the concerns given have been just very heartfelt and very moving and very logical and very convincing and I'm swayed that that's the direction we need to go.

CHAIRMAN TOWARAK: Thank you. Are there any other comments.

UNIDENTIFIED VOICE: Yes.

CHAIRMAN TOWARAK: The process is for the Board only, I apologize.

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead, Mr. Cribley.

MR. CRIBLEY: Thank you. A very good rationale from Mr. Haskett as far as summarizing the issue and everything and putting it into perspective. It has been a very -- learning experience for me to hear this issue, hear about this issue and the depth of the passion that's involved with it. One of the things that are very apparent to me is that this issue is -- and I think Jack reenforced that with his discussions of the issues he's dealing with and what I have been seeing, this is really a tip of an iceberg. And I think as Jennifer said from Department of Fish and Game, a lot of these issues are land management agency issues that are facing all of us, particularly Federal land managing issues in this area and something that we're going to have to take outside of the scope of subsistence use and what the Subsistence Board does. And it is my intent to do that, to tackle this issue particularly along the Dalton Highway in the near future. But regarding this particular issue I just wanted to say that I appreciated
Geoff's -- his rationale and discussion and summary of what this situation is and the significance of it and also the ability of the Board to take action to deal with this issue. And maybe by doing that highlighting the significance of what's going on and what the future may look like for us as land managing agencies and as a Subsistence Board in the near future.

So I just wanted to reenforce that and indicate that I do support his position.

Thank you.

CHAIRMAN TOWARAK: Thank you. Other comments from the Board.

Mr. Virden.

MR. VIRDEN: Mr. Chair, I have a comment for our legal counsel or a question. I noticed in the Resolution 12-1, which was read earlier, ANILCA clearly anticipates closure of sports hunting where they would serve to continue subsistence uses, is that in the Federal closure policy?

MR. GOLTZ: I've just been handed a copy and I'll read the sentence into the record. When necessary for the conservation of healthy populations of fish and wildlife, to continue subsistence uses of such populations, the Federal Board is authorized to restrict or close the taking of fish and wildlife by non-subsistence users. That's on the first page of our closure policy.

CHAIRMAN TOWARAK: Thank you.

MR. VIRDEN: Thank you.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: I have one comment and I was trying to find a copy of a -- the letter that the Secretary of the Interior gave to the Board upon my appointment. And it was after his review of subsistence in Alaska in general and he made some comments in that document and I wish I had it in front of me, but I'll try to get it later, that part of our charge is to fix subsistence. There have been a lot of comments publicly
made to the Secretary, a lot by AFN and a lot by the
Native community that subsistence in Alaska was broken
and he challenged this Board to put -- in laymen terms I
think to fix that problem. And I think this is one
eexample of -- where we have an opportunity to fix a
problem to the needs of the subsistence users and that's
our -- our main charge is for the use of Alaska's
resources for -- with putting subsistence as a priority.
And I too am going to support it, support the RAC's
position in part because of that -- those statements made
by the Secretary.

Are there any other discussions.
(No comments)
CHAIRMAN TOWARAK: If not, then we will
call for the question.

MR. CRIBLEY: Mr. Chairman, I call for
question.

CHAIRMAN TOWARAK: Have a.....

MR. PROBASCO: Thank you, Mr. Chair.

CHAIRMAN TOWARAK: .....vote.

MR. PROBASCO: Roll call vote. Mr.

Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: And, excuse me, let me
back up. The motion is to support Proposal WP12-76 as
recommended by both Regional Advisory Councils.

Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.
MR. VIRDEN: Yes.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: And, Ms. Cooper.

MS. COOPER: Yes.

MR. PROBASCO: Motion carries, 6/0.

Lunchtime.

CHAIRMAN TOWARAK: Thank you. We will take a break, it's 12:35 right now and we will reconvene at 2:00.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'd like to call the meeting back to session. While we're getting together one of the people from the crowd came up to me at the end of the meeting this morning and asked us to get a little closer to our microphone while we're speaking so I'm going to try to do that a little bit more this afternoon. We had just completed 75, I think, and 76 and some of the others had already been taken care of yesterday. We're onto Proposal 12-61 of the Seward Peninsula.

Sue.

MS. ENTSMINGER: Yes. I just wanted to -- I asked you at break if I could make a few statements here. I just wanted to say on that proposal, this -- the work that the State did I really appreciate a great deal and I feel like it has a lot of merit for future things where education is a very important role for people and it's really -- that was a lot of work that Jennifer did and I greatly appreciate it. And I think that we shouldn't take that lightly, I think we should really consider that as a lot of work and very good for the future.

And I wanted to mention too that I've had a lot of traveling with doctor appointments this month and I need to get home here, it's been really cold and
I've got a lot of stuff on my plate so I'll probably be leaving here this afternoon. And I will try to keep track of things at home on the teleconference, if there's some crossover things I'll try to interject or give it to my coordinator.

Thank you.

MR. HASKETT: So I'd also actually take the opportunity to thank Jennifer too. We had discussion just now and I'm not going to go into the details of it, but I actually thought the material which I said before was excellent and I still think that it's information that we got to work on, there's lots of places where I think that can be very valuable. So I'd like to be involved in working with you all to make sure that that doesn't just get lost. I thought it was excellent production, we should still look at it.

So thank you for that.

MR. PROBASCO: Yes, Jim, just information. I was asked to share with the Board and the public here that the Bristol Bay Area Health Corporation is featuring a Native artist show down at the Hilton both today and tomorrow from 10:00 to 3:00. So if there's any interest, I was asked to read that.

Thank you.

CHAIRMAN TOWARAK: We will continue on with Proposal 12-61 wit the Staff.

MR. KRON: Mr. Chair, members of the Board, Regional Advisory Council Chairs. The analysis for WP12-61 begins on Page 358 of your Board books.

Proposal WP12-61 was submitted by the Defenders of Wildlife and requests that the harvest limit for wolves in Unit 22 be reduced to 10 wolves. Two years ago the Alaska Wildlife Alliance submitted a proposal asking this -- for this very same regulatory change. That proposal was opposed by the Seward Peninsula Regional Advisory Council and rejected by the Federal Subsistence Board.

The Unit 22 wolf population does not appear to be declining under the current regulations. It appears that the wolf population is gradually increasing as wolves expand their range westward, across the Seward
Peninsula. It appears that the Unit 22 wolf population is regulated more by natural factors than by the harvest by hunters and trappers. There has been no harvest limit for wolf hunters in Unit 22 since the beginning of the Federal subsistence program in 1990. This proposal would make the Federal subsistence wolf hunting harvest limits lower than State regulations. The OSM conclusion is to oppose this proposal. I welcome any questions that you may have. Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions of the Staff. (No comments)

CHAIRMAN TOWARAK: Thank you for your presentation. We'll get a summary of the public comments from the Regional coordinator.

MR. NICK: Mr. Chair, there were no public comments received.

CHAIRMAN TOWARAK: Thank you. Is there anyone on the floor that wants to testify.

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

CHAIRMAN TOWARAK: Thank you. We will move on then to the Regional Council recommendations. Alex.

MR. NICK: Mr. Chair, Seward Peninsula Regional Advisory Council recommendation is to oppose the proposal. The Council noted that there is no conservation concern thus there is no need to restrict subsistence user, there is no need to align with the State, the harvest of no limit should be continued as there has been no abuse.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions. (No comments)
CHAIRMAN TOWARAK: Thank you. The Department of Fish and Game, State.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas. The Department also opposes this proposal as unnecessary.

CHAIRMAN TOWARAK: Any questions of the State.

(No comments)

CHAIRMAN TOWARAK: Thank you, Jennifer. InterAgency Staff Committee comments.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee submitted its standard comments on this Staff analysis. In addition the IC did express some concern about the no limit provision.

Thank you.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. Board discussion with Council Chairs and State liaison.

(No comments)

CHAIRMAN TOWARAK: No comments. I'm not hearing or -- we are ready for Board action.

MS. MASICA: Mr. Chairman, I'll make the motion.

CHAIRMAN TOWARAK: Motion has been made, is there a second to the motion.

MS. MASICA: The motion would be that we adopt the proposal and then I'll speak to my motion after I get a second.

MS. PENDLETON: Second.

CHAIRMAN TOWARAK: Seconded by Beth. Discussion and.....
MS. MASICA: If I could proceed, Mr. Chairman. I would intend to amend the motion -- the motion and my suggestion would be that we amend the motion to change the harvest limit from unlimited to 20 wolves annually. And if I would -- could get a second then I will speak to that particular amendment.

MS. PENDLETON: Second that.

CHAIRMAN TOWARAK: The motion has been seconded. Rationale.

MS. MASICA: This is one of only two units in the Federal program that has an unlimited harvest limit for wolf hunting. The analysis on Page 61 points out that wolf population density is unknown, that annual harvest is variable and that much of the harvest may go unrecorded and that the State harvest limit has long been five wolves annually, at least between 1993 and 2008. And in 2008 The Board of Game increased the State harvest limit to 20 annually and so my amendment would be consistent with that number.

I'm uncomfortable with the hunting harvest limit being unlimited and think that a more rational outcome would be to align our harvest limit -- Federal harvest limit with the existing State harvest limit. Twenty wolves annually would remain among the highest harvest limit for wolf hunting in the Federal Regulations.

I recognize that this amendment is inconsistent with the Seward Pen RAC recommendation, but believe it's warranted based on Section 805 and the recognized principles of wildlife conservation. There's little biological information about wolf populations in Unit 22 and having an unlimited harvest limit where so little biological information is known does not in my mind meet the standard. When there's little information I think being more conservative is appropriate. Again the outcome of this would be to align the harvest limits for both the State and the Federal systems for Unit 22 at 20 wolves.

Thank you.

CHAIRMAN TOWARAK: Further discussion.

(No comments)
CHAIRMAN TOWARAK: I do note that under justification that two years ago the Alaska Wildlife Alliance had requested this same regulation change, the Seward Peninsula Regional Advisory Council opposed that request and the Federal Subsistence Board rejected that proposal. And I personally would not want to make any amendments without it first going through the Regional Councils.

Further discussion.
(No comments)

CHAIRMAN TOWARAK: Is there a call for the question.

MS. PENDLETON: Call for the question.

CHAIRMAN TOWARAK: Question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair. And this is on the amendment to change the limit to 20 wolves.

Mr. Towarak.

CHAIRMAN TOWARAK: No.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: No.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: No.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: And sitting in for Mr. Cribley, Mr. Sharp.

MR. SHARP: No.
MR. PROBASCO: Motion fails, 2/4 -- amendment fails, 2/4.

CHAIRMAN TOWARAK: We're back to the main motion. Any further discussion on that motion.

(No comments)

CHAIRMAN TOWARAK: Hearing none.....

MR. VIRDEN: Question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair. Final action on WP12-61.

Mr. Haskett.

MR. HASKETT: Can you do me a favor and spell it out one more time for me. Sorry.

MR. PROBASCO: This is proposal 12-61. The proposal was move to adopt. Got it?

MS. MASICA: So the adopting -- just to clarify, adopting the proposal would mean a 10 wolf limit, am I correct.....

MR. PROBASCO: Yes.

MS. MASICA: .....that that's what the vote would be on?

MR. PROBASCO: That's correct. Okay, Mr. Chair.

Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: I'm still confused. I want to vote along with the RAC, would that be yes?

MR. PROBASCO: If you wanted to vote along with the RAC you would say no.
MR. VIRDEN: No.

MR. PROBASCO: Mr. Virden's vote is no.

Ms. Pendleton.

MS. PENDLETON: No.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Mr. Sharp.

MR. SHARP: No.

MR. PROBASCO: And, Mr. Towarak.

CHAIRMAN TOWARAK: No.

MR. PROBASCO: Motion fails 2/4.

Mr. Chair, if I may insert at this time. WP10-69 is a proposal that affects three Regional Advisory Councils and as an oversight on our part only one Council acted on this proposal. So what we're recommending to the Board is that we take this proposal, present it to the two other Regional Advisory Councils and be prepared to act on it at our March Federal Board meeting. So Staff is recommending that we defer it to the March meeting.

Mr. Chair.

CHAIRMAN TOWARAK: Are there any objections to that recommendation.

(No objection)

CHAIRMAN TOWARAK: Not hearing any, then we will do that, have it go by the two other RACs. And that was just for 10-69?

MR. PROBASCO: That's correct, Mr. Chair.

CHAIRMAN TOWARAK: Okay. Then we will proceed on to Proposal 12-56. Staff analysis, please.

MR. FOX: Yes. Thank you, Mr. Chair. Trevor Fox with OSM. The analysis for WP12-56 begins on
Proposal WP12-56 was submitted by Kathleen Zuray of the Tanana Tribal Council and it requests an extension of the fall moose season by seven days in Unit 21B. The current season is from September 5th through October 1st with the portion after September 25th being only open under Federal regulations. The proponent is requesting that the Federal moose season in Unit 21 be extended beyond that September 26th through October 1st season to September 26th through October 8th to provide additional harvest opportunities for Federally-qualified subsistence users. The proponent states that due to warm weather conditions fall moose movements have been delayed and the season extension is needed to harvest moose. The proposal affects rural residents of 21B, 21C, Tanana, Galena and Ruby and would extend the season on Federal public lands in Unit 21B which are primarily within the Nowitna National Wildlife Refuge.

Previous regulatory changes have been adopted to address reduced harvest opportunities to harvest moose in Unit 21B including the adoption of an August 22nd through 31st extension in 2006 and then replacing that August 22nd through 31st extension with the current September 26th through October 1st extension and adding a five day to be announced season that takes place between December 1st and March 31st and that was in 2007.

As far as the biological background, the moose population for most of Unit 21B was last estimated at 2,317 moose in 2008 which is below the State management objective. Aerial moose trend surveys in 2010 showed stable adult bull and cow numbers, improved fall calf abundance and low yearling recruitment. Population composition data in the affected area by this proposal, which is the Nowitna River area, are different than the rest of Unit 21B suggesting that hunting pressure along the Nowitna River has lowered the bull to cow ratio. The survey results are found on Table 1 on Page 400, however it should be noted that the years are different for the Nowitna and unit wide surveys. Over the long term the Nowitna moose population appears to be stable at a low density. Moose continue to be the most important and widely used large animal for subsistence users in the Interior region. Ruby Residents reported harvests were above average in Unit 21B from 2007 to 2009 after a period of below average harvests between 1994 and 2006.
Tanana residents harvested an average of five moose per year in Unit 21B between 1983 and 2009 and reported harvests were low in 2006 and 2008 through 2009. And the current September 26th through October 1st Federal only season which was initiated in 2007 to provide additional harvest opportunity for Federally-qualified subsistence users, most of the harvest and effort has been associated with residents of Ruby. Tanana residents were issued 11 permits between 2007 and 2008, but only three residents reportedly used their permit and only one moose was harvested in 2007. Since then there were no permits requested or issued to Tanana residents for this hunt in 2009 or 2010.

Adoption of this proposal would extend the fall moose hunt on a portion of Federal public lands in Unit 21B from October 1st to October 8th. The one week extension would provide additional opportunity for Federally-qualified subsistence users to harvest a moose and the adoption of the extended season would not likely lead to a large increase of bull moose harvest in Unit 21B, especially with the low participation rates by Federally-qualified subsistence users. It should be noted that only Federal public lands on the part of the Nowitna River drainage which are downstream from and including the Little Mud River drainage would be included. And residents of Tanana would be required to travel a minimum of 70 river miles to reach the eastern boundary of the open area. And you can see this on the map on Page 395 and the area opened is highlighted there. The proposed season would overlap with the peak of the rut which may affect the population, however the extent of such impacts from harvesting during the rut is not known as many of the affects are speculative and direct evidence of such impacts are lacking.

So due to the overall low performance of the population, fluctuating cow numbers in the trend count areas and the recently recovered bull to cow ratio a conservative harvest strategy is warranted. There the OSM conclusion is to oppose WP12-56.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for that.
report. Summary of public comments from the Regional coordinator.

MR. HERNANDEZ: Mr. Chair, Melinda Hernandez, OSM. There is one public comment on this proposal in opposition from the Ruby Advisory Committee. They feel that keeping the check station open to such a late date is a hardship on personnel and that such an extension of the moose hunting season will not be used.

And that's all.

CHAIRMAN TOWARAK: Thank you.

MR. PROBASCO: Mr. Chair, no one has signed up for this proposal.

CHAIRMAN TOWARAK: Are there any -- anyone in the audience that would like to testify from the public.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we will move on to the Regional Council recommendations. And I know we have two opposing views, first the Western Interior.

MR. REAKOFF: Mr. Chairman, the Western Interior Regional Council voted to oppose this proposal. The Western Interior feels that the moose bull/cow ratio on the Nenana is just below the management objective and that there's no -- there's opportunity provided with the current Federal season to the 1st of October and bull moose condition after the 1st of October even for two year olds begins to decline fairly steadily. So we didn't feel that this was a warranted extension.

CHAIRMAN TOWARAK: Any questions. Sue.

MS. ENTSMINGER: The Eastern Interior took this up and the Council does not find a conservation concern and the proposal could provide a very important subsistence opportunity late in the season for subsistence users who may not have yet been successful. The Council also notes that recent climate changes have influenced historic rut times and cites traditional ecological knowledge that even during run moose meat is not compromised unless it comes in contact with urine on the hide. And that the later harvest can be beneficial
to those with no or limited electricity.

CHAIRMAN TOWARAK: Any questions of the
Chairs.

(No comments)

CHAIRMAN TOWARAK: Thank you for that
report. The Alaska Department of Fish and Game comments.

MS. YUHAS: Thank you, Mr. Chairman. The
Department also opposes this proposal and you can find
our biological conservation concerns listed on Page 405
and 406 in your manual. The population is below our
management objectives, we have alerted U.S. Fish and
Wildlife Service to this in June of 2010 and we're glad
that there's been an improved condition there supporting
harvest near Ruby, but we don't believe that we can
sustain the season moving into the rut, that it would
just be too hard on this population, we're not at
management objective yet.

CHAIRMAN TOWARAK: Any questions from the
State -- of the State.

(No comments)

CHAIRMAN TOWARAK: Thank you. We will
then hear from the Interagency Staff Committee.

DR. JENKINS: Mr. Chair, the Interagency
Staff Committee submitted its standard comment on this
analysis.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. Board
discussion with Council Chairs and State liaison.

(No comments)

CHAIRMAN TOWARAK: No comments. Jack.

MR. REAKOFF: Mr. Chair, just a further
comment. This is within the Western Interior Region and
we had a meeting in Ruby and identified a need for
additional harvest opportunity later in the year to
address the warmer falls and so forth. Most of the moose
activity that local people see is between the 22nd of
September and then through the 28th of September through
the first part of October in the warmer falls we're
providing that harvest opportunity with current
regulations and we didn't feel that with the current
population that this moose population and the lack of
participation from Tanana residents doesn't demonstrate
that they're really that interested in this hunt. So
that was why we primarily opposed the proposal.

CHAIRMAN TOWARAK: Any further comments.

(No comments)

CHAIRMAN TOWARAK: Thank you. We will
then -- are ready for the Federal Subsistence Board
action.

Geoff.

MR. HASKETT: So I'm going to make a
motion to adopt Proposal 12-56 and I'll provide my
rationale as to why I intend to vote against the motion
as recommended by the Western Interior Regional Council
if I get a second.

MR. SHARP: Second.

CHAIRMAN TOWARAK: You heard the second.

MR. HASKETT: Okay. So the moose
population in this area is below the management
objective, it's been pointed out. It's had low
recruitment and adding an additional seven days to hunt
during the rut would violate recognized principles of
wildlife management. There was an additional five days
added to this hunt in 2007. The moose check station
operated by the Refuge at the mouth of the river had to
be shut down early in 2009 and 2010 both due to ice
formation that caused the possible loss of harvest data.
Extending the season even farther could lead to even less
information being gathered which is needed for
management. For all the above reasons I intend to vote
against the motion.

CHAIRMAN TOWARAK: Further comments. Mr.
Sharp.

MR. SHARP: I'll also be opposed to the
proposal to extend the moose season in 21B. The
biological indicators for the population, the low
recruitment and the fluctuating cow numbers don't support
or support a conservative harvest strategy and increasing
opportunity during the rut would violate recognized
principles of fish and wildlife conservation. So again
I'll be opposed to the proposal.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

MR. HASKETT: Question.

CHAIRMAN TOWARAK: The question has been
called for. The vote, please.

MR. PROBASCO: Thank you, Mr. Chair.

Final action on WP12-56, the motion was to adopt.

Mr. Virden.

MR. VIRDEN: No.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: No.

MR. PROBASCO: Ms. Masica.

MS. MASICA: No.

MR. PROBASCO: Mr. Sharp.

MR. SHARP: No.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: No.

MR. PROBASCO: And, Mr. Haskett.

MR. HASKETT: No.

MR. PROBASCO: Mr. Chairman, the motion
fails, 6/0.

CHAIRMAN TOWARAK: This brings us to
Proposal 12-57 and 58. Staff report, please.

MR. FOX: Thank you, Mr. Chair. Again
Proposal WP12-57 was submitted by the Alaska Department of Fish and Game and it requests an alignment of Federal and State boundaries for the winter moose season in Unit 24B.

Proposal WP12-58 was submitted by the Kanuti National Wildlife Refuge and it requests additional language in the regulations to clarify that a State registration permit is allowed to harvest moose in the Kanuti Controlled Use Area of Unit 24B during the fall and winter seasons. The proposal also requests that additional language be included in the regulations to describe Federal public lands where a State registration permit is not required during the winter moose season.

The proponent of WP12-57 states the proposal would align State and Federal hunt boundaries for the winter moose season in Unit 24B. The proponent believes the alignment of State and Federal hunt boundaries would eliminate the need for subsistence users to differentiate between State and Federal public land within the drainages of the Koyukuk River downstream from and including the Henshaw Creek drainage. This may reduce the possibility that a Federally-qualified subsistence user would unintentionally violate hunting regulations while hunting moose in the portion of Unit 24B near Bettles and Evansville which has a checkerboard pattern of State and Federal land jurisdiction.

The proponent of WP12-58 requests clarification in the regulations regarding the registration permit requirements for the fall and winter moose season in Unit 24B. The proponent believes a State registration permit should be required to harvest moose on closed Federal public lands within the Kanuti Controlled Use Area during the September 1 through 25 season and the December 15th through April 15th season. The proponent believes this is an administrative action request that parallels several other hunts that have Federal public lands and one permit for reporting. The proponent states that the use of a single registration permit for the winter moose season in Unit 24B would lessen the burden on subsistence users and avoids duplicate harvest reporting. The proponent of WP12-58 also requests the description of the section of Unit 24B that is not covered by a State registration permit be clarified for the December 15th through April 15th...
The proponent states the language in the public regulation booklet or the handy-dandy is incorrect and should include additional language which is in the CFR and states upstream of and including the Bonanza Creek drainage. In addition the proponent requests that Fish Creek drainage be added to the area description, but this is a -- this area description change is an administrative change and no action by the Federal Subsistence Board is needed.

The moose population on the Kanuti National Wildlife Refuge has been relatively stable, but at low levels since 1999. Bull to cow and calf to cow ratios have been above management plan objectives in all years since 1999 and population composition data is listed in Table 1 on Page 421 which -- which the higher bull to cow ratios suggest this population can support current harvest levels. Moose are an important subsistence resource to residents of communities in Unit 24B, but participation in hunts in variable with residents of Allakaket and Alatna harvesting more moose and having higher participation rates than those in Bettles. Approximately 95 percent of moose harvested throughout Unit 24, including Unit 24B, have been harvested during the September 1 through 25 season, but the winter seasons provide additional opportunities for those subsistence users that were unable to harvest a moose in the fall. Current and previous Federal moose seasons beyond September 1st through 25th including March, late September and the recent December to April seasons have been primarily used by residents of Allakaket while use among residents of Alatna and Bettles and Evansville have been very low which you can see on Table 2 of Page 425. Success has also been low as Federally-qualified subsistence users using these season extensions have only reportedly harvested one moose out of 40 attempts.

If Proposal WP12-57 is adopted it would align State and Federal boundaries for the December 15th through April 15th moose season by removing sections of land from the Bettles/Evansville area and the best way to see the affected area is to compare Maps 1 and 2 in the analysis. Map 1 is on Page 417 which represents the current Federal regulations and in this map the area around Bettles and Evansville which is currently listed as Section 2, the shaded areas which are Federal lands inside and outside of the Kanuti Controlled Use Area are currently open for Federal -- for the Federal moose season during the
December 15th through April 15th season. If you compare that with Map 2 on Page 418 which represents the changes proposed by WP12-57, the Federal shaded lands around Bettles and Evansville have now -- that now have a vertical hatchmark would be excluded from the December 15th through April 15th season. By removing this section of Federal lands current and future harvest opportunity would be reduced even though few residents currently participate in this hunt.

For Proposal WP12-58 it proposes that the State registration permit would be required to harvest bull moose on the Kanuti National Wildlife Refuge and BLM lands during the September season and the December 15th through April 15th season. However the State permit would not be valid because much of the Federal public lands in the affected area are within the Kanuti Controlled Use Area which is closed to the taking of moose except by Federally-qualified subsistence users. Thus a Federal registration permit would be required unless an agreement were to be made between State and Federal land managers to allow a State registration permit or to institute a joint State/Federal registration permit.

Both of these proposals would not result in significant impacts on the moose population so there are no biological concerns associated with either proposal.

And the OSM conclusion is to oppose WP12-57 because it would unnecessarily exclude Federal public lands near Bettles and Evansville, limiting future harvest opportunities. Although only two permits have been reportedly used by one resident in Bettles since 2006 moose has been identified as an important subsistence resource by Bettles residents with 89 percent of households reportedly using moose during a 2002/2003 household study.

And for Proposal WP12-58, the OSM conclusion is to support the proposal with modification to create one Federal registration permit that would cover fall and winter moose seasons on the Kanuti National Wildlife Refuge and BLM lands in Unit 24B. Federally-qualified subsistence users could use this one Federal permit on Refuge and BLM lands from August 25th through October 1st and December 15th through April 15th.

Thank you, Mr. Chair.
CHAIRMAN TOWARAK: Thank you. Any questions of the Staff.
(No comments)

CHAIRMAN TOWARAK: Thank you for that report. Summary of public comments from the Regional Council coordinator.

MS. HERNANDEZ: Mr. Chair, there were no written public comments submitted for either proposal.

MR. PROBASCO: And no one is signed up, Mr. Chair.

CHAIRMAN TOWARAK: Okay. We don't have anyone on record of wanting to testify from the public so we will proceed on to Regional Council recommendation.

MR. REAKOFF: Mr. Chairman, Western Interior Regional Council supported the State's Proposal 12-57 and I'll give those reasons when we have discussion. And we supported the proposal with modification to require a Federal permit. There's already a Federal permit required for the August 25 to October 1 and we felt that we should include the winter hunt also on that Federal permit. And those were the position of the Council on these proposals.

Thank you.

CHAIRMAN TOWARAK: Thank you. Any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you. We will then proceed on to the Department of Fish and Game comments.

MR. PAPPAS: Thank you, Mr. Chair, members of the Board. George Pappas, Department of Fish and Game Subsistence Liaison Team. It's good to see everybody again. Our comments will be summarized from -- starting on Page 429 of your book.

These proposals were drafted in an effort to resolve ongoing confusion in the area as discussions with the State and Federal managers have not reached a mutually accepted solution to ongoing issues related to
the patchwork on land ownership in portions of the drainage of Koyukuk River near the communities of Bettles and Evansville.

Adoption of Proposal 58 will be unnecessary if Proposal 57 is adopted. Adoption of Proposal 58 would not address simplification of permitting as Federal land managers would still be required to issue permits. The Department believes that maintaining two permits for a portion of the unit will result in user confusion. Although developing a dual permit has been suggested, enforcement personnel report dual permit would complicate issues due to different hunting regulations, hunter qualifications and hunting conditions governed under different regulations. If Proposal 57 is adopted a single State permit may be administered by the Department.

In 2010 the Alaska Board of Game adopted a compromise concerning the winter hunt opportunity by expanding the winter season dates from five days to 120 days. The Board of Game also offered additional compromise expanding the winter hunt area from less than 2,000 square miles to over 10,000 square miles. Both these compromises benefitted more than 95 percent of the hunters.

The Department recommends supporting WP12-57 and opposing WP12-58 to align regulations and eliminate user confusion.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions from the Board.

Geoff.

MR. HASKETT: So no questions on 57. On 58 the State's main concern is the dual permit part of it?

MR. PAPPAS: Through the Chair. That's correct.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. We will
move on to InterAgency Staff Committee.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee comments in your books are inaccurate and you've been provided with an accurate ISC comment for this proposal. I'll read it into the record.

The InterAgency Staff Committee found that the Staff analysis -- found the Staff analysis to be a thorough and accurate evaluation of the proposals and that it provides sufficient basis for the Regional Council recommendation and Federal Subsistence Board action on the proposals. While the ISC agrees that the Board may want to consider supporting the Western Interior Regional Advisory Council's recommendation for a Federal permit through WP12-58, the ISC further suggests that the Board review the Council's recommendation to support WP12-57. If the Board were to oppose Proposal WP12-57 which would be contrary to the Council's recommendation, it could do so based on the third exception clause of Section 805(c) of ANILCA that the Council recommendation would be detrimental to the satisfaction of subsistence needs particularly for the residents of Bettles and Evansville.

Thank you.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. Board discussion with Council Chairs and State liaison.

MR. REAKOFF: Mr. Chair, I'll give a rationale for our support of these proposals. Eleanor Yatlin is on our Regional Advisory Council, she lived many years in Bettles, she's very familiar with the usage there. The majority of hunting of moose occurs in the fall season for Bettles, there's a huge demographic difference between Allakaket and Alatna and Bettles/Evansville. Evansville is a Native community, but it's primarily composed of elderly women that do not hunt. The use of moose meat is primarily through air taxis bring moose into Bettles and give away the meat on the ramp, they call it ramp meat. And so they -- a lot of the meat that's obtained is actually given to the community through donation. There's been little use of the winter hunt by Bettles and actually when we did have a winter hunt in that area the community of Bettles
opposed the winter hunt under State regulations and that's why the -- there was a boundary change that is currently being used from Henshaw Creek and downriver.

The -- another aspect of that, you know, the -- just there was a long process to work with the Alaska Department of Fish and Game and the State to develop a working State proposal for winter season and we were very happy that the State came forward in 2010 with a vastly expanded 10,000 square mile area. That under Board of Game regulations has a sunset of -- in four years so 2014, that that State hunt expires. Our concern is that the State is upset about the additional few BLM lands that will actually be usable. The map that -- the Bettles Road actually does not even come near the BLM land, it actually transitions State lands. And so the usage of -- likelihood of Bettles usage for moose is -- as shown, they tried hunting, but it's a little bit tough to go by snowmobile. The other aspect of that community, they also have -- they have caribou right -- I just we went through Bettles the other day, they got caribou that come down in that area. Allakaket and Alatna have not had caribou real close, they've had them within 25 miles, this is the first year they've had -- in many years where they've actually had caribou near the community in the winter. Bettles has access to the Dalton Highway and can actually go on the Dalton Highway to harvest caribou from the road and they're eligible to hunt within the Dalton Highway Corridor with firearms.

The cumulative thing is we're concerned about the State Board of Game retracting the State hunt and so reality is the benefit to the subsistence users in Bettles is minimal, if any real affect, whereas it's a very important winter hunt for the communities of Allakaket and Alatna. And so that was the reason why we supported the State proposal. The Fish and Wildlife Service is going -- on Proposal 58, the Fish and Wildlife is going to issue a Federal permit for October 25 to -- or correction, August 25 to October 1 for the fall hunt extension for Unit 24B. And we felt that the inclusion of December 15 through April 15th for the winter season that's currently in effect would be prudent if at some point the Board of Game retracts the current hunting season. And so that's why we supportive of Proposal WP12-58.

Thank you, Mr. Chair.
Any questions?

CHAIRMAN TOWARAK: Any further discussion or questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. We are ready for Board action of Proposal 12-57 slash 58.

Mr. Haskett.

MR. HASKETT: So I'm going to make a motion to adopt Proposal 12-57 and Proposal 12-58 as modified by the Western Interior Regional Council and I'll provide my rationale if I get a second.

MS. MASICA: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Rationale.

MR. HASKETT: Okay. This will change the hunt area to align with the boundaries established in State regulations which should reduce any confusion or law enforcement concerns. It will also simplify permitting for Federally-qualified users by using one Federal permit for both the fall and winter moose hunt in Unit 24B. The original intent of Proposal 58 was to try to have one single, joint State/Federal permit, but it doesn't sound like that will actually work for now so the next best thing I think is to have one Federal permit that covers both seasons and my intent will be to vote for the motion which covers both proposals.

CHAIRMAN TOWARAK: Any other discussion.

(No comments)

CHAIRMAN TOWARAK: Is there a call for the question. Oh, just -- go ahead.

MR. PAPPAS: Mr. Chair, I apologize for the inconvenience here. Through the Chair, Mr. -- can I ask Mr. Haskett a question?

CHAIRMAN TOWARAK: Go ahead.

MR. PAPPAS: Mr. Haskett, if 57 is approved and the regulations -- the boundaries for the
State and Federal hunt align and Proposal 58 is approved, I guess looking for clarification on the record of why there need to be a Federal permit in addition to a State registration permit.

Thank you, Mr. Chair.

MR. HASKETT: On 58?

MR. PAPPAS: Through the Chair. Yes, Mr. Haskett.

MR. HASKETT: So if I understood correctly -- so 57 we're -- the State and I are in the same position right now. On 58 as I understood it, that the original proposal was to have a dual permit, but I thought what I heard you say was that that wouldn't work because different regulations, different interpretations, so a dual permit wasn't going to work. So my intent was to move forward and just use one Federal permit then.

CHAIRMAN TOWARAK: Go ahead, Pete.

MR. PAPPAS: Through the Chair. Yes, as the area manager explained to us, if Proposal 57 is adopted then a single State permit could be administered to cover both the State and Federal hunts if the boundaries aligned.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Jack.

MR. REAKOFF: Mr. Chair, supplementary Proposal 58 includes the August 25 to October 1 season which the State doesn't recognize and that's the reason why we feel that that -- there has to be a Federal permit anyways and we might as well include the winter hunt. The State doesn't have that season and so that would be the reason for a Federal hunt.

Thank you.

MR. HASKETT: In conference with my associate here, I mean, he was explaining that same thing to me that Jack just laid out, but did I just hear you all say that you've changed your position where the seasons would come together?

MR. PAPPAS: Through the Chair.
Clarification that Mr. Reakoff -- Chairman Reakoff provided, it would be -- for the winter hunt it would match up, but you are correct, the other hunt would not match up.

Thank you, Mr. Chair.

MR. HASKETT: If I may, then I stand by my proposal because that's the difference and why we'd have to go to one Federal permit.

CHAIRMAN TOWARAK: Is there any confusion?

(No comments)

CHAIRMAN TOWARAK: It's all clear then. Go ahead, Pete.

MR. PROBASCO: Thank you, Mr. Chair. And I think the clarification that Mr. Reakoff provided is the correct interpretation of that proposal. Trevor Fox who did the lead is agreeing with Mr. Reakoff and so, Mr. Haskett, I believe you have it correct and your motion's appropriate.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: Hearing none.....

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Yes.

MR. CRIBLEY: Call for question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair.

Final action on WP12-57 which is to support the Western Interior Regional Council's recommendation and Proposal WP12-58 to support that proposal with modification as outlined on Page 412 and 413.

Ms. Pendleton.
MS. PENDLETON: Yes.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: And, Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Motion carries, 6/0.

CHAIRMAN TOWARAK: Thank you. We will then move on to the Yukon-Kuskokwim Delta area, Proposal 12-42. Staff analysis, please.

MR. McKEE: Thank you. Chris McKee, OSM, once again. Mr. Chair, members of the Federal Subsistence Board, Regional Council Chairs. The analysis for WP12-42 begins on Page 431 of your meeting materials booklet.

WP12-42 was submitted by the Yukon Delta National Wildlife Refuge and requests a reduction of the harvest limit and season for caribou in Unit 18 from two caribou to one and a shortening of the season by approximately three months. The Mulchatna Caribou Herd has increased at an average annual rate of 17 percent between 1981 and 1996 and approximately 28 percent from 1992 to 1994. Overall herd size peaked in 1996 at approximately 200,000 animals with a peak bull/cow ratio of 42 to 100. The dramatic population growth at this time was attributed to mild winters, movements into new, unexploited range, low predation and an estimated annual harvest of less than 5 percent of the population since the late '70s. Since 1996 the population bull/cow ratio and cow/calf ratios have declined significantly. You can see this on Table 1 on Page 435 of the analysis. The
latest photo census provided a minimum estimate of 30,000
caribou for the herd which is near the minimum population
objectives for the herd.

Portions of the herd's range are showing
signs of heavy use with extensive trailing evident along
major travel routes. It's been reported that some of the
summer and fall range of the herd in the Nushagak Hills
and elsewhere was trampled and showing signs of heavy
grazing while traditional winter ranges on the north and
west sides of Iliamna Lake also showed signs of heavy use
despite the fact that few caribou appeared to continue to
utilize these areas.

Harvest on the Mulchatna Herd continues
to decline. Total reported harvest was 2,171 animals in
2005, but had declined to 516 by 2008. Most of the
harvest occurs in August and September with the majority
of harvest occurring close to villages on State lands.
Additionally March also accounts for a relatively high
amount of the harvest, 10 percent in 2004/2005 and
increasing to 23 percent in 2005/2006. Data indicates an
increase in the proportion of caribou taken during late
winter when compared to harvest chronology for previous
years.

The OSM conclusion can be found in the
analysis addendum on Page 437. Our conclusion is to
support the proposal with modification to maintain the
current harvest limit and eliminate the March portion of
the season and limit the impact to the Mulchatna Caribou
Herd. The -- given the continued decline of the herd a
reduction of season length is warranted. Since a
relatively high amount of harvest occurs during the month
of March and because data indicates an increase in the
proportion of caribou taken during late winter when
compared to the harvest chronology for previous years a
shortening of the season would be a prudent first step in
aiding in the recovery of the herd. However the proposal
as written would make the Federal harvest limit and
season more restrictive than State regulations. Even if
this proposal's adopted by the Board hunters will still
be able to take caribou under State regulations on Fish
and Wildlife and BLM lands in Unit 18 and most local
users would still be harvesting close to village
communities that are primarily on State and private
lands. Therefore the adoption of this proposal by the
Board will not have the effect sought by the proponent of
reducing harvest. Without aligning it with State
regulations the effectiveness of this proposal would be
limited and Federally-qualified users would have less
opportunity than non-Federally-qualified users.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Any questions of the
Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for that
presentation. We will move to the summary of public
comments from the Regional coordinator.

MR. NICK: Mr. Chair.

CHAIRMAN TOWARAK: One minute, please.

Geoff, go ahead.

MR. HASKETT: So actually if I could,
what I was checking we -- actually Gene Peltola's here,
our Refuge manager, and I -- if we could I'd like him to
come address some of this to the Board. This seems to be
an appropriate time to do it.

CHAIRMAN TOWARAK: Is Gene here?

MR. PELTOLA: Right here.

CHAIRMAN TOWARAK: Would you come to the
floor, please.

MR. PELTOLA: Chairman Towarak, Board
members, RAC members. My name's Gene Peltola, Jr., I'm
the Refuge manager for Yukon Delta National Wildlife
Refuge and I have with me Robert Sundown, he's our
subsistence coordinator. And I wanted to address some of
the concerns that we saw in the data which was presented
to you in Table 1 on Page 435 of the proposal. And if
it's a bit redundant I apologize in advance, but we just
worked on the summary by our interpretation of the data.

A large portion of the Mulchatna Caribou
Herd is in Unit 18 within the Yukon Delta National
Wildlife Refuge and is one of the responsibilities for
the Refuge and the Federal Subsistence Board. The
continued decline of the Mulchatna Caribou population
necessitates a further reduction in the harvest. The
Department's management objectives for the Mulchatna
Caribou Herd are to maintain the population of 30,000 to
80,000 caribou with a minimum bull/cow ratio of 35 per 100. The latest photo census was in 2008 and the minimum estimate was 30,000 caribou at the time which is the lowest -- the low end of the management objective which is presented in Table 1 of the proposal. The way these composition surveys which were executed in 2011 and showed a bull/cow ratio of 21.7 bulls per 100 cows. Since 2001 the bull/cow ratios have been estimated at less than 35 bulls which is below the management objective as stipulated. The 2011 bull/cow ratio is the eighth lowest on record and the 2011 calf ratio is the fourth lowest observed since 1974 with 23 years of data to address. The declining compositional ratio appears to be associated with the decline of the population from a high of 2000 in 1996. Without photo census data we cannot determine the present population size, however the 2008 to 2011 composition data may indicate the population is continuing to decrease from the last photo census of 2008 which showed 30,000 animals.

Population counts have been unsuccessful since 2008 due to a combination of weather and Mulchatna not aggregating during the calving period. The herd appears to have started to calve in different locations throughout its range, making surveys difficult to accomplish. The change in the winter distribution of Mulchatna has made them more accessible during the winter months within GMU 18, Game Management Unit 18, with much of the herd moved to areas close to the villages of Napakiak, Eek, Kwethluk and the city of Bethel. And winter conditions have allowed access to the nearby herd via snowmachine. Due to adequate snow conditions early this year harvest of caribou likely occurred right after freeze up in mid November. And under current regulations the harvest will continue until mid March when the season ends.

The harvest ticket program underestimates the total harvest due to noncompliance which is very common in rural Alaska. However the reported harvest has declined as the Mulchatna Caribou Herd has declined. Total reported Mulchatna harvest was 2,171 animals in 2005, but has declined to 516 by 2008. Although we cannot analyze the effects of a hunter harvest of the Mulchatna Herd nor do we have recent population data, composition data and anecdotal evidence on hunter harvest raises concern over the health of the herd. Our concern is that if over harvest is occurring which we believe may be occurring at this time it will prolong the time needed to recover the herds to management objective levels and
result in less subsistence harvest overall in the years
to come. In addition if the season reduction and the bag
limit reduction were taken into place and a new survey
was conducted that shows the population is higher than
what we believe it is there are mechanisms in place in
order to liberalize the season once again and increase
the bag limit.

If you look at the history of the harvest
of the Mulchatna Herd starting '96/'97, we had 200,000
animals, over the last 10 years we've gone down to
approximately 30,000 animals. During this time frame we
were aggressively harvesting a declining population which
has led to our concern at this time at the Refuge. What
we're looking at is not a -- we're not looking upon this
as a means or mechanism to curtail -- I mean, to stop
harvest although we want to be -- take a conservative
approach while reducing the season and the bag limit, but
yet still allowing for subsistence harvest to occur at
the same time in order to minimize the bottom end of the
population of the caribou herd and hopefully get them to
rebound on a more rapid pace than which may occur if we
continue to over harvest which we believe we are.

Thank you.

CHAIRMAN TOWARAK: Thank you, Gene. Any
questions from the Board or the RACs.

(No comments)

MR. PELTOLA: Thank you much, appreciate
the time.

CHAIRMAN TOWARAK: Thank you for that
information. Public comments summary.

MR. NICK: Mr. Chair, for the record,
Alex Nick, coordinator for Seward Pen and the YK. There
were no written public comments for this proposal.

Mr. Chair.

MR. PROBASCO: And, Mr. Chair, no one has
signed up to testify.

CHAIRMAN TOWARAK: Okay. Without any
comments we will proceed then, assuming that there isn't
anyone in the public that wants to testify or anybody on
the phone.
(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we will proceed to Regional Council recommendations.

Mr. Wilde.

MR. L. WILDE: Mr. Chair, thank you. The YK RAC support Proposal WP12-42 with modification to maintain the current harvest limit and eliminate the March portion of the season and limit the impact of the Mulchatna east of the Kuskokwim River. You can see the OSM conclusion for regulation language.

Mr. Chairman, thank you.

CHAIRMAN TOWARAK: Thank you. Any questions or.....

(No comments)

CHAIRMAN TOWARAK: Thank you, Mr. Wilde. We will continue on then with the Department of Fish and Game.

MR. PROBASCO: We got Bristol Bay and.....

CHAIRMAN TOWARAK: Oh, I'm sorry. Oh, there are other.....

MR. PROBASCO: Yes.

CHAIRMAN TOWARAK: Okay. The Western Interior Subsistence Regional Advisory Council.

MR. REAKOFF: Mr. Chair, the Council did not take this proposal up although I personally would have liked to. Proposal 10-69, which is that customary and traditional use determination for 21E moose absorbed a whole bunch of an evening meeting and a whole bunch of our meeting in general and that proposal's not going to be reviewed by the Board until March. Our Council, several members were tired, they didn't -- they wanted to forego these Unit 18 proposals, but because I personally have grave concern for the Mulchatna Herd I would have like to have taken up this proposal, but we took no action. But I had -- I felt I had to explain why we didn't.
CHAIRMAN TOWARAK: Thank you, Jack. The Bristol Bay Region.

BRISTOL BAY: Bristol Bay supported this here proposal. I'm not really remembering exactly how it went down, but the Mulchatna Herd is also a herd that we feed off of over there, they go down as far as 9C, in the southern portion of 9C. And that's where they're sitting right now, a good portion of them.

Thank you.

CHAIRMAN TOWARAK: Thank you. We don't have anybody here from the Seward Peninsula.

MR. PROBASCO: Yeah, we do.

CHAIRMAN TOWARAK: Oh, I'm sorry. Go ahead.

MR. NICK: Mr. Chair, Seward Peninsula opposed Proposal WP 42. The effect of this proposal is too broad and applies to the whole unit and not to just the Mulchatna Caribou Herd. The Council wants to give deference to the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council. And for the Board's information, Mr. Chair, two of the Seward Pen villages are within the border or near the border of the Unit 18 which is Yukon region, Yukon-Kuskokwim region.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions or comments.

(No comments)

CHAIRMAN TOWARAK: Okay. Now we go to the Fish and Game.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas. I will open and I believe Mr. Pappas has some supplemental comments here, but this is another one where a funny thing happened on the way to the meeting, the Board of Game met before you did. And so our comments that you have in your proposal book are no longer accurate. We had originally supported the proposal with modification, viewing the goal of the proposal to assist the Mulchatna Herd. So conservation concerns for the Mulchatna Herd were the impetus for the
The Board of Game yesterday approved a predator management program in this area that is expected to benefit this herd. We expect that this will allow the Board to leave the season and bag limits in place, not reduce the subsistence opportunity and still meet the goal of benefitting the herd.

I'm going to turn over some of the specifics here to Mr. Pappas.

MR. PAPPAS: Thank you, Mr. Chair. Yeah, the Department currently opposes changing the season and bag limit for this particular hunt and recommends requiring a joint State/Federal registration hunt permit. And the Department would administer that. And again the Department has determined the herd can sustain the current estimate for reported and unreported harvest. And if a joint State/Federal permit is installed hopefully for the regulatory -- beginning of regulatory year 2013, this will allow for the collection of more accurate information and will also help us with unreported harvest.

MS. YUHAS: Mr. Chairman, if I may just conclude.....

CHAIRMAN TOWARAK: Sure.

MS. YUHAS: .....that the predator management program that was authorized is expected to commence March of this year.

MR. PROBASCO: Mr. Chair, Ms. Yuhas. And that plan is in addition to other units besides Unit 18 or just Unit 18?

MS. YUHAS: I apologize, Mr. Probasco, that I am unable to answer that question. I can tell you that our position has changed on this proposal.

CHAIRMAN TOWARAK: Any further questions or discussion from the State.

(No comments)

CHAIRMAN TOWARAK: If not, then we will hear the InterAgency Staff Committee.
DR. JENKINS: Mr. Chair, the InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on the proposal. The ISC recognizes the conservation concerns for the Mulchatna Caribou Herd expressed by the Yukon-Kuskokwim Delta Regional Advisory Council and the Yukon Delta National Wildlife Refuge. Unless joint Federal and State actions are undertaken to address this issue however adoption of WP12-42 may not achieve the desired results and would create Federal regulations which would be more restrictive and detrimental to Federally-qualified subsistence users.

Thank you.

CHAIRMAN TOWARAK: Thank you. Board discussion with Council Chairs and the State liaison.

Go ahead, Jack.

MR. REAKOFF: Mr. Chair, since we did not take this proposal up, but I speak from my own perspective. There's an ongoing problem with this Mulchatna Caribou Herd. If you look down in the data set here, the bull/cow ratios went over a cliff when they were heavily over harvested in the -- in the late -- in the 2000s through 2007. They were completely in the toilet, there was less than one large bull for 100 cows. That's the problem, they had no breeding structure and so if you look at the current data set these low calf recruitments are caused by younger bulls breeding cows and wearing themselves out and it's Unimak all over again. And the reality is I'm happy to see that there are some larger bulls in -- as a percentage of the bulls, but we're not going to -- there's going to be a lag time in recovery until we get these bulls back to where they're supposed to be. And this has been a chronic issue in moose and caribou populations in Unit 19A, moose in 19A are on Federal drawing permits when the bull/cow ratio was killed down to eight bulls per 100 cows.

And so I personally support this proposal to recover this population, but thought should be given through management about the bull/cow ratios and maintaining the bull/cow ratios at levels that support a healthy population as Title VIII of ANILCA requires of this Board and this system, using scientific principles managing for healthy populations. And so with the
bull/cow ratio below a management health, it's incumbent
to -- for predator control is not going to fix this
bull/cow ratio, that's only going to help the
recruitment. We need to recover this bull/cow ratio and
we should really look at a methodology to recover that
bull/cow ratio working with the State.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you, Jack. Any
further discussion.

(No comments)

CHAIRMAN TOWARAK: We're going to take a
10 minute break. I'm going to take a 10 minute
break.....

(Laughter)

CHAIRMAN TOWARAK: .....and stretch.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'd like to call us
back to session here. We were on Proposal 12-42 and we
had just had a discussion with the Board and the Council
Chairs and the State liaison. The next step on the
process is to -- for the Federal Subsistence Board
action. The floor is open for action.

MR. HASKETT: Okay. So I was actually
prepared to go a couple different directions on this one
depending upon what happened at the Board of Game
meeting, it went a little differently than I thought it
was going to go. So we kind of -- we had a quick get
together so what I'm going to be doing is making a motion
to adopt Proposal 12-42 with modification as recommended
by the Yukon-Kuskokwim Region Council and I'll provide my
dissertation if I get a second.

MS. MASICA: Second.

CHAIRMAN TOWARAK: You heard the motion
and a second. Rationale.

MR. HASKETT: Okay. So it's clear -- in
fact I don't think there's any disagreement that the
Mulchatna Caribou Herd is in decline and needs further protection. And the Council's recommendation to reduce the season dates, but not the harvest limit we believe is a step in the right direction. I intend to vote in favor of that motion. Part of the reasons that brought us here is we were expecting to get to a point where we were going to be aligned on the regulations with the State, we were hoping that would happen, that's not where we went. Both the Feds and the State have concerns over the population as does the RACs. Predator control that's been proposed at the Board of Game meeting may address recruitment, but we don't believe it's going to actually address the declining bull/cow ratio which came up from Jack previously. So what we're looking at is a proposal that's short of closing Federal lands to only Federally-qualified users which could have been our next step, but we'd like to work this a little bit more before we get to that point.

So again the motion is to adopt the proposal with modification as recommended by the Yukon-Kuskokwim region.

CHAIRMAN TOWARAK: Any other discussion or questions from the Board.

Gene.

MR. VIRDEN: The -- you know, the -- I know the Secretary had -- there was a -- I think Mr. Pourchot said the Secretary had made the statement and I -- and -- that Federal subsistence is broken. And to me the part of this that bothers me is that Federal subsistence users are in a -- they're not in the same position as State hunters. State hunters have a -- are like they're getting the preference. In other words Federal hunters would go down to one and the State's would continue at two. That just doesn't sit right with me if understand that correctly.

MR. HASKETT: No, that's actually not correct. Can I -- oh, I'm sorry, Mr. Chair, I should have asked for permission. Can we actually have Gene Peltola come up one more time to help maybe explain this?

CHAIRMAN TOWARAK: You have the floor, Mr. Peltola.

MR. PELTOLA: Thank you, Chairman Towarak. As the original proposal was submitted it
called for a reduction in the season in addition to the bag limit. And what has been proposed is, and acted upon via the motion, is that we maintain the same bag limit of two if I understand it correctly by reducing the season. I think that would be a step in the right direction, it's not necessarily as far as the Refuge would like to go, but we understand the concerns of the Board. The majority of the harvest on this herd does not usually occur in the fall, the majority of the harvest on this herd currently occurs when snow conditions are appropriate, where we have people from the Kuskokwim villages in addition to Bettles going out and harvesting caribou when they're on their winter grounds close to the communities. That is where the significant amount of the harvest occurs. Now if the Board decides to act on just the season reduction alone by maintaining the two bag limit, the way it currently is only one bull can be harvested out of the herd and only one caribou prior to the end of January where an additional animal can be taken later on in the season after the end of January. There'd still be an opportunity for subsistence users to participate in the harvest and there may potentially be a reduction in the harvest by shortening the season.

CHAIRMAN TOWARAK: Does that clarify your question, Gene?

MR. VIRDEN: Yes, that does.

MR. CRIBLEY: I've got a question, Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MR. CRIBLEY: Yeah, I guess where -- I understand what we're trying to achieve through the modification of the -- of subsistence hunting season. But my understanding was is the State was not going to and that the State hunt would still continue. Is that -- is it kind of like we got half of the pie here and we're not getting the -- we're not getting the full effect of what we're trying to accomplish?

MR. PELTOLA: Yeah. Through the Chair. Correct. We'd have a difference in our Federal seasons versus what is existing on the books with the State season. Now if the Federal Subsistence Board wanted to continue down the road, there are mechanisms in place which can address that, but no, that's not being addressed at this time.
MR. CRIBLEY: Thank you.

CHAIRMAN TOWARAK: Any further questions, discussion.

Mr. Virden.

MR. VIRDEN: Sorry, I misstated that. So, I guess, the difference would be that the Federal subsistence season's shorter than the State season, but the harvest would be the same theoretically.

CHAIRMAN TOWARAK: Yes.

MR. HASKETT: Yes. I mean, so maybe someone correct me if I get this wrong, but since they're going to be -- they will not be the same, but there's still going to be the State season that's going to allow people to still move forward. So we're making it a statement, I think, of concern on the health of the herd and what needs to be done. It's not hurting anybody or causing undue problems for anyone.

CHAIRMAN TOWARAK: What you're saying then is that even if the Federal season is shorter they -- the hunters and the subsistence users will have the State's schedule to continue their hunting ability.

Go ahead.

MR. VIRDEN: It seems like it's backwards to me, but I'll just make that comment.

CHAIRMAN TOWARAK: I think we should move on to a vote.

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Mr. Cribley.

MR. CRIBLEY: I call for question.

CHAIRMAN TOWARAK: Question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair. And this is final action on WP 12-42 to adopt the Yukon-Kuskokwim Delta Regional Council recommendation which was to support the proposal with modification. And that's found on Page 431.
Ms. Masica.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: No.

MR. PROBASCO: And, Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Motion carries, 5/1.

CHAIRMAN TOWARAK: Thank you. We will move on to Proposal 12-43 then. Staff analysis, please.

MR. FOX: Yeah. Thank you, Mr. Chair. Trevor Fox with OSM. The analysis for WP12-43 begins on Page 441 of your meeting book.

The proposal was submitted by the Yukon Delta National Wildlife Refuge and it requests an extension of the season and an increased harvest limit for lynx under Federal hunting regulations in Unit 18. The proponent states that in addition to being a fur bearer, lynx are also a subsistence food resource. Additionally there is a perception among Federally-qualified subsistence users who harvest a finite number of lynx for food that they are second tier to commercial trappers who are allowed to harvest an unlimited number of lynx in a trapping season. The proposed changes are to increase the harvest limit from two to five lynx under Federal hunting regulations and to extend the season from November 10th through March 31st to August 10th through April 30th. All rural residents have a positive customary and traditional use determination for lynx in Unit 18. And a similar proposal was recently rejected by
the Alaska Board of Game due to concerns of increased
mortality of recently weaned kittens during August and
September.

As far as the population goes it's a
classic example of the cyclic population. With lynx
populations tied to that of snow hare -- snowshoe hare
abundance and these populations follow an eight to 11
year cycle. The harvest history is based on sealing
records which provide an index to the relative abundance,
but are associated with problems such as under reporting,
under representation of some users such as people who tan
their own hides and those that harvest lynx for meat.
Harvest is also affected by snow conditions where more
harvest occurs when conditions are conducive to
snowmachine travel. The harvest data suggest that lynx
are taken -- or that more -- most lynx are taken under
trapping regulations. The lynx under hunting regulations
range from zero to 28 percent of the reported harvest.
The proposed regulatory changes would provide some
additional harvest opportunity for Federally-qualified
subsistence users under hunting regulations by increasing
the limit and extending the season. There would likely
be minimal effects to the lynx population due to the
small proportion of users who harvest under hunting
regulations and they would be able to harvest up to three
additional lynx a year. Meanwhile under trapping
regulations the harvest is unlimited. Hunting is less
targeted, less targeted for harvesting lynx because of
the elusive behavior of lynx and most of the harvest with
hunting is opportunistic.

The OSM conclusion is to support WP12-43.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Are there
any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for that
report. Summary of public comments from the Regional
coordinator.

MR. NICK: Mr. Chair, there were no
comments received.

Mr. Chair.
MR. PROBASCO: And, Mr. Chair, no one has signed up.

CHAIRMAN TOWARAK: Okay. So we don't have anyone that wants to provide testimony from the public.

(No comments)

CHAIRMAN TOWARAK: And we will then proceed on to the Regional Council recommendations.

MR. L. WILDE: Thank you. Mr. Chair. YK Delta supports WP12-43. We feel that there are no conservation concern and from experience lynx are good to eat and you can prepare them just as well -- just like you do chicken. And if you didn't know that it was lynx meat you'd swear it was chicken.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. Some food for thought.

(Laughter)

CHAIRMAN TOWARAK: We -- if there are no questions from the Board to the Regional Chair, we'll go to the Fish and Game Comments.

MR. PAPPAS: Thank you, Mr. Chair.

George Pappas, Department of Fish and Game.

Conservation concerns for lynx in Unit 18 are undetermined at this time and also the vast majority of lynx harvest is reported through trapping. As earlier mentioned the Alaska Board of Game recently opposed a parallel proposal based on lynx kits of the year and the Department recommends opposing this proposal based upon the Board of Game action at the November, 2011 meeting.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Any questions from the Board.

(No comments)
CHAIRMAN TOWARAK: Thank you for that report. We will hear then from the InterAgency Staff.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee submitted its standard comment.

Thank you.

CHAIRMAN TOWARAK: Thank you. Board discussion with Council Chairs and the State liaison.

Any need for additional comments?

(No comments)

CHAIRMAN TOWARAK: I'm not seeing any. Then we will.....

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Yes.

MR. LOHSE: I just have to agree with -- I just have to disagree with my other Council member over there, lynx does not taste like chicken, lynx tastes like pork.

(Laughter)

CHAIRMAN TOWARAK: We will.....

MR. PROBASCO: You got Mr. Wilde.

CHAIRMAN TOWARAK: Oh. Mr. Wilde.

MR. L. WILDE: Thank you, Mr. Chairman.

One thing that I'd -- just for information sake, we hunt lynx, but the only time that we're able to hunt them is after the snow falls which is in October and you can't always go out and chase a -- get the lynx out in the open because they're -- they usually run into the tree line because actually on the area where we live into the willow line and it's always a little bit hard to get them there, but when we do get them we enjoy both the fur -- we use both the fur and the meat.

Thank you, Mr. Chairman. I thought I'd put that out for your information.

CHAIRMAN TOWARAK: Thank you, Mr. Wilde.

The floor is open for action by the Board.
Mr. Haskett.

MR. HASKETT: I'd like to know whether it's pork or chicken.
(Laughter)

MR. L. WILDE: It depends on what you're used to eating.

MR. LOHSE: And like Beth says, if I fry it in bacon grease it probably tastes like pork.
(Laughter)

MR. HASKETT: Okay. I'm going to make a motion to adopt Proposal 12-43 and recommended by the Yukon-Kuskokwim Delta Regional Council and I'll provide my justification if I get a second.

MR. CRIBLEY: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. You've got the floor, Mr. Haskett.

MR. HASKETT: Yeah, as was explained most lynx are taken under trapping regulations rather than hunting regulations. Lynx are often taken while -- while hunting are taken opportunistically. This isn't likely to impact the lynx population much. It says lynx are good eating and are taken when possible. This change is not likely to have much impact on the lynx population since most of the harvest using hunting regulations is opportunistic while hunting for other animals. Trapping has a more substantial affect on lynx harvest and this will not change trapping regulations so I intend to vote in favor of the motion.

CHAIRMAN TOWARAK: Further discussion or questions.

(NO comments)

CHAIRMAN TOWARAK: Mr. Cribley.

MR. CRIBLEY: Call for question.

CHAIRMAN TOWARAK: Question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair.
Final action on WP12-43 to adopt as recommended by the Yukon-Kuskokwim Regional Advisory Council.

Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: And, Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Motion carries, 6/0.

CHAIRMAN TOWARAK: Thank you. We will move on then to Proposal 12-47, Unit 18 moose. Staff analysis, please.

MR. FOX: Thank you, Mr. Chair. Trevor Fox with OSM again. The proposal for WP12-47 begins on Page 449 of your meeting book. The proposal was submitted by Stanley Shepherd of the Mountain Village Working Group and requests the addition of a special provision to limit aircraft use for the moose season in a portion of Unit 18. The proponent states that there are concerns among Unit 18 residents regarding non-local users flying into Refuge lands to harvest moose. The proponent states there have been reports of non-local fly-in moose hunters claiming areas of Unit 18 for their exclusive use and have asked local tribal members to leave hunting areas.

The proposal requests a special provision to create a Unit 18 Federal Controlled Use Area to
restrict the use of aircraft during moose seasons for
users harvesting moose including transportation of any
moose hunter or moose part. The controlled use area
would encompass the lower Yukon and remainder areas of
Unit 18 and would not apply to transportation of a moose
hunter or moose part by aircraft between publicly owned
aircraft or airports.

Previous proposals have been submitted to
address this issue. Proposals WP05-11 and WP06-27
requested a Federal controlled use area for all moose
seasons in the lower Yukon River drainage of Unit 18.
WP05-11 was deferred and WP06-27 was rejected due to a
lack of conservation concern and the Board's limited
jurisdiction to implement effective controlled use areas.

As far as the population of moose in Unit
18, in this portion of Unit 18 the population is highly
productive, continues to grow and is capable of
supporting an increased harvest. When hunting moose
airplanes have been used by both Federally-qualified
subsistence users and non-qualified users. In Unit 18
between 3 and 7 percent of all users listed airplanes as
the primary means of transportation and this is found on
Table 2 on Page 461, but this accounted for less than 4
percent of the overall harvest which is on Table 3 on
Page 461. Airplane use has been more prevalent among
non-Federally-qualified users, but the overall effort is
low for known residency users. An important note is that
the proposal would affect all users who use airplanes
during the moose season and between 2007 and 2009 there
were between six and 17 Federally-qualified subsistence
users who reported using airplanes as their primary
method of transportation. If the proposal were adopted
these users would be affected.

The OSM conclusion is to oppose WP12-47
because the Federal Subsistence Board does not have
jurisdiction to restrict access methods on State and
private lands or to restrict spotting of moose by
aircraft. Also both Federal and State regulations
already address the issue of fly-in hunters by
prohibiting the taking of moose on the same day a hunter
is airborne. In addition the Yukon Delta National
Wildlife Refuge Staff does have a program to manage
transporter access on Refuge lands to help reduce
conflicts between transporter clients and local users and
these methods are listed on Page 457 under current
events. And finally there are no conservation concerns
for the affected moose population that would require any
regulatory restrictions.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Mr. Haskett.

MR. HASKETT: So, Mr. Chair, this is an area where a Refuge has actually done a lot of work to address the conflict that's part of this motion. So again if I could I'd like to ask Gene Peltola to come up and talk about some of the work the Refuge has done.

CHAIRMAN TOWARAK: Sure. You have the floor, Mr. Peltola.

MR. PELTOLA: Thank you, Chairman Towarak, other Board members. Prior to this body opening up the harvest of moose within GMU 18 on the Yukon, my predecessor and manager, Mike Reardon, made a commitment to the Board to minimize overlap and potential conflict between local and non-local users. The Refuge has done all we could in the -- up to date in order to carry through that commitment to this body.

With our special use permits we have -- we've issued up to a total of four special use permits. Two companies operate out of Bethel, one operates out of Holy Cross and another operates out of Unalakleet. Within the conditions of those permits we do not authorize transporter drop off activity in high concentrated areas where there -- I mean, high concentrations of Native allotments. Just downstream from Mountain Village, going down the main stem of the Yukon, going through the lower, middle and upper mouth, we have six, seven, 800 Native allotments along the river there. We do not authorize any of our transporters to conduct transporter drop off activity in that section of the river.

In addition we require all of our transporters to give us a list of latitudes/longitudes prior to the beginning of the season to ensure that the areas that they propose to drop someone off meets our criteria. Those criteria include not dropping off anybody within boat accessible waters. Now we don't hold true to that along the -- at Chilingook (ph) drainage which is north of Marshall. The reason being is when the Yukon was opened up to non-residents of the unit in 2007 this is one area where we had a boat operator, boat
In addition too we have the Andreafsky Wilderness Area which is north of Mountain and St. Mary's. Along there we have three major drainages, the north fork, the east fork and the Chilingook River (ph) drainages. In this area we only authorize two parties to be dropped off per transporter. In addition the majority of those operators up in the Andreafsky are wheel based operations so they're dropping off people several miles, up to six or nine miles from the river corridor itself. If there happens to be someone who's dropped off to conduct a float hunt down these drainages, we require that they be pulled out on the north fork which is most accessible for a float hunt by Allen Creek which is about halfway down the river system in order to minimize a potential overlap between a local and non-local user.

Throughout the other area of the Refuge we do not authorize a drop off within one nautical mile of a Native allotment. We do not authorize a camp within three miles of another. So there are numerous steps the Refuge has taken in order to minimize the potential for overlap between a local and non-local user, probably to the point that within Refuge lands in Alaska, Yukon Delta probably puts more stipulations on our transporters than anybody else in the region.

Thank you.

CHAIRMAN TOWARAK: Any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for that information. Do we have any public comments or.....

MR. NICK: Mr. Chair, there weren't any.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you.

MR. PROBASCO: Mr. Chair, I do have one person that's signed up and that's Mr. Harry Wilde.

Mr. Harry Wilde.

CHAIRMAN TOWARAK: Go ahead.

MR. NICK: Mr. Chair, Harry told me just
a few minutes ago that he's going to go rest in his hotel, he was getting tired.

Mr. Chair.

CHAIRMAN TOWARAK: I'm ready to join him.

(Laughter)

MR. PROBASCO: Mr. Chair, if I may. You may recall that Mr. Wilde spoke earlier to the Board and his testimony talked about both non-agenda items, but also talked about the importance of moose in this area. I'm sure he had more to add to that, but he did speak to moose.

Mr. Chair.

CHAIRMAN TOWARAK: Okay. With Harry not being here we will proceed then and hear the Regional Council recommendations.

MR. L. WILDE: Thank you, Mr. Chair. The YK RAC supported WP12-47. The justification was that the lower Yukon people sacrificed to build the moose population in the area, 13 villages depend on moose in this area and local people do not support moose spotting from an airplane and hunters being dropped off with an airplane in the hunt area. When people fly into the villages, the people in the villages volunteer to help them out. So that's it.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Any questions of the Chair.

(No comments)

CHAIRMAN TOWARAK: If not, then we will proceed to the Department of Fish and Game comments.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas. The Department's comments can be found on Page 465 of your Board book, but I can summarize simply to say that the Department is also opposed, agrees with the OSM conclusion, finds the proposal unnecessary, outside of your Board authority and in conflict with your closure policy.
Thank you.

CHAIRMAN TOWARAK: Any questions.

(No comments)

CHAIRMAN TOWARAK: I have a question with regard to Mr. Peltola's comments about directing carriers to certain areas. Who actually has jurisdiction over.....

MR. HASKETT: We -- Fish and Wildlife Service does within the Refuge.

CHAIRMAN TOWARAK: Mr. Wilde, is that a sufficient answer for your concerns from the Regional Council?

MR. L. WILDE: Mr. Chairman.

CHAIRMAN TOWARAK: Fish and Wildlife Service regulates airplane commercial activity into Unit 18. And from what I've heard this Board does not have authority to regulate where commercial airline activity takes place in the Refuge.

MR. L. WILDE: I guess we'll have to take that as an answer, Mr. Chairman.

Thank you.

CHAIRMAN TOWARAK: Any further comments.

MS. AHTUANGARUAK: I'd like to comment that the reality is that the technology that's available to help monitor activity within our lands is greatly improved and the reality is our State has not taken the opportunity to improve that process. We could be putting GPS monitors on these various outfitters and be monitoring their activities, that type of stuff. I hope that we take advantage of the reality of improvements in technology in ways that we can help monitor our resources.

CHAIRMAN TOWARAK: Any further discussion.

MR. L. WILDE: Mr. Chairman.

CHAIRMAN TOWARAK: Mr. Wilde.
MR. L. WILDE: If I may, Mr. Chairman. I think this proposal stems from one -- a couple incidents this couple -- this last season where the hunter came to an area where he usually hunt and there was a couple of people that were there that they were obviously not from the area. And they asked -- they told the -- the people went there on their Native allotment and the -- and were told by the people that were hunting on that Native allotment that they were trespassing when actually the people that said that the Natives were trespassing were actually the ones trespassing on the Natives' land. And I think that was one of the reasons why this proposal came out.

Mr. Chairman.

CHAIRMAN TOWARAK: Okay. I assume that you have access to the Fish and Wildlife Service management.

MR. L. WILDE: Yes, I do, Mr. Chairman. Thank you.

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. LOHSE: Mr. Chair, through the Chair to Mr. Haskett. You have regulations over commercial enterprises like transporters and that, but there are no regulations that apply to private pilots flying on their own, are there?

MR. HASKETT: Yeah, that would be correct. I mean, the FAA or somebody would have the responsibility for something that's not actually directly, you know, making use of part of the Refuge. I believe that's -- generally we have -- yes.

MR. LOHSE: But individuals can make use of the Refuge without going through the Fish and Wildlife Service?

MR. HASKETT: You mean in terms of landing or in terms of actually -- like this proposal here?

MR. LOHSE: In terms of landing and hunting. Let's say I was a pilot and I decided to fly from Anchorage up to the Refuge and land and hunt. There
would be no Fish and Wildlife regulations that would apply to me as an individual, would they?

MR. HASKETT: And if you're saying -- yeah, the answer's no, there would not be.

CHAIRMAN TOWARAK: Further discussion.

(No comments)

CHAIRMAN TOWARAK: If there aren't any we're going to -- we'd like to hear from the InterAgency Committee.

DR. JENKINS: Mr. Chair, the ISC had it's standard comment on this.

CHAIRMAN TOWARAK: Thank you. The floor is now open for open discussion with the Council Chairs and the State liaison.

MR. CRIBLEY: Mr. Chair, a question of clarification. The statement has been made that the Board doesn't have the authority to actually do this. Can we -- can I get some clarification on that.

MR. LORD: Thanks for asking that question, Bud. In fact, the Board has never taken an action like this, all the controlled use areas in Federal regulation are those that we adopted from the State when the program started. We've never gone beyond that and adopted a new one. It's always been our position however that we have the authority to do it, but practically speaking there really hasn't been a good reason to. Unless we have the State onboard on a particular controlled use area then we end up with a patchwork of lands where, you know, the control -- there would be a no fly area and then there wouldn't be because of the -- the State program and the Federal program wouldn't be aligned. And taking into account that the land managers typically have authority over most aircraft that go into this area, there's been no reason to.

So that's as much as I can tell you, we've never tested our position that we have that authority.

MR. CRIBLEY: Thank you.

CHAIRMAN TOWARAK: If there isn't any
further discussion the floor is now open for action on
this proposal.

MR. HASKETT: I just want to make sure I understand what just happened here. So based upon the question that Bud just asked and the explanation you just gave and the determination that's made by the Chair, essentially the proposal has just died here and I don't need to make a motion on anything -- any kind of proposal here.

CHAIRMAN TOWARAK: Go ahead, Pete.

MR. PROBASCO: Mr. Board, the Board actually has two options here. I'd recommend that you do take action since it's gone through the process of going to the RACs and they've made recommendations. However the Board could elect to take no action based on counsel as far as their authority.

Mr. Chair.

CHAIRMAN TOWARAK: The floor is open for the wishes of the Board.

MR. HASKETT: So.....

CHAIRMAN TOWARAK: Go ahead.

MR. HASKETT: .....Pete, your recommendation was to go forward with a motion just to cover since it went through the process. So I'm wiling to do that then if that's the recommendation.

MR. PROBASCO: That's my recommendation, Mr. Chair.

CHAIRMAN TOWARAK: The floor is open.

MR. HASKETT: Okay. So I make a motion to adopt the proposal. I'll provide my justifications why I intend to vote against the motion if I get a second.

MS. PENDLETON: Second that.

CHAIRMAN TOWARAK: You heard the second.

Justification.

MR. HASKETT: Okay. So I think Gene
Peltola, our Refuge manager, did an excellent job of describing all the efforts that were actually involved in addressing these concerns. This area has one of the highest densities of moose in the State right now. I do understand that there's been some user conflicts in the area as were referred to, however our Yukon Delta Refuge Staff have taken numerous actions to help alleviate the concerns of the local users. The Refuge has taken action to not allow transporters to drop off hunters along waterways usually accessible by boat, within one nautical mile of Native allotments, within three nautical miles of other hunting camps. In addition the Refuge limits the number of moose hunters that transporters can bring into the area. Transporters are allowed to bring in two hunting parties per drainage for a total of six parties. A drop off location cannot be used more than once per year and no more than five round trips can occur at the same location. So it appears to me that we're doing all we can. It does not appear that the Yukon-Kuskokwim Regional Council recommendation is supported by substantial evidence under Section 805(c) of ANILCA and I will be voting in opposition to the motion.

CHAIRMAN TOWARAK: Further discussion or any questions.

(No comments)

MR. CRIBLEY: Mr. Chairman, I call for question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair.

Final action on WP12-47.

Mr. Towarak.

CHAIRMAN TOWARAK: No.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: No.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: No.

MR. PROBASCO: Ms. Pendleton.
MS. PENDLETON: No.

MR. PROBASCO: Ms. Masica.

MS. MASICA: No.

MR. PROBASCO: And, Mr. Cribley.

MR. CRIBLEY: No.

MR. PROBASCO: Motion fails 0/6.

And, Mr. Chair, the next proposal, 12-49, was moved to the consensus agenda so that would move us to 12-50.

CHAIRMAN TOWARAK: We will proceed then on to 12-50 on Page 483. Staff analysis, please.

MS. KENNER: Good afternoon, Mr. Chair, members of the Board, Council Chairs and the Solicitor. I'm Pippa Kenner, anthropologist with the Office of Subsistence Management. The analysis for Proposal WP12-50 begins on Page 483 of your Board book.

The proposal was submitted by the Association of Village Council Presidents in Bethel and would allow moose to be taken from a motor driven boat that is moving under power. The request addresses the remainder area of Unit 18 in moose regulations and this remainder area is defined in Map 1 on Page 485 of your Board book.

The proponent states that the proposal reflects the current method of harvesting moose in the region and that the practice has been ongoing since motorized boats became available in the area. A slow speed is used to avoid scaring moose from river banks by keeping motor noise to a minimum and a motor driven boat under slow power provides a relatively stable platform for shot placement.

The Federal Subsistence Board has adopted regulations allowing the harvest of moose and caribou from a boat under power in several management units, including caribou in all of Unit 18 and moose in the lower Yukon drainage portion of Unit 18.

The moose population in the area is generally considered healthy and the OSM conclusion is to
support the proposal.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for that report. Any summary of public comments from the Regional coordinator.

MR. NICK: Mr. Chair, there weren't any comments.

MR. PROBASCO: And, Mr. Chair, no one has signed up for this proposal.

CHAIRMAN TOWARAK: Okay. There are no public comments or public testimony on this proposal. We will move on then to the Regional Council recommendation.

MR. L. WILDE: Thank you, Mr. Chair. The Yukon-Kuskokwim Delta RAC supports Proposal WP12-50 with modification to include only remainder of Unit 18. This is a historic standard practice and no accidents have been reported using this practice while hunting. And people are trying to effectively put food or efficiently put food on the table. People wish to abide by the law while hunting.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Mr. Wilde.

Any questions of the Chair.

(No comments)

CHAIRMAN TOWARAK: If not then we will proceed on to the Department of Fish and Game.

MR. PROBASCO: Mr. Chair, Mr. Reakoff stepped out, but I want to note that the Western Interior -- this was before them, but they took no action on the proposal.

CHAIRMAN TOWARAK: Okay. We'll give him an opportunity later if he does have any other comments. We will proceed then with the Department of Fish and
Game.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas. The Department opposes this proposal, this is a practice that is already disallowed in State regulation. We understand that it's been adopted in other portions of Federal regulation, however in this area it would be significantly confusing to users. We've got two dozen communities, mixed land ownership patterns and the Federal subsistence hunting regulations only apply on Federal public lands, they don't apply on non-Federal lands and waters. These boat accessible waters put the users at risk for being cited with this mixed land status in State waters in the mix. We just think it's too confusing for the users and disallowed under State regulations.

The Board of Game also rejected a similar proposal in November.

CHAIRMAN TOWARAK: Thank you. Any questions of the State.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we will proceed on to the InterAgency Staff Committee.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and it provides sufficient basis for the Regional Council recommendation and Federal Subsistence Board action on the proposal.

The Board may want to consider adding to the Yukon-Kuskokwim Regional Advisory Council's recommendation to clarify that the boat under power not be on step for safety reasons.

Thank you.

CHAIRMAN TOWARAK: Any questions. Mr. Cribley.

MR. CRIBLEY: Yeah, I guess, what does that mean. I guess I don't understand that.

CHAIRMAN TOWARAK: Geoff, go ahead.

MR. HASKETT: Actually, I -- I'm going to
take a shot at it instead of me. I was going to go ahead
and volunteer to do that, but are you -- want to go ahead
and cover that.

MR. PROBASCO: Through the Chair, Mr.
Chair, if I may. Usually when people talk about a vessel
or a skiff being on step that means that the boat has
planed and it's on its upper -- it's not in the lower
part, it's on plane.

CHAIRMAN TOWARAK: Is it enforceable?

(Laughter)

CHAIRMAN TOWARAK: Go ahead.

MR. HASKETT: So actually I'd like to
once again call up Gene Peltola, they're the one enforce
-- or Robert Sundown, they enforce this so they can
actually describe how -- why it is enforceable with your
permission.

CHAIRMAN TOWARAK: Mr. Sundown, you have
the floor.

MR. SUNDOWN: Thank you, Mr. Chairman,
members of the Board. To answer the specific question,
there are three positions of a vessel, it can be in
displacement position which is enforceable, it can be in
a plow position, plow position is when you are just
engaging the throttle and you're in between displacement
and being on plane and the third position is being on
step, you transition from plow to plane. And it's -- it
would be enforceable, it would be a jury question at that
point, but it would be enforceable.

CHAIRMAN TOWARAK: Thank you. And those
are definitions in regulations?

MR. SUNDOWN: There's -- these are
definitions from our boating safety projects that we have
among Staff and commonly understood positions in vessels.
But.....

CHAIRMAN TOWARAK: Go ahead, Pete.

MR. PROBASCO: Mr. Chair, if the Board
were to go down this path they would have to capture
something like Mr. Sundown so it's very clear what the
Board's intent is when they speak to step and being off
step.

Mr. Chair.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you for your explanation.

Mr. Lohse, go ahead.

MR. LOHSE: Mr. Chair, I'd like to ask Ken a question at this point in time because of what's going on up in Yukon-Charley and things like that. When we start talking about waterways we're talking about Federal versus State navigable water and all of that kind of good stuff. And, in fact, I think some of it's in some pretty high courts right now if I remember right. So at that point in time that as a Federal Board we would make regulations on navigating on navigable waters in opposition to what the State would currently allow, wouldn't we have a pretty good tendency to end up in a high court somewhere to decide whether or not we could even make that kind of a -- that kind of a regulation?

MR. LORD: Thanks, Ralph. This is a little different than what's being litigated currently because the key issue here is where the take occurs. Even if the shot is coming from State managed or State owned lands, but the moose is taken on Federal lands it's our position that we -- that that's enough of a nexus for us to regulate the actions that led to that shot.

MR. LOHSE: But wouldn't that be similar to the State's prohibition from shooting off of a roadway even if you're next to Federal lands?

MR. LORD: But I'm not sure I understand the question right. And so the State can enforce that, we don't enforce that prohibition. Let me see if I understand your question. If there's a shot off of a roadway onto Federal lands then we don't have anything -- oh, here -- we don't have anything in regulation that overrides that prohibition. Here we would be allowing the shot, in Federal regulation we'd be allowing the shot and because of the supremacy clause that would override any State prohibition that would disallow that activity.
MR. LOHSE: Okay. So then that's --
somewhere along the line I missed something. I would be
under the impression that if we as a Federal Board made
a regulation that says when traveling through Federal
lands you can shoot out of a vehicle off of a State
maintained road, State -- in other words the State right-
of-way, that that would end up in court real fast and
that if I was driving down -- let's say I was driving
down McCarthy Road through the Federal land and I decided
to take a moose off the road and the State game warden
was right behind me, I would expect him to write me a
ticket even if the Federal government said it's okay for
me to take that moose on Federal land. But I don't think
the Federal government could give me permission to shoot
off of a State right-of-way and that's where I'm --
that's where I'm looking at this, there's not much
difference between a navigable -- depending on what the
courts decide, at this point in time there's not much
difference between a navigable waterway and a State
right-of-way. And I just don't -- I don't see how -- I
don't see how we could allow something on State land
that's illegal on the State land, to just -- in other
words to allow them to take something on Federal land.
And I may be wrong and that's why I was asking you and
you, you know.....

MR. LORD: Well, this isn't the first
time we've dealt with this issue, if you remember I think
it was Unit 4 deer, the question was taking deer off the
beach. Bert's shaking his head yes, he remembers this.
And the question was whether you could shoot from a boat
out in, you know, saltwater and shoot that deer that's on
the beach in Federal lands. And we did go down that
path, we weren't challenged, but we did do it.

MR. LOHSE: But State regulation doesn't
forbid shooting a deer off of the boat onto land unless
the boat is under power.

MR. LORD: Right. Well, that was the
question. Yeah, that was the -- the proposal was to
allow it from a boat under power.

CHAIRMAN TOWARAK: Go ahead, Bud.

MR. CRIBLEY: Well, we seem to be arguing
about something don't we already have in regulations
allowing shooting -- taking of moose off a powered boat
-- a boat under power in place and all we're doing is
expanding the area here for that authorization. So.....
MR. LORD: Correct.

MR. CRIBLEY: .....really we've already taken the step, we're just defining how big a step we're taking maybe.

MR. LORD: That is correct.

MR. CRIBLEY: Okay. Thank you.

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we will proceed on to the.....

MR. REAKOFF: Mr. Chairman, just one final comment. There is a Federal provision under methods and means that precludes shooting from or across a highway. So that does -- that's already in place. Basically the methods and means that the Federal regulations have adopted are similar to the State regulations. I would really like to know the interpretation about the State right-of-way, the lands adjacent to the road are Federal lands and so I would -- at some point I would like a legal interpretation about the State right-of-ways over Federal lands just for my reference.

MR. LOHSE: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Mr. Lohse.

MR. LOHSE: Jack, then I -- then I'll throw another little loophole or not loophole, a little question in this. Currently we have a buffalo hunt on the Copper River in Unit 11. The Copper River is bordered by Native land. If you want to hunt above the high water mark you have to get -- you have to pay for a Native permit to hunt above the high water mark, but everything below the high water mark on the Copper River is considered part of the navigable river and is public property.

MR. REAKOFF: A response, that -- that's a navigable water issue. Right-of-ways across Federal lands I would like a legal interpretation. I would not -- I do not want this Board to think that the right-of-
way areas are part of State jurisdiction. I would like
a legal interpretation of that before accepting it.

Thank you, Mr. Chair.

MR. LORD: Mr. Chair, we're getting a
little beyond the issue here. It's not something I'd
like to do right now. I'll talk with Jack.....

CHAIRMAN TOWARAK: Okay. We're at Board
discussions with Council Chairs and State liaison. Our
next item is Board action.

Go ahead, Pete.

MR. PROBASCO: Everybody's looking at
their -- doing some research while we're here and I just
wanted to point out to the Board as it pertains to
caribou your current regulation as it's stated in the
handy-dandy, and it doesn't try to define in you're on
step or off step, it just says you may take caribou from
a boat moving under power in Unit 18. So that's specific
to caribou.

Thank you, Mr. Chair.

MS. KENNER: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MS. KENNER: May I make a comment?

CHAIRMAN TOWARAK: Sure.

MS. KENNER: This is Pippa Kenner. I
think it might be helpful for the Council to see the
deliberation they had in 2010 when considering a similar
regulation for -- or the exact same regulation for the
lower Yukon area, it's on Page 488 and it begins at the
top of the page and it kind of goes over what the Board
discussed and we have a lot of new Board members so they
might want to read that. There's kind of a
question/response for a couple paragraphs there at the
top of 488.

CHAIRMAN TOWARAK: Okay. I'm going to
declare a five minute break so let's have Staff weed
through what we could before we get a motion on the
floor.
CHAIRMAN TOWARAK: Shall we reconvene. I think we were under Board discussion with the Council Chairs and State liaison when some questions came up that brought us into a little tizzy here, but I think we are ready to move on to the last step on this proposal for Board action. The floor is open for Board action.

Mr. Haskett.

MR. HASKETT: So we -- yesterday when you weren't here we got into a problem on motions and amendments so I'm just going to quickly say what my intent is, what I'm going to try and do here and it's less complicated than it was 20 minutes ago. It's not going to cover the step question at all.

So I'm going to make a motion, I plan to make a motion to adopt the proposal as recommended by the Regional Council and I'm going to ask for an amendment after that to -- just to get some clarifying language on where deer actually is that I think will be okay with the RAC. So with that understand I'm going to go ahead and make the motion that I move to adopt Proposal 50 as recommended by the Yukon-Kuskokwim Regional Council. And I also plan to add an amendment to the motion if I get a second.

MS. PENDLETON: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Discussion.

MR. HASKETT: Can I go to make the amendment? Okay. So I move to amend the motion to insert language to clarify which area this applies to which is written out on Page 49 [sic] of our book under OSM conclusion. 489. So I'm looking for a second on that too.

MS. MASICA: Second.

CHAIRMAN TOWARAK: There's a second on the amendment. Discussion, the floor is open for discussion.

MR. HASKETT: So the intent of the
amendment is to make sure that the area description is
easier to understand, there was -- I think the intent was
there by the RAC, but as has been explained to me didn't
quite get it down to specific areas. If you look at Page
485 in our book the area where this will be allowed,
assuming we do the final motion, approve it, is -- will
extend to the remainder area on that map so now it
applies to both the lower Yukon and the remainder areas.
And I believe this is consistent with the Regional
Council's recommendation.

CHAIRMAN TOWARAK: Any other questions or
discussion on the motion -- the amendment.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, all
those.....

MS. MASICA: Call for the question, Mr.
Chair.

CHAIRMAN TOWARAK: The question's been
called for the co-vote.

MR. PROBASCO: Thank you, Mr. Chair.

This is on the amendment and the amendment is to clarify
the area that's being discussed and it's found on Page
489 under OSM conclusion and this amendment falls in line
with the YK Regional Advisory Council's recommendation.

Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.
MR. PROBASCO: And, Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: The amendment carries, 6/0.

CHAIRMAN TOWARAK: Now back to the main motion. Any discussion.

MR. HASKETT: So the main motion will allow for the traditional practice of positioning a hunter to take a moose from a moving boat which is a traditional practice as we heard from the YK RAC.

CHAIRMAN TOWARAK: Any questions or further discussion on the motion.

(No comments)

MR. CRIBLEY: Mr. Chairman.

CHAIRMAN TOWARAK: Mr. Cribley.

MR. CRIBLEY: Call for question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chairman. Final action on WP12-50 as amended.

Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.
CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: And, Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: The motion carries as amended, 6/0.

CHAIRMAN TOWARAK: Thank you. We will move on then to Proposal 12-51. We'll get the Staff analysis, please. And for your information the building supervisor that told us that we could remain in the building until 6:00 o'clock tonight, we have to be out by 6:00, we don't have to be here until 6:00, but that's our limit. But, Staff, go ahead with your analysis, please.

Thank you.

MR. FOX: Thank you, Mr. Chair. Trevor Fox with OSM. Proposal WP12-51 was submitted by the Yukon Delta National Wildlife Refuge and requests an extension of the season and an increased harvest limit for ptarmigan in Unit 18.

The proponent states that ptarmigan migrate westward from interior portions of the Yukon-Kuskokwim Delta as spring progresses, but the current season closes as ptarmigan arrive in coastal areas thereby precluding Federally-qualified subsistence user from harvesting ptarmigan. The proponent also states the daily harvest and possession limits restrict the total number of ptarmigan that Federally-qualified subsistence users can harvest. The proposed changes are to increase the harvest limit from 20 ptarmigan a day, 40 in possession to no limit in Unit 18 and also to extend the ptarmigan season in Unit 18 from August 10th through May 30th to August 10th through June 15. All rural residents have a positive customary and traditional use determination for ptarmigan in Unit 18.

Some of the pertinent regulatory history is that Proposal 93-47 extended the ptarmigan season from August 10th through April 30th to August 10th through May 30th to allow for move harvest opportunity in the spring and also a similar proposal was recently adopted with modification by the Alaska Board of Game to increase the harvest limit to 50 ptarmigan a day, 100 in possession and to extend the State season from August 10th through April 30th to August 10th to May 15th. This new season
under the State regulations is still less than the current Federal regulation which goes through May 30th.

Population data are lacking for ptarmigan in Unit 18, but they are reportedly -- reported as seasonally abundant in the fall and spring. Ptarmigan harvest data is collected as part of the Alaska Migratory Bird Subsistence Harvest Estimate household surveys, however this provides very limited information and does not allow managers to assess impacts of management decisions such as increases in harvest limits or season lengths. The overall harvest has been variable, but the majority of harvest takes place in the spring. The harvest is also variable among regions in Unit 18 and some of that information is on Table 3 on Page 499. And within this table most of the harvest takes place in the mid coast and lower Kuskokwim areas. In the mid coast spring harvest range from 1,100 to 10,750 ptarmigan between 2004 and 2009. Other areas such as the south coast and areas near Bethel receive relatively moderate harvest levels and few ptarmigan were harvested in the north coast, lower Yukon and central Kuskokwim areas.

If adopted the proposal would provide additional harvest opportunity for Federally-qualified subsistence users, especially those living in coastal areas that have limited access to ptarmigan during portions of the year. However these changes could adversely impact the ptarmigan population. The proposed season extension would overlap with the breeding season and higher harvest could occur especially during certain times of the year such as when males are defending territories or when ptarmigan are flocked up during migration or during the winter. Harvest is more likely to be additive during or after periods of higher natural mortality and populations have been shown to sustain higher harvest rates in the fall than the spring. Overall it is difficult to predict how an unlimited harvest would affect the population dynamics of ptarmigan in Unit 18. Ptarmigan do have high reproductive potential and high disburseabilities which may allow them to sustain high harvest levels. And they have been thought to sustain high rates such as or up to 50 percent or 50 percent harvest in Sweden and 40 percent in Alaska during some studies. But another recent study in Norway found evidence for ptarmigan populations to be partially compensatory with harvest rates less than 15 percent, but additive above 20 percent and super-additive above 30 percent harvest rates. The cyclic nature of some ptarmigan populations add complexity to the understanding
of how harvest could affect the population.

The OSM conclusion is to oppose WP12-51. And to make an informed management decision regarding sustainable harvest, managers should have some knowledge of whether the harvest would be additive or compensatory and we do not have enough information on the population to make that informed management decision. Some studies show that compensatory harvest mortality should be -- should not be assumed even for game bird populations.

Most of the harvest takes place in the spring which can have a higher impact on the population than a fall harvest. And there are no means to monitor the affects of the proposed harvest limit increase. The current household surveys may serve as a limited index to the relative abundance of ptarmigan, but the survey does not adequately account for variation in harvest estimates. We also considered two alternatives, one was to only extend the season, but this was not supported due to the potential impacts of harvesting during the breeding season and we also looked at increased harvest limits, but retaining an actual limit instead of the no limit. And these included 30 ptarmigan a day, 60 in possession, 40 a day, 80 in possession and 50 and 100. But these were not supported due to the limited ability to assess impacts of the management decisions. However if the harvest limit was increased the smaller increases such as 30 to 60 would be preferred.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you for that report. Any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for that report. Next item is a summary of public comments from the Regional coordinator.

Mr. Nick.

MR. NICK: Mr. Chair, there weren't any written public comments received.

Mr. Chair.

MR. PROBASCO: And, Mr. Chair, we have no one signed up for this proposal.
CHAIRMAN TOWARAK: Assuming that there are no public testimony on the proposal, we will move on to item four, Regional Council recommendations.

Mr. Wilde.

MR. L. WILDE: Thank you, Mr. Chairman. The YK RAC opposed Proposal WP12-51. Our justification was that elders advise hunters not to take ptarmigan during the breeding season. Local hunters target ptarmigan until waterfowl migrates through the area. People will quit hunting ptarmigan voluntarily when the time comes. This regulatory change won't make any difference in the lower and middle Kuskokwim. Ptarmigan numbers are available along the coast on a later season, maybe as late as June 15. This proposal would provide an extended opportunity for subsistence users. Some subsistence users really need ptarmigan for food. Currently fewer people are hunting ptarmigan these days and they are -- as they did historically.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you, Mr. Wilde.

Any questions of the Regional Chair.

Mr. Haskett.

MR. HASKETT: So I was a little bit confused. So it sounded like part of it was a justification for being in favor as opposed to being opposed, but I must have misunderstood some of that.

MR. L. WILDE: Yeah, the area where it said this extended season would be for subsistence, the thing is there isn't that many people that are using this ptarmigan as they did historically, but now they're depending a lot more on the migratory birds that come in during the spring. And along the coast where I'm from you don't see that many ptarmigan, they'd be -- if you got 50 ptarmigan in Hooper Bay you'd be killing the whole flock coming down to that area.

MR. HASKETT: Thank you.

CHAIRMAN TOWARAK: And they taste like pork.

(Laughter)
MR. L. WILDE: I guess.

CHAIRMAN TOWARAK: If we don't have any other questions of the Regional Council Chair we will move to the Fish and Game comments.

MR. PAPPAS: Thank you, Mr. Chair. Our comments can be found on Page 507. This is George Pappas, Department of Fish and Game. I'll be summarizing from there.

If adopted hunters will -- near the coast will be provided two additional weeks of opportunity in June and the harvest opportunity will be unlimited if the daily bag and possession limits are removed. Eliminating harvest limits for ptarmigan in Unit 18 may lead to conservation concerns due to lack of Federal in season management tools. Last November the Board of Game approved a change in the Unit 18 ptarmigan hunting season ending date to May 15th and liberalized the bag and possession limits to 50 birds per day with 100 in possession. We support modifying this proposal to reflect the recent Board of Game decision to -- for a season closing date on May 15th and liberalizing the bag limit to 50 per day with 100 birds in possession.

Thank you, Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Any questions or discussion on the State's recommendation.

(No comments)

CHAIRMAN TOWARAK: Thank you for that report. We will move on then to the InterAgency Staff Committee comments.

DR. JENKINS: Mr. Chair, in addition to the standard InterAgency Staff Committee comment, the Committee also notes that the Board may want to consider supporting the proposal with modification to align the harvest limit regulations for ptarmigan in Unit 18 with the recent changes made by the Alaska Board of Game, while leaving the harvest season dates the same. If the Board were to support this proposal with modification which would be contrary to the Council's recommendation it could do so based on the third exception clause of Section 805(c) of ANILCA, that the Council recommendation would quote, be detrimental to the satisfaction of subsistence needs, end quote.
CHAIRMAN TOWARAK: Thank you for those comments. Any questions of the Staff.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, we will move then to item seven, the Board discussion with Council Chairs and State liaison.

Geoff.

MR. HASKETT: So I have another question for Lester if I may. So since you all had your discussions the Board of Game's made a change and they've increased the harvest limit to 50 per day and 100 in possession which -- can you tell me if that would have changed the discussion at all?

MR. L. WILDE: I can only bring forth what my -- what the Council made a discuss -- that were discussed at the time. I'd have to go back to the Council in order to get any changes on this proposal.

MR. HASKETT: Thank you.

CHAIRMAN TOWARAK: Further questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any, then we are ready for Board action.

Mr. Haskett.

MR. HASKETT: I'm going to move to adopt Proposal 12-51 with the modification to increase the harvest limit to 50 per day and 100 in possession and I'll provide my rationale if I get a second.

MR. CRIBLEY: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Please continue.

MR. HASKETT: So I -- I'm reluctant -- I try not to come up with a motion that's different than what the RAC proposed and I know there's no way -- I mean, based upon your answer obviously you can't go back and, you know, come up with a different answer than what you did, but this was a recommendation from the Refuge
and we believe this will align our harvest limits with
the recently revised State regulations which when we can
do that, that -- I mean, that's something we would very
much like to do. These harvest limits would be in effect
on Federal lands. Because of the recent Board -- anyway
because of the recent Board of Game action so it was
going to be happening anyway. So I realize this doesn't
match the recommendation of the Regional Council. I'm
thinking they may have come up with something different
if they'd been presented with additional information, I
know we can't guess at that. My motion does not change
the season dates in any way as they seem to be working
well for people in Unit 18. And I intend to vote in
favor of the motion.

CHAIRMAN TOWARAK: Further discussion.

Pete.

MR. PROBASCO: Just a clarification. Mr. Haskett, if I understand your motion was to adopt 12-51
with the limit of 50 per day and 100 in possession. 12-51 has a closing date of June 15th and the State has a
closing date of May 15th.

Mr. Chair.

CHAIRMAN TOWARAK: Any other discussion.

MR. CRIBLEY: Mr. Chair, a little bit
more clarification. The -- my understanding is the
existing regulation the closing date is May 30th. The
proposal was to move it to -- push it back to June 15th.
Is Mr. Haskett's amendment to leave it at May 30th or to
go with the June 15th date in his amendment. I
understand the bag limit, what you're doing there,
but.....

MR. HASKETT: The intent is to leave it
at May 30th.

MR. CRIBLEY: Okay. Thank you.

CHAIRMAN TOWARAK: Is that okay with the
second?

MR. PROBASCO: That's you, Bud.

MR. CRIBLEY: Second what?

MR. HASKETT: The explanation.
MR. PROBASCO: If I may, Mr. Chair. The motion was to support WP12-51 which has the ending date of June 15th. You asked for clarification which Mr. Haskett said he meant May 30th. So you as a second would need to concur with that.

MR. CRIBLEY: Oh, I second that. I concur, I think, yeah. Whatever he says, yeah.

CHAIRMAN TOWARAK: Took the words out of your mouth.

MR. CRIBLEY: He did. He did. I'm getting used to that.

(Laughter)

CHAIRMAN TOWARAK: Any further discussion.

(No comments)

MR. CRIBLEY: Mr. Chairman, I call for question.

CHAIRMAN TOWARAK: The question's been called for. Roll call, please.

MS. MASICA: Can you clarify.

MR. PROBASCO: Thank you, Mr. Chair. And thank you, Ms. Masica. I'm going to clarify this motion. The motion is to -- in Unit 18 for ptarmigan, the season would remain August 10th to May 30th, however the bag limit would be changed to 50 per day and 100 in possession.

And first is Ms. Pendleton.

MS. PENDLETON: Yes.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.
CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: And, Mr. Virden.

MR. VIRDEN: Yes.

MR. PROBASCO: Motion carries, 6/0.

CHAIRMAN TOWARAK: Thank you. We will move on then to Proposal 12-53.

MS. KENNER: Thank you, Mr. Chair, members of the Board, Council Chairs and the Solicitor's Office. I'm Pippa Kenner again, anthropologist for the Office of Subsistence Management. And the analysis for Proposal 12-53 begins on Page 509 of your Board book.

The proposal was submitted by the Yukon Delta National Wildlife Refuge in Bethel and would provide -- prohibit a hunter in Unit 18 from pursuing with a motorized vehicle a moose or caribou that is fleeing. At the last -- at the recent Council meeting when the Council deliberated on this proposal there was a tremendous amount of testimony and there was some confusion as to exactly what this proposal is for. And I'm going to try my best to clarify for you exactly what is means.

The proponent stated that law enforcement has found it necessary to site hunters last seasons for pursuing caribou that were moving at full gallop and that when hunters pursue at high rates of speed caribou that are fleeing, that are engaged in taking and taking caribou by hunters on motorized vehicles is prohibited in Statewide regulations. When do hunters approaching caribou turn into hunters who are pursuing caribou. It's not clear and the proponent wishes to define pursuit as hunters following caribou that are at or near full gallop. And by characterizing Unit 18 may be helpful. Unit 18 generally has few trees, only a little bushy vegetation and it's characterized by large expanses of wetlands with little variation in elevation. You can literally see from 20 or 30 miles a hump on the tundra. And so people are hunting in this environment.

We also have another Statewide regulation
that is applicable to all wildlife that you may not herd, 
drive or molest caribou. Well, the problem is in this 
environment you can be a long ways off and you're 
affecting the movement of those caribou, they know you're 
coming. So in order to get close to the herd on a 
motorized vehicle and not walking which is probably not 
a good idea, you -- in order to get close at all to take 
one, you have to move up to them and they are generally 
moving away from you.

So in this environment where we only have 
a -- we have a herd that's depleted, we may have a 
different way of enforcing regulations than we do in 
units where the Western Arctic Caribou Herd is, where 
there are more abundant caribou. Enforcement officers 
have discretion with these regulations. Well, the 
enforcement officer might have discretion, but the hunter 
on the ground needs to know what his or her limits are 
too. And so in this situation, the Refuge enforcement 
would like to declare to hunters that if you're pursuing 
a caribou that is at or near full gallop, that means 
having all four hooves off the ground at the same time, 
you will be cited.

And it's important to note that Proposal 
WP12-41 would have allowed hunters on snowmachines in 
Unit 18 to position themselves to harvest caribou. This 
proposal was withdrawn by the Association of Village 
Council Presidents in Bethel who instead supported 
modifying this proposal, 12-53, by replacing fleeing with 
the words at or near full gallop. So that modified 
proposal would have read you may not pursue with a 
motorized vehicle an ungulate that is at or near full 
gallop.

And the problem that OSM -- the 
difficulty OSM is having with this proposal is that this 
is already illegal in Federal regulations, Statewide 
Federal regulations, can't herd, drive or molest caribou. 
And so we at the point that this went out in the Board 
book had decided that the OSM conclusion is to oppose.

Thank you for your time.

Mr. Haskett.

MR. HASKETT: So OSM opposes because they
figure it's already covered otherwise, but you all aren't saying it's a legal problem if someone does some additional clarification?

MS. KENNER: I'd like to refer that question to the solicitor.

MR. LORD: That is precisely my position, Mr. Haskett. Thank you for laying it out for me.

(Laughter)

MR. HASKETT: May I? So can you lay it out better than I just did so I understand why that would be a problem for -- having further clarification?

MR. LORD: No, I thought I -- sorry, then I misunderstood. I thought you said that it was not -- okay. I'm sorry, I misunderstood. No, I do not think it's a problem to have further clarification.....

MR. HASKETT: Okay.

MR. LORD: .....or to have unit specific regulation that the local people have bought into and are willing to abide by. That is not a problem.

MR. HASKETT: Okay. Thank you.

CHAIRMAN TOWARAK: Further questions.

(No comments)

CHAIRMAN TOWARAK: Thank you. We will then move on to number 2, public comments from the Regional Council coordinator.

MR. NICK: Mr. Chair, for WP12-53, we did not receive any written public comments.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you.

MR. PROBASCO: Mr. Chair, we do have one person that would like to testify on behalf of AVCP and that's Mr. John Sky Starkey.

MR. STARKEY: Thank you, Mr. Chairman and Board members. John Sky Starkey representing the
Association of Village Council Presidents. To my right is Robert Sundown from the YK National Wildlife Refuge Staff.

My appearance here is merely to confirm what is in the analysis and that is that AVCP had submitted a proposal earlier and in the spirit of cooperation with the Refuge at the RAC meetings agreed to withdraw its proposal and to support the proposal that was modified and submitted by the RAC for the purposes of making it clear to all what is and is not allowable when you're on snowmachine with -- and hunting caribou. And further just to say that in the sense of having a regulation that has both in terms of tribal consultation, AVCP is the tribal consortium for that region, represents 56 villages. So it's consistent with that obligation to support this proposal. And it's also consistent with the idea of having local people buy into a regulation and support a regulation which is good for enforcement and good for conservation and good for relationship.

Thank you.

CHAIRMAN TOWARAK: Would you like to speak, Mr.......

MR. SUNDOWN: Thank you, Mr. Chair and members of the Board. My name is Robert Sundown with the Yukon-Kuskokwim National or Yukon Delta National Wildlife Refuge. I'm just here to maybe give you a little bit of the regulatory or the history behind how this all occurred. You know, as the Mulchatna Caribou Herd declined it became an enforcement priority for the Refuge Staff along with the Alaska State Troopers Wildlife Division and we stepped up our enforcement efforts as a result of the declining Mulchatna Caribou Herd. And over the course of last spring we issued numerous citations for people chasing caribou. And just as Pippa described it's flat, featureless terrain out there and if we were to take the letter of the law as it's written both in the Alaska statutes and in our regulations, you would have greater than 90 percent of violation occurring because it's nearly impossible to approach caribou on a snowmachine and harvest it at the same time. So no matter how careful you were it would be exceptionally difficult for people to harvest caribou under the current regulations.

So in the spirit of cooperation we initially modified our initial proposal which was another
letter of the law type proposal to one that would be more versatile, it would address the issue of caribou conservation insofar as it would prohibit chasing because that's the detrimental part of motorized vehicles and the caribou population, both energetically and just from a means and methods standpoint and it would allow us to give citations to the few bad people that actually care chasing the caribou herds.

So the important message in this cooperative proposal is local buy-in as Sky recommended and it's important to have local buy-in because we have a Refuge that is the size of Ohio with one Federal enforcement officer and two Alaska Wildlife Troopers. So when you can encourage public buy-in and community condemnation it's a very important milestone because you have people buying into the idea that conservation of this caribou herd is important. It addresses the biological concern of chasing because of the energetic properties of caribou and how it's detrimental to them when they get chased. And it -- more importantly it makes an allowance as opposed to the strict interpretation. All of a sudden, you know, for the first time it -- you can approach a caribou while on a snowmachine and if a caribou can be approached without chasing it and an allowance takes places for the harvest then that's the compromise that was made with AVCP, addressing the biological concerns the Refuge had with Mulchatna Caribou.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. Are there any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for your testimony. That concludes the public testimony, we will move to the Regional Council's recommendations.

MR. L. WILDE: Thank you, Mr. Chairman. The YK RAC supports Proposal WP12-53 with modification to add the wording that in Unit 18 a hunter may not pursue ungulates that are at or near full gallop. The modified proposal would read Unit 18 Special Provision, you may not pursue with a motorized vehicle an ungulate that is at or near full gallop. This proposal is being directed toward the caribou hunting. Subsistence hunters are trying to get food on their -- feed for their families,
at or near full gallop was the original wording agreed to
by Association of Village Council Presidents, AVCP, and
the Yukon Delta National Wildlife Refuge. State
regulations require a mandatory court appearance, a fine
and a criminal charges and -- let me go over that again.
State regulations require a mandatory court appearance,
a fine and criminal charges. The desire is to have
something less strict for subsistence users. The desire
is to have a bailable offense under Federal Subsistence
regulations. AVCP pulled Proposal WP12-41 and agreed
with the U.S. Fish and Wildlife Service. Yukon Delta
National Wildlife Refuge is to support this proposal with
the understanding that the regulatory wording would say
at or near full gallop. AVCP and U.S. and Fish and
Wildlife and Yukon Delta National Wildlife Refuge Staff
did not intend to mirror the Alaska Department of Fish
and Game regulations in this case. The analysis needs to
describe the U.S. Fish and Wildlife Service, Yukon Delta
National Wildlife Refuge and AVCP agreement in this case.
The Council specifically requests that the Office of
Subsistence Management support this proposed wording.

Thank you, Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. Any
questions of the YK Delta Chair.

(No comments)

CHAIRMAN TOWARAK: Bristol Bay and Seward
Peninsula, Mr. Nick, do you -- oh, I'm sorry, Bristol
Bay. On Page 509 it says that Bristol Bay Regional
Council recommends -- the recommendation is to oppose.

MR. WILSON: I'll have to go with that,
I -- you caught me off guard there.

CHAIRMAN TOWARAK: Okay. The discussion
is on Page 518.

MR. WILSON: It says here that Bristol
Bay Regional Advisory Council opposes 12-53. Use of
motorized vehicles is already prohibited in existing
regulations and can be addressed by additional
explanatory language in the Federal regulation booklet.
It is a public education issue and does not require
additional regulations.

Thank you.
CHAIRMAN TOWARAK: And the Seward Peninsula.

MR. NICK: Mr. Chair, Seward Peninsula opposed Proposal 12-53. This regulation would prevent hunters from pursuing wounded animals via motorized vehicles. And the Council did not agree with this, they were worried about hunters not pursuing wounded animals during their deliberation.

Mr. Chair.

CHAIRMAN TOWARAK: Thank you. The Western Interior.

MR. REAKOFF: Oh, we didn't take the proposal up, we basically deferred it to the YK Delta region.

CHAIRMAN TOWARAK: Thank you. Any questions of any of the Council Chairs.

(No comments)

CHAIRMAN TOWARAK: Not hearing, then we will move on to Alaska Department of Fish and Game.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas. The State comments begin on Page 520 where you can also find the policy for off road vehicle use.

And the State is opposed to this proposal. This is already illegal in regulation. We understand the conversations that have taken place between the Refuge and the local folks and what is necessary for enforcement and being able to approach the caribou population and believe that the existing language speaks enough to this, to enforcement it defines harassment, molestation, changing the direction of the animal. We find the new insertion at or near full gallop really just muddies the water for enforcement. You know, these caribou don't come with an odometer or a speedometer and, you know, is it half gallop, was it near full gallop, how near to full gallop was it, was it a cantor, was it wounded, a wounded animal can fully gallop. We really believe this creates too much of an enforcement issue even though we understand the desire for the bailable offense and appreciate the attempt to clarify, but we think that this further confuses the
issue.

CHAIRMAN TOWARAK: Thank you. Any questions of the State.

(No comments)

CHAIRMAN TOWARAK: We'll move on then to the InterAgency Staff.

DR. JENKINS: Mr. Chair, the InterAgency Staff Committee found the Staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on the proposal.

Thank you.

CHAIRMAN TOWARAK: Thank you. We'll move to the Board discussion with Council Chairs and the State liaison. Any questions or comments.

(No comments)

CHAIRMAN TOWARAK: Not seeing any or -- go ahead, Mr. Cribley.

MR. CRIBLEY: Well, I guess a question and going back to the comments, the Bristol Bay Regional Council recommendation which was that this could be handled just through clarification or within the handbook as opposed to changing the regulation. Was that was there -- is that viable, reasonable, was there any thought or discussion or thought put into that.

MS. KENNER: Thank you, Mr. Cribley, through the Chair. There was a lot of discussion about that and, in fact, one of the reasons why you're seeing that statement in a Council recommendation is that the recommendation that they saw included that option. The OSM preliminary conclusion was to instead place this provision in the booklet. There's a couple of issues around that. It was thought to be a compromise that at first Staff did not want and the reason why is that the Office of Subsistence Management through our regulatory specialist works very hard to keep our regulations pretty clean and precise, by not offering language in the booklet distributed to the public that is not in regulation. In this situation for a while the
InterAgency Staff Committee and the OSM Staff thought it could work as an alternative, but instead moved back to their position that it would be better to either cleanly oppose it or cleanly support it. I would like to point out though that this similar language is in the State's handy-dandy distributed to the public which is why that recommendation came up and why the proponent used this language.

CHAIRMAN TOWARAK: Further questions or discussions. Pete, did you.....

MR. PROBASCO: I just want to make a comment for the Board's consideration and I've been talking with our regulations specialist, Theo, and I spoke briefly with Ken, I'm not sure Ken and I are on total agreement, but if the Board were to go down the path of looking at this proposal and used the term at or near a full gallop, talking with Theo and my interpretation is the Board would have to define what is meant by full gallop as far as an enforceable regulation.

Mr. Chair.

CHAIRMAN TOWARAK: Any other discussion. Go ahead.

MR. LORD: Mr. Chair, from a prosecution perspective if this -- if I were to get in front of a judge at a full gallop would be problematic. It's an issue of fact much like a boat being up on step. And I think the -- you know, Jennifer's comments captured it quite nicely, you know, it puts a burden on the prosecution and on law enforcement to prove full gallop versus half gallop versus something else. And I think it might be enough to render this proposed language unenforceable. Fleeing to me is a much cleaner word or -- I'm sorry, that's not -- I don't mean to say that. What I mean to say it would be much easier to define and describe and I think for a judge to accept the dictionary definition of fleeing is much easier for law enforcement to prove.

CHAIRMAN TOWARAK: What's the wishes of the Board. Go ahead, Mr. Haskett.

MR. HASKETT: So this is going to be my motion when we get to that point. And that was new information I hadn't heard before from counsel that there's a problem with the definition full gallop. I
know the Refuge believes this is something strongly
needed and has worked really closely with AVCP. And so
I guess what I'd like to do -- this is the last proposal
for tonight from the YK? Yes. So what I would like to
be able to do is if it's acceptable to the Board, to the
Chair, is circle back with my folks tonight and take this
up first thing tomorrow morning where I'll know for sure
if I can still make the motion with something that
addresses that or not.

CHAIRMAN TOWARAK: In my mind that would
be allowable as long as when we reconvene the meeting we
would not have to go through the seven steps that we've
already gone through and we would just jump straight into
the eighth step.

Go ahead.

MR. HASKETT: My promise it'll be the
eighth step recovery plan. So I will either be in a
position where I will not make this proposal if I can't
address the concerns or I will have a definition that we
will run by the solicitor that will either be okay or
not. So we'll start at the correct point tomorrow.

CHAIRMAN TOWARAK: Is there any
objections to that. Mr. Cribley.

MR. CRIBLEY: No, just -- no, I -- well,
I appreciate the suggestion, I think it's a good idea,
but one addition -- can I ask one additional question of
clarification if that's okay. And that goes back to the
recommendation from the Bristol Bay Subsistence Regional
Advisory Council, if we were to take their suggestion of
adding additional explanatory language in the Federal
regulation booklet would that not then apply everywhere
and no just in this area so it would be a larger
clarification for all units rather than just for this
particular unit? It was just a question.

MR. LORD: If that question was directed
at me, it.....

MR. CRIBLEY: Well, yeah.

(Laughter)

MR. LORD: Well, I thought it was.....

MR. CRIBLEY: Well, you're the smart guy
on the table. Come on, now.

MR. LORD: We could, I suppose, adopt a unit specific definition, but we've never gone down that path. So if we do it the way we've traditionally done it, you're correct, it would be a definition applying statewide.

MR. CRIBLEY: If we take the approach Bristol Bay approach or the approach that Bristol Bay is taking or that we -- are you saying that if we take the approach of the proposal that it would apply to the entire State or it would be -- it wouldn't be just limited to Unit 18, it would be all units? Am I -- I'm making it worse.

MR. PROBASCO: Mr. Chair, if I may. I think what we're doing here and can is that we're -- the Bristol Bay's recommendation was they felt that we could take the handy-dandy and clarify it. I think we would have difficulty pretty much based on what Ms. Kenner said as well as what Theo has said, that would be very difficult to do, to capture what AVCP would like to do, to allow some form of use of a motorized vehicle to harvest caribou. And so it's going now to the issue of how do we capture that desire and it's focusing on the YK which was at full gallop, Ken countered that with there's some difficulty with that at looking at flee. So going down the Bristol Bay's approach which is specifically looking at trying to clarify it in the handy-dandy without any supporting regulatory language would be very difficult and probably would put us right back in the same place.

Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Geoff.

MR. HASKETT: So I think I can help this one too. So I believe that the proposal that we're going to be making a motion for is specific to the YK Delta as opposed to the Bristol Bay discussion which would have done something different. So we'll get that clarified tomorrow too before I go ahead and make a motion. If it is a Statewide thing I won't make the motion and we'll get that clarified ahead of time.

CHAIRMAN TOWARAK: That sounds like a solution. I think what I'd like to do is maybe call for a recess, it's going on 5:30. We're allowed to stay here
1 until 6:30, but I think is a good place to take a break.
2 We've got about half of our proposals done and I would
3 assume that we will try to speed up the process to do the
4 rest tomorrow which would leave us pretty close to
5 adjournment.....
6
7 MR. REAKOFF: Mr. Chairman.
8
9 CHAIRMAN TOWARAK: .....on paper.
10
11 MR. PROBASCO: Well, Mr. Chair.....
12
13 CHAIRMAN TOWARAK: Yes.
14
15 MR. REAKOFF: I want to notify the Board
16 that I intend to go home tomorrow, it's still cold and so
17 I've concluded my business here and I appreciate all your
18 hard work and the work of the Staff on a productive
19 meeting.
20
21 Thank you.
22
23 CHAIRMAN TOWARAK: Thank you. Is that
24 agreeable with the rest of the Board, to take a break
25 right now, it seems to be following some rabbit trail
26 that are -- seems to get us lost at times. So I think we
27 need a good night's rest to come here refreshed and
28 tackle the rest of the proposals tomorrow.
29
30 So we will recess this meeting until 8:30
31 tomorrow morning.
32
33 (Off record)
34
35 (PROCEEDINGS TO BE CONTINUED)
CERTIFICATE

UNITED STATES OF AMERICA
STATE OF ALASKA

I, Salena A. Hile, Notary Public in and for the State of Alaska, do hereby certify:

THAT the foregoing pages numbered 153 through 313 contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD PUBLIC MEETING, VOLUME II taken electronically on the 18th day of January 2012, beginning at the hour of 8:30 a.m. at the Egan Convention Center, Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 27th day of January 2012.

Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 9/16/14